



**Notice:** Council meetings are held in person at Town Hall. Members of the public can attend meetings in person, view meetings through the Zoom livestream, or view meeting recordings on YouTube at any time. To live-stream this meeting starting at 6 pm, use this Zoom link:

<https://us06web.zoom.us/j/88956545878>

**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

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

**3. APPROVAL OF AGENDA**

**Draft motion: Moved and seconded that Council approve the agenda for the April 11, 2023 meeting as presented.**

**4. APPROVAL OF MINUTES**

**Draft motion: Moved and seconded that Council approve the minutes of the March 28, 2023 meeting as presented.**

**5. PUBLIC HEARINGS, PRESENTATIONS AND QUESTIONS**

5.1 Public Hearing Process

5.2 Public Hearing: Amendment to Land Use By-law: Deleting Schedule "G" Vending

**Draft motion: Moved and seconded that Council close the Amendment to Land Use By-law public hearing portion of the meeting.**

**6. CORRESPONDENCE, PETITIONS AND PROCLAMATIONS CONSIDERATION**

6.1 Lyme Disease Awareness Month Proclamation

**Draft motion: Moved and seconded that Council proclaim May 2023 as Lyme Disease Awareness Month.**

**7. BUSINESS ARISING FROM THE MINUTES/UNFINISHED BUSINESS**

7.1 Vending By-law – presentation and second reading

Draft motion: Moved and seconded that Council approve the Vending By-law as presented.

Draft motion: Moved and seconded that Council approve the proposed Vending Permit Fee Schedule as presented.

7.2 Amendment to Land Use By-law: Deleting Schedule “G” Vending – second reading

Draft motion: Moved and seconded that Council approve second reading of the proposed amendments to the Land Use By-law by deleting Schedule “G” Vending as presented.

## **8. COMMITTEE MEETING MINUTES, RECOMMENDATIONS, REPORTS & NOTICES OF MOTION**

### **9. NEW BUSINESS**

9.1 Old Town Lunenburg Heritage Conservation Plan and By-Law Update

9.2 Sustainable Services Growth Fund

Draft motion: Moved and seconded that Council approve that the Mayor and CAO sign the Sustainable Services Growth Fund Agreement Form.

9.3 Regional Anti-Racism & Anti-Discrimination Committee

Draft motion: Moved and seconded that Council approve the Terms of Reference (TOR) for the Lunenburg County Anti-Racism and Anti-Discrimination Committee as presented; and that Council approve the new Regional Equity, Diversity, and Inclusion Coordinator position, a two-year term shared position with the other five municipal units based on the funding formula and budget as presented.

Moved and seconded that Council direct the CAO to work with the other five municipal units to develop a Memorandum of Understanding (MOU) for the Regional Equity, Diversity, and Inclusion Coordinator position; and that the MOU be presented to all participating Councils for approval.

Moved and seconded that Council approve the dissolution of Town of Lunenburg’s Anti-Racism Special Committee.

## **10. ADJOURNMENT**

TOWN OF LUNENBURG  
**COUNCIL MEETING MINUTES**  
 March 28, 2023 | 6 pm  
 Lunenburg Town Hall – Council Chamber




---

Present	Mayor Matt Risser, Deputy Mayor Peter Mosher, Councillors Melissa Duggan, Stephen Ernst, Ed Halverson, Jenni Birtles and Susan Sanford
Also present	Jamie Doyle, Chief Administrative Officer Tyson Joyce, Director of Public Works Arthur MacDonald, Director of Community Development Trevor Hume, Development Officer Hilary Grant, Senior Planning/Heritage Officer Michael Best, Communications Manager Kathleen Rafuse, Town Accountant Kayla Byrne, Municipal Clerk Terri Lynn Almeda, Accessibility Directorate
Call to Order	The Mayor called the meeting to order at 6:02 p.m.
Land acknowledgment	The Mayor recognized Lunenburg's location on the unceded territory of the Mi'kmaq people.
Approval of Agenda	Moved and seconded that Council approve the agenda for the March 28, 2023 meeting as presented.
Approval of Minutes	Moved and seconded that Council approve the minutes of the March 14, 2023 meeting as presented.
Accessibility Act Update	Accessibility Directorate Manager, Terri Lynn Almeda, presented an update on the Accessibility Act, which focused updates to standard development, collaboration and support, and compliance and enforcement.
Correspondence	Council received four letters with respect to the proposed Vending By-law.  Council received one letter regarding the Blockhouse Hill Request for Proposal (RFP).

Business Arising /Unfinished Business	None.
Committee Recommendations & Notices of Motion	None.
Town Hall Exterior	<p>Moved and seconded that Council approve the carry-over of the Town Hall Exterior Restoration Tender Package project (original budget \$95,000) to the 2023/24 fiscal year with a budget increase of \$3,415 for a total revised budget of \$98,415; and that the additional costs be funded from the Deed Transfer Tax Reserve.</p>
	<b>Motion carried unanimously</b>
Purchase and Installation of a Furnace for the Armouries Building	<p>Moved and seconded that Council approve the emergency purchase and installation costs of a new furnace for the Armouries Building in the amount of \$13,000 + HST, as approved by the CAO; and that the project be funded from the Water Depreciation Reserve.</p>
	<b>Motion carried unanimously</b>
Finalizing the Sale of 17 Tannery Road	<p>Moved and seconded that the property at 17 Tannery Road known as Lot TOL-3 and represented on Nova Scotia Property Online by PID No. 60725470, subject to the easement burdens (and together with the easement benefit) shown in the Parcel Register, is no longer required for the purposes of the Town.</p>
	<p>That the Town confirms and adopts the easements dated March 8, 2023 and registered as document no. 122157929 and 122158042 respectively in the Land Registration Office.</p>
	<p>That Council is satisfied that \$450,000 represents market value for the said property.</p>
	<p>That the Town approves and adopts the Agreement of Purchase and Sale with 3264241 Nova Scotia Limited signed by the CAO except that the property will be subject to the easement burdens (and have the easement benefit) shown in the parcel register.</p>
	<p>That the Mayor and CAO are authorized to execute the deed and other documentation to complete the transaction on behalf of the Town, and</p>

to affix the municipal seal thereto.

That the CAO is authorized to extend the date for the closing for a period of up to one month if he, in his opinion, feels that it is advisable to do so.

**Motion carried unanimously**

Dissolution of  
Project Lunenburg  
Steering  
Committee

Moved and seconded that Council dissolve the Comprehensive Community Plan Project Steering Team as it has fulfilled its purpose as set out in its Terms of Reference.

**Motion carried unanimously**

Councillors thanked the committee members for their work.

Potable Water  
Quality Test Results

Council received the potable water quality test results for October 2022 to December 2022. The report also highlighted water main breaks and repairs and complaints received.

Wastewater Quality  
Test Results

Council received the wastewater quality test results for October 2022 to December 2022. The report also highlighted complaints received.

In Camera Meeting

Moved and seconded that Council meet in camera at 6:30 p.m. to consider the following matters pursuant to section 22 (2), Municipal Government Act:

- Contract negotiations
- Acquisition, sale, lease and security of municipal property

**Motion carried unanimously**

Prior to any in camera discussions, the Mayor called a five-minute recess.

Resumption of  
Open Council  
Meeting

Council reverted to public session at 6:52 p.m. There were no items to report from the in camera session.

Adjournment

There being no further business, the March 28, 2023 Council meeting adjourned at 6:52 p.m.

---

Minutes were read and approved.

# PUBLIC HEARING



- A Public Hearing provides members of the public with an opportunity to learn about a proposal and make their views known to Council

# PUBLIC HEARING PROCESS



1. A presentation will be made on the subject of the Hearing by staff and Council members may ask questions
2. There may or may not be a presentation by a proponent and Council members may ask questions
3. Advance submissions from the public, if received
4. The Mayor will open up the floor for public questions
5. Council will officially close the Public Hearing
6. Council may proceed with their decision later in the agenda or defer to a future meeting

# PUBLIC HEARING RULES OF CONDUCT



- State your name and civic address
- Be respectful of others' opinions
- Speakers are limited to 1 presentation / 10 minutes
- Council members may question each speaker
- Commends and questions by the public are to be directed to the Mayor
- Once the public hearing is closed, no further questions or comments on the matter will be received

# PUBLIC HEARING RULES OF CONDUCT



For Zoom attendees:

- To comment by **audio**, click on the “raise hand” icon and you will be entered into a queue; the ability to be heard will be activated as directed by the Mayor
- To comment by **text**, type into the Chat function and staff will relay to the Mayor
- The “raise hand” and Chat functions will only be enabled during the Hearing

# PUBLIC HEARING OVERVIEW: AMENDMENT TO *LUB* TO DELETE SCHEDULE “G”



- A Public Hearing provides members of the public with an opportunity to learn about the proposed amendment to the *Land Use By-law* (LUB) to delete *Schedule “G” – Vending* and make their views known to Council.
- To initiate an amendment to the LUB, a Public Hearing is required under the Municipal Government Act (MGA).

# PUBLIC HEARING OVERVIEW: AMENDMENT TO *LUB* TO DELETE SCHEDULE “G”



- The Planning Advisory Committee held a Public Participation Meeting on February 27<sup>th</sup>, 2023.
- Council approved First Reading on March 14<sup>th</sup>, 2023.
- The Public Notices for the Public Hearing were published on March 22<sup>nd</sup> and March 29<sup>th</sup>, 2023.



## TOWN OF LUNENBURG PUBLIC HEARING Land Use By-law Amendments

Please be advised that the Town of Lunenburg's Council will be holding a Public Hearing in the **Council Chambers, Town Hall, 120 Townsend Street at 6:00 p.m. on Tuesday, April 11, 2023** to receive public comments on proposed amendments to the Town's Land Use By-law.

The purpose of the amendment is to delete the Land Use By-law provisions dealing with vending operations (Schedule “G” – Vending) so that Council may proceed with the adoption of a new Vending By-law. This Public Hearing will deal solely with the Land Use By-law amendments.

Copies of the proposed amendments are available at the Town Hall, 119 Cumberland Street, Lunenburg, N.S. The documents are also available on the Town's website at [www.townoflunenburg.ca](http://www.townoflunenburg.ca)

Interested parties are welcome to submit written comments for the Council's consideration. Any written submissions should be received a week before the meeting so that they may be included in the Council Agenda Package. Verbal and written comments may also be received by Council during the Hearing.

For further information, please contact:

Arthur MacDonald  
Director of Community Development  
P.O. Box 129  
Lunenburg, Nova Scotia  
Canada B0J 2C0

Email: [communitydev@townoflunenburg.ca](mailto:communitydev@townoflunenburg.ca)  
Tel: 902-634-4410, ext 234

Everyone is welcome to attend

# PUBLIC HEARING PROCESS



1. A presentation will be made by staff; Council members may ask questions.
2. If received, advance submissions from the public will be noted.
3. The Chair will open the floor for public submissions in person and online.
4. The Chair will officially close the Public Hearing.
5. Following the Public Hearing, Council may approve the amendment, refuse the amendment or defer back to staff for revisions to be considered by Council at a later date.

# PUBLIC HEARING RULES OF CONDUCT



- State your name and civic address for the minutes.
- Speakers are limited to 1 presentation / 10 minutes.
- Be respectful of others' opinions.
- Council members may question each speaker.
- Comments and questions from the public are to be directed to the Chair.
- Once the Public Hearing is closed, no further questions or comments on the matter will be received.

# PUBLIC HEARING RULES OF CONDUCT



For Zoom attendees:

- To comment by **audio**, click on the “raise hand” icon and you will be entered into a queue; the ability to be heard will be activated as directed by the Chair.
- To comment by **text**, type into the Chat function and staff will relay to the Chair.
- The “raise hand” and Chat functions will only be enabled during the Public Hearing.

# PUBLIC PARTICIPATION MEETING



Questions and/or comments?



## **PROCLAMATION**

### **Lyme Disease Awareness Month May 2023**

WHEREAS Lyme disease is a serious illness caused by the bite of a blacklegged tick infected with the bacterium *Borrelia burgdorferi*;

WHEREAS blacklegged ticks carrying a variety of diseases or illnesses can now be found in all parts of Nova Scotia; and

WHEREAS awareness, education and practicing preventative measures, such as daily tick checks and proper tick removal, can help reduce your chances of contracting tick-borne diseases;

THEREFORE, be it resolved that I, Mayor Matt Risser, on behalf of the Town of Lunenburg, proclaim May 2023 as Lyme Disease Awareness Month.

**Date:** April 11, 2023

**Signature:**

Matt Risser, Mayor of the Town of Lunenburg

# PROPOSED NEW VENDING BY-LAW



Council passed the following motion at its May 10, 2022 meeting :

“Motion: moved and seconded to undertake a planning report and draft Vending By-law, which would include a map showing permitted areas for vending, and amend the Land Use By-law to delete Schedule G, Vending. Motion carried.”

It is Council intent to approve the adoption of the new Vending By-law at the same time as their approval to amend the Land Use By-law. Neither amendment becomes effective until their approval is published in the local paper.

# PROPOSED NEW VENDING BY-LAW



The proposed Vending By-law enables a wide range of vending opportunities.

The Vending Area Map, Schedule “A”, outlines the areas where retail sales are enabled under the Land Use By-law and includes businesses in the Institutional and Industrial zones where mobile canteens (Lunch Trucks) may wish to serve clients.



# PROPOSED NEW VENDING BY-LAW



The proposed Vending By-law will regulate:

- Craft Markets and Farmers' Markets;
- Vending Stands, Mobile Canteens and Mobile Vehicle Stand at a single fixed location;
- Mobile Canteen and Mobile Vehicle Stands at multiple locations on a schedule route;
- Door to Door Vending;
- Walking Tours;
- Buskers;
- All other vendors.

# PROPOSED NEW VENDING BY-LAW



Vending fees will be determined by Council. The fees are not part of the Vending By-law. A second motion of Council to approve the vending fees will be considered by Council this evening.

It should be noted that the owner of the lands may also decide to lease the premises to the vendor for a fee. Therefore, the vending fee is in addition to the amount the vendor may have to pay for renting their space.

The Vending Permit fee is solely for the Town's Vending Permit and other additional costs may be applicable including, but not limited to, costs associated with renting or leasing the vending location, insurance costs, and costs associated with provincial approvals, such as the Provincial Food Establishment Permit.

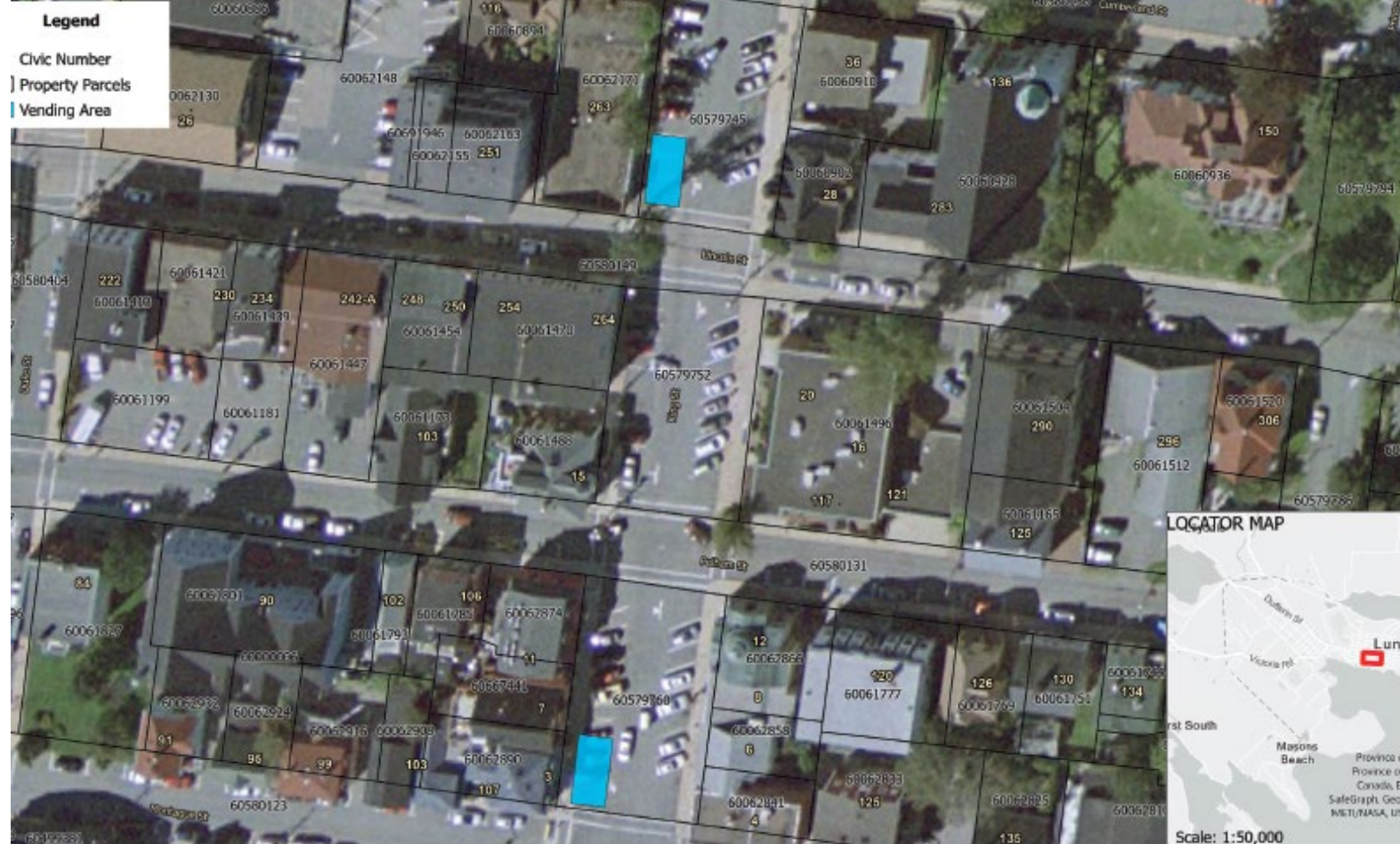
# PROPOSED NEW VENDING BY-LAW



The Proposed Vending By-law also provides for the establishment of seven (7) on-street vending areas.

The By-law provides a general outline of where these spaces are provided (Appendix "B"). However, the exact location is subject to the approval of the Town Engineer. Only spots that would satisfy the requirements of the Motor Vehicle Act will be approved (Section 23).

## PENDIX "A" - STREET VENDING LOCATION MAP (King Street)



maps are for graphical purposes only.  
They do not represent a legal survey.  
While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, the Town of Lunenburg cannot assume liability for any damages caused by any errors or omissions in the data. Users of our maps and other analysis products are solely responsible for interpretations made from these products.

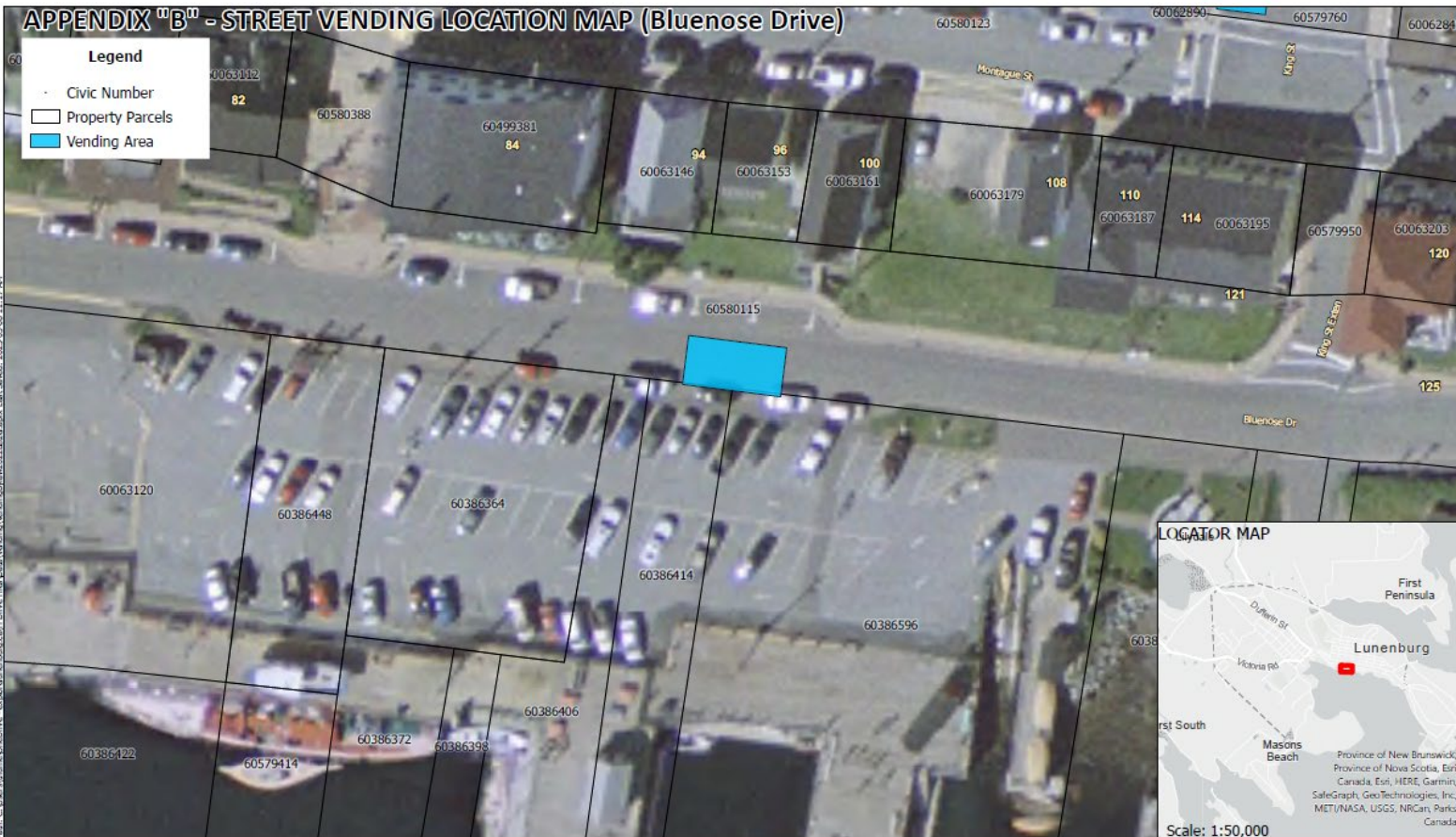
APPENDIX "A"  
Street Vending Location Map (King Street)

GN

30

# PROPOSED NEW VENDING BY- LAW

## STREET VENDING LOCATION MAP (KING STREET)



**APPENDIX "B"**  
Street Vending Location Map (Bluenose Drive)



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, the Town of Lunenburg cannot assume liability for any damages caused by any errors or omissions in the data. Users of our maps and other analysis products are solely responsible for interpretations made from these products.

# PROPOSED NEW VENDING BY-LAW

## STREET VENDING LOCATION MAP (BLUENOSE DRIVE)

APPENDIX "C" - STREET VENDING LOCATION MAP (Tannery Road)



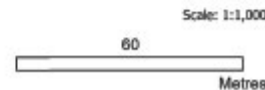
# PROPOSED NEW VENDING BY- LAW

## STREET VENDING LOCATION MAP (TANNERY ROAD)



Maps are for graphical purposes only.  
They do not represent a legal survey.  
While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, the Town of Lunenburg cannot assume liability for any damages caused by use errors or omissions in the data. Users of our maps and other analytical products are solely responsible for interpretations made from these products.

APPENDIX "C"  
Street Vending Location Map (Tannery Road)





# PROPOSED NEW VENDING BY-LAW



The proposed Vending By-law includes provisions that attempts to minimize impacts from vending operations (Section 29):

- Prohibits operations between 11:00 pm and 8:00 am;
- Regulates the requirement for litter, recyclable and compost receptacles (3 stream);
- Prohibits the use of any device that produces loud noises;
- Regulates lighting;
- Prohibits the vendor from increasing traffic congestion;
- Prohibits the vendor from creating hazards to traffic, life or property;
- Prohibits the vendor from creating or becoming a public nuisance.

# PROPOSED NEW VENDING BY-LAW



In addition:

- The proposed By-law enables the Development Officer to revoke a Vendor's Permit for any violation of the By-law (Section 26).
- The proposed By-law enables Council to revoke a Vendor's Permit when it appears to be in the public interest (Section 27).
- The proposed By-law enables Council to, by policy, restrict the number of permits to be granted by category (Section 25).

# PROPOSED NEW VENDING BY-LAW



## **Enforcement:**

Any person or business who violates any provision of this By-law, is guilty of an offence and subject to a penalty pursuant to Section 505 of the Municipal Government Act.

# PROPOSED NEW VENDING BY-LAW



Questions and/or comments?

**Subject:** Vending By-law – Second Reading  
**From:** Arthur MacDonald, Director of Community Development  
**Reviewed by:** Jamie Doyle, CAO  
Kayla Byrne, Municipal Clerk  
**Date:** April 11, 2023

---



### **Recommendation**

Motion 1: That Council approve second reading of the Vending By-law as presented.

Motion 2: That Council approve the proposed Vending Permit Fee Schedule as presented.

### **Alternatives**

- Defer proposed Vending By-law back to staff for revisions.
- Not approve second reading of the Vending By-law.

### **Background**

At its May 10, 2022 meeting, Council passed the following motion:

“Motion: moved and seconded to undertake a planning report and draft Vending By-law, which would include a map showing permitted areas for vending, and amend the Land Use By-law to delete Schedule G, Vending. Motion carried.”

This report will focus on adopting a new Vending By-law (attached). The amendment to the Land Use By-law will be dealt with in a separate report.

The current [Vending By-law](#) is out-of-date and references provisions of the Land Use By-law that no longer exist. In keeping with Council’s motion of May 10, 2022, it is recommended that provisions related to vending in the Land Use By-law be deleted (except for the provisions dealing with Yard Sales) and consider the adoption of a new stand-alone Vending By-law that is not dependent upon provisions of the Land Use By-law.

Council passed first reading of the proposed Vending By-law on February 28, 2023 and published a notice for second reading in the LighthouseNOW newspaper on March 22, 2023. Staff received 24 letters with respect to the proposed Vending By-law. Some letters express concerns with the by-law while others are in support of it. All received correspondence is attached to this report except for one letter which was only circulated internally as per the author’s request.

If approved, the new Vending By-law will repeal and replace the Town’s current Vending By-law, By-law #61.

## **Discussion**

During the presentation on May 10, 2022 concerns were raised regarding the limitation of vending areas. It is proposed that Council allow vending in all areas where the Land Use By-law permits retail stores. For example, under the Land Use By-law, Mobile Canteens are only allowed within the Commercial Mixed-Use Zone (along Victoria Road). As shown in Schedule "A," Vending Area Map, the proposed Vending By-law will expand the area for vending. The proposed Vending By-law also provides seven (7) vending areas within the street rights-of-way.

The proposed Vending By-law permits vending on public or private property within the Vending Area. However, vendors require the property owner's permission to vend on all property. Applicants need proof of permission from property owners to apply for a vending permit. Property owners may charge fees to use their land in addition to the necessary municipal vending permit fee. This includes the possibility of the municipality charging additional fees to vend on public property.

A Proposed 2023/24 Vending Permit Fee Schedule is enclosed for Council's consideration (Motion 2 as noted above). The fee schedule also includes the fees associated with leasing Town owned land, including the on-street locations pursuant to Appendix B - Street Vending Location Map.

The 2022/23 rates are listed on the current [Vending Permit Application Form](#).

## **Strategic Plan Relevance**

Economic Development: Direction to support economic development.

Community Structure: Direction regarding how the Town will be structured and how land will be used.

Culture and Recreation: Direction to support community life and assets in Lunenburg, including cultural identity, heritage interpretation, and the arts sector, as well as parks, open spaces, sports, and other activities.

## **Relevant Legislation**

Section 172 and Section 173 of the Municipal Government Act enables a municipality to regulate vending by enacting a by-law.

## **Financial**

It is anticipated that there may be a slight increase in the Town's revenue from issuing more vending permits. Therefore, a positive financial impact is expected because of the proposed By-law.

## **Attachments**

- New Proposed Vending By-law
- Proposed 2023-24 Vending Permit Fee Schedule
- Letters from the public about the proposed by-law

## **TOWN OF LUNENBURG**

### **VENDING BY-LAW**

#### **1. TITLE**

- 1) This By-law will be known as the “Vending By-law”.

#### **2. PURPOSE**

- 1) Section 172 and Section 173 of the Municipal Government Act enables a municipality to regulate vending by enacting a by-law. The Town of Lunenburg is enacting this by-law to ensure a fair and transparent process to regulate vending within the Town of Lunenburg.

#### **3. DEFINITIONS**

- a. “Busking” means the activity of providing entertainment, not in an enclosed building, for voluntary donations by the public.
- b. “CAO” means the Chief Administration Officer for the Town of Lunenburg.
- c. “Community” means Lunenburg County.
- d. "Community group" means a group or organization providing services or benefits to or for citizens of Lunenburg County.
- e. “Council” means Town of Lunenburg Council.
- f. “Craft market” means a gathering of five (5) or more vendors, where the goods for sale are craft goods produced by the vendors or are otherwise hand-made crafts, which may include food vendors including Mobile Canteens.
- g. “Crosswalk” means that portion of a roadway ordinarily included within the lengthening or connection of curb lines or the edge of a roadway and property lines at intersections or any portion of a roadway clearly indicated for pedestrian crossings by lines or other markings on the road surface.
- h. “Door-to-door vendor” means anyone who is engaged in short-term vending activities where the vendor or the vendor’s agent goes door-to-door with the

**Vending By-law**

Adopted by Council:

intent of selling goods or services, whether by appointment or otherwise, but does not include:

- i. Persons selling goods or services by appointment where they do not go door-to-door; or
  - ii. persons selling goods or services outside a building from a stand or otherwise where they do not go door-to-door.
- i. "Farmers' market" means a gathering of five (5) or more vendors, where most goods for sale are products of the farm, forest and the sea (including flowers, plants, vegetables, fruit, jams, jellies, baked goods and honey); and where any other goods for sale are craft goods produced by the vendors or are otherwise hand-made crafts and may include food vendors including Mobile Canteens.
  - j. "Flea market" means a gathering of vendors for the purpose of selling new or used goods to the public, and which is not a farmers' market or a craft market and may include food vendors including Mobile Canteens.
  - k. "Goods" means wares, merchandise, substances, articles, or products and manufactured items.
  - l. "Holder" or "Vending Permit Holder" means any vendor who has successfully obtained a Vending Permit as per the regulations of this By-law.
  - m. "Mobile Canteen" means a vehicle or mobile vehicle stand used for the display, storage, transportation or sale of food, beverages or other goods to the public by a vendor that may be stationary where vending occurs at a specific site or may be mobile where vending occurs on a scheduled route.
  - n. "Pedestrian Mall" means a street that has been blocked off for the use of pedestrians only by excluding all motor vehicles.
  - o. "Permit" means a Vending Permit issued under this By-law.
  - p. "Roadway" means that portion of a street between the curb lines, or the travelled portion of a street designed for vehicular traffic and, except where the context indicates otherwise, includes a crosswalk.

**Vending By-law**

Adopted by Council:

- q. "Sidewalk" means a portion of a street between the curb line and adjacent property line, or any part of the street especially set aside for pedestrian travel and separated from the roadway.
- r. "Special Event" means a sporting, cultural, business or other type of activity that may be one-time or annual but occurs for a limited or fixed duration and has an impact on the Town by involving such support including, but not limited to, the use of Town Lands, including streets and sidewalks, Town services or Town financial support.
- s. "Stand" includes an outdoor table, showcase, bench, rack, pushcart, wagon, or wheeled vehicle or device that can be moved without the assistance of a motor, and is used for the display, storage, transportation or sale of food, beverages, or other goods by a vendor.
- t. "Street" means a public street, highway, road, lane, sidewalk, thoroughfare, bridge, square and the curbs, gutters, culverts and connected retaining walls.
- u. "Town" means the Town of Lunenburg.
- v. "Vehicle" includes any vehicle required to be licensed and registered as per the Motor Vehicle Act of Nova Scotia; and any vehicle propelled by human power, whether required to be licensed or not and includes stands.
- w. "Vendor" means any person or business who engages in vending as defined under this By-law.
- x. "Vending" means the sale, or offering for sale, of:
  - i. Food, beverages, or other goods, unless they are immediately delivered to a residence or shop by the person selling them.
  - ii. Services, unless they are provided in a building.

For greater certainty, this definition includes the activities of craft markets, farmers' markets, vending stands, mobile canteens, mobile vehicle stands, door-to-door vendors, walking tours and buskers.

- y. "Walking Tour" means an outdoor guided tour within the Town of Lunenburg where a person, for compensation, acts as a guide or provides information on

**Vending By-law**

Adopted by Council:

aspects of the Town to the people who have paid for the tour.

**4. ADMINISTRATOR**

- 1) The Town's Development Officer is the administrator of this By-law and is authorized and empowered to grant or refuse any application for a Vending Permit under this By-law.

**5. VENDING APPLICATION AND VENDING PERMIT**

- 1) All applications for Vending Permits will be made using the Vending Permit Application Form, which is attached to this By-law as Form 1. The Vending Permit Application Form may be amended, from time to time, by the CAO.
- 2) All vendors must follow all federal, provincial and municipal regulations. This includes, but is not limited to, obtaining any required health permits and adhering to the Motor Vehicle Act. Applicants must include copies of required documents with their Vending Permit application.
- 3) Successful Vending Permit applicants will receive a Vending Permit, an example of which is attached to this By-law as Form 2. The Vending Permit will include all conditions of the Permit. The Vending Permit (Form 2) may be amended, from time to time, by the CAO.

**6. FALSE STATEMENTS**

- 1) It is an offence for any person to make a false statement in a Vending Permit application.

**7. VENDING APPLICATION FEES**

- 1) In addition to any other relevant Vending Permit requirements, the applicant will pay the appropriate fee(s) in accordance with the fee schedule established by Council. The fees will be stated on the Vending Permit Application Form (Form 1).
- 2) All Vending Permit fees must be paid before a Vending Permit is issued.

**Vending By-law**

Adopted by Council:

- 3) Vending fees will be reviewed annually by Council. At that time, Council may amend, by resolution, any vending fees associated with this By-law.

**8. ISSUING OF VENDING PERMITS**

- 1) Provided that the conditions and terms of this By-law have been met, the Development Officer will issue the Vending Permit to the applicant.
- 2) The Development Officer may refuse to issue or amend a Vending Permit or may suspend a Vending Permit for breach of this or any other By-law or of the terms or conditions of a Permit. Notice of any refusal will be given to the applicant or Holder.
- 3) If the conditions of this By-law have not been met and a Permit cannot be issued, the Development Officer will notify the applicant, in writing, stating the reason(s) why the Permit cannot be issued. This written notification may be personally delivered to the applicant or sent via ordinary mail to the applicant's last known address. If the primary means of communication between the Development Officer and the applicant is email then a notification may be emailed. If an application is refused, any paid application fees will be reimbursed by the Town.
- 4) All Vending Permit applications and requested vending locations are processed on a first come, first served basis.

**9. APPROVED VENDING PERMITS**

- 1) Every Vending Permit issued under this By-law will specify the food, beverages, or other goods or services (including products of the farm, forest and sea) permitted to be sold by that vendor. The Vending Permit will also include the vending location (or the schedule vending route as the case may be) and the description of the premises and any other terms or conditions imposed by this By-law.
- 2) Every Vending Permit issued under this By-law will have a Vending Permit number, which will be included in the Development Officer's records.
- 3) Every Vending Permit will be signed by the Development Officer and will state the date it was issued and the permit's expiry date.

**Vending By-law**

Adopted by Council:

**10. EXPIRY DATE**

- 1) All yearly Vending Permits, issued under this By-law, will expire on March 31 of each year, unless an earlier date is stated on the Permit. For daily and monthly Vending Permits, the expiry date will be posted on the Vending Permit.

**11. NON-TRANSFERRABLE**

- 1) A Vending Permit, issued under this By-law, is not transferrable and cannot be assigned to another vendor or business.

**12. DISPLAY OF A VENDING PERMIT**

- 1) When conducting vending business, as per their Vending Permit, a Holder must visibly display their Vending Permit. Failure to visibly display a Vending Permit is an offence under this By-law.

**13. LOCATION AND TERMS**

- 1) A vendor can only vend goods and services as specified on their Vending Permit.
- 2) A vendor can only vend at the location (or along the scheduled vending route as the case may be) as specified on their Vending Permit.
- 3) A vendor can only vend with a stand or other vehicle as specified and approved on their Vending Permit.
- 4) A vendor must comply with all sections of this By-law.

**14. EXEMPTIONS**

- 1) This By-law and any of the vending fees associated with this By-law do not apply to:
  - a. Community not-for-profit craft markets and farmers' markets and their individual vendors.
  - b. Special Events approved and/or supported by the Town.

**Vending By-law**

Adopted by Council:

- c. Yard sales.
- d. Outdoor commercial displays offering the sale of goods, including food and beverages, by any person who operates a commercial business from a permanent location in accordance with other applicable legislation and Town By-laws including, but not limited to, sidewalk cafes under the Street Encroachment By-law and Land Use By-law.
- e. Flea markets associated with fund-raising by community groups or not-for-profit groups.
- f. Services of a hack, trolley or taxi operation that does not include any retail sales of goods.
- g. Parking meters.
- h. Vending activities associated with a private event that is not open to the public.
- i. Auctions.

**15. VENDING CATEGORIES AND LIMITATIONS**

- 1) In accordance with, and subject to the regulations of this By-law, Vending Permits may be obtained for Vending in the following categories:

Category	Limitations
<b>Craft Markets and Farmers' Markets</b>	<ul style="list-style-type: none"> <li>• Permitted on public and private property only in the designated Vending Area as shown on the Vending Area Map (Schedule A).</li> <li>• Vending on public and private property within the Vending Area requires the property owners' permission.</li> </ul>
<b>Vending Stand, Mobile Canteen or Mobile Vehicle Stand at a single location</b>	<ul style="list-style-type: none"> <li>• Permitted in association with a permitted Craft Market or Farmers' Market. No vending fee will apply if that Craft Market or Farmers' Market has a Vending Permit or is exempt from requiring a Vending Permit.</li> <li>• Permitted on public and private property only in the</li> </ul>

**Vending By-law**

Adopted by Council:

	<p>designated Vending Area as shown on the Vending Area Map (Schedule A)</p> <ul style="list-style-type: none"> <li>• Vending on public and private property within the Vending Area requires the property owners' permission.</li> <li>• Permitted within a street right-of-way located in a designated Street Vending Site as shown on the Street Vending Location Maps (Appendix A, B, C and D)</li> </ul>
<b>Mobile Canteen or Mobile Vehicle Stand at multiple locations on a schedule route</b>	<ul style="list-style-type: none"> <li>• Permitted on public and private property in the Vending Area as shown on the Vending Area Map (Schedule A).</li> <li>• Vending on public and private property within the Vending Area requires the property owners' permission.</li> </ul>
<b>Door-to-Door Vendor</b>	<ul style="list-style-type: none"> <li>• Permitted to travel door-to-door throughout Town.</li> </ul>
<b>Walking Tours</b>	<ul style="list-style-type: none"> <li>• Permitted to travel throughout Town.</li> </ul>
<b>Buskers</b>	<ul style="list-style-type: none"> <li>• Permitted on public and private property in the Vending Area as shown on the Vending Area Map (Schedule A).</li> <li>• Vending on public and private property within the Vending Area requires the property owners' permission.</li> </ul>
<b>All Other Vendors</b>	<ul style="list-style-type: none"> <li>• Permitted on public and private property in the Vending Area as shown on the Vending Area Map (Schedule A).</li> <li>• Vending on public and private property within the Vending Area requires the property owners' permission.</li> </ul>

**16. FLEA MARKETS**

- 1) Flea Markets are not allowed in the Town except for flea markets organized and operated by or sponsored by community or not-for-profit groups for the purposes of fundraising, which do not require a Vending Permit as per the Exemptions Section, Section 14, of this By-law.

**Vending By-law**

Adopted by Council:

**17. PEDESTRIAN MALL VENDING**

- 1) Vending operations may be established within any pedestrian mall where a street has been temporary closed by the Town for the purpose of establishing a pedestrian mall, subject to the vendor obtaining a Vending Permit if required and complying with all other regulations of this By-law.

**18. DOOR-TO-DOOR VENDORS**

- 1) Door-to-door vendors will:
  - a. Obtain a Vending Permit before vending door-to-door in Town.
  - b. Not be limited to the designated Vending Areas identified in the Vending Area Map (Schedule A).

**19. BUSKING**

- 1) Buskers will:
  - a. Obtain a Vending Permit before busking in the Town.
  - b. Be limited to the location as described on their Vending Permit.
  - c. Not busk in any location other than on public or private property designated within the Vending Area as displayed on the Vending Area Map (Schedule A). Busking is not permitted within any street rights-of-way, including any sidewalk areas.

**20. WALKING TOURS**

- 1) Walking Tour operators will:
  - a. Obtain a Vending Permit before operating a walking business in the Town.
  - b. Not be limited to the designated Vending Areas identified in the Vending Area Map (Schedule A).

**Vending By-law**

Adopted by Council:

**21. VENDING FROM A MOBILE CANTEEN OR MOBILE VEHICLE STAND AT MULTIPLE LOCATIONS ON A SCHEDULED ROUTE WITHIN THE VENDING AREA MAP (SCHEDULE A)**

- 1) A vendor vending from a Mobile Canteen or a Mobile Vehicle Stand at multiple locations on a scheduled route will:
  - a. Obtain a Vending Permit before conducting any vending activities.
  - b. Only vend on public or private property as shown on the Vending Area Map (Schedule A).
  - c. Obtain the property owner's permission before vending on public or private property as shown on the Vending Area Map (Schedule A).
  - d. Only operate at the locations specified on their Vending Permit.
  - e. Only have up to two (2) tables at which customers may consume food.
  - f. Operate with public liability and property damage insurance in an amount of not less than \$2 million per occurrence. Proof of insurance must be submitted with the Vending Permit Application.

**22. VENDING FROM A VENDING STAND, MOBILE CANTEEN OR MOBILE VEHICLE STAND AT A SINGLE FIXED LOCATION WITHIN THE VENDING AREA MAP (SCHEDULE A)**

- 1) A vendor vending from a Vending Stand, Mobile Canteen or Mobile Vehicle Stand at a single fixed location within the Vending Area as shown on the Vending Area Map (Schedule A) will:
  - a. Obtain a Vending Permit before conducting any vending activities.
  - b. Only vend on public or private property as shown on the Vending Area Map (Schedule A).
  - c. Obtain the property owner's permission before vending on public or private property as shown on the Vending Area Map (Schedule A).
  - d. Only operate at the locations named on their Vending Permit.

**Vending By-law**

Adopted by Council:

- e. Only have up to two (2) tables at which customers may consume food.
- f. Operate with public liability and property damage insurance in an amount of not less than \$2 million per occurrence. Proof of insurance must be submitted with the Vending Permit Application.

**23. VENDING STANDS, MOBILE CANTEENS OR MOBILE VEHICLE STANDS AT A SINGLE FIXED STREET LOCATION**

1) Vending on Town streets is only allowed at the following seven (7) locations:

- a. Two (2) street vending areas along King Street as identified on the Street Vending Location Map (Appendix A).
- b. One (1) street vending area along Bluenose Drive as identified on the Street Vending Location Map (Appendix B).
- c. Three (3) street vending areas along Tannery Road as identified on the Street Vending Location Map (Appendix C).
- d. One (1) street vending area along Green Street as identified on the Street Vending Location Map (Appendix D).

The street locations identified in clause 23.1 (a through d) are subject to the review and approval of the Town Engineer, who will consider items such as the Motor Vehicle Act.

2) A vendor vending from a Vending Stand, Mobile Canteen or Mobile Vehicle Stand at a single fixed location at a street location as show on Street Vending Location Maps (Appendix A, B, C and D) will:

- a. Only operate at the locations named on their Vending Permit.
- b. Only have a one single table for customers to consume food if the placement of a table has been approved by the Town Engineer.
- c. Operate with public liability and property damage insurance in an amount of not less than \$2 million per occurrence. Proof of insurance must be submitted with the Vending Permit Application.

**Vending By-law**

Adopted by Council:

**24. SIGNAGE**

- 1) A vendor will not install more than one (1) sign in addition to any signage directly painted on the Vending Stand, Mobile Canteen or Mobile Vehicle Stand. This sign must be a portable sign and can only be displayed when the vending activity is operational. Such a sign is exempt from any of the Land Use By-law provisions regarding signage and does not require a Development Permit. The portable sign must:
  - a. be placed within 3.5 metres of the vendor location;
  - b. not exceed 1.4 square metres in sign area; and
  - c. not be more than 1.0 metres wide or be more than 1.4 metres high.
- 2) The portable sign will be placed on the property that the vendor has permission to vend on except for designated street vending sites, where such a sign must not interfere with pedestrian or vehicle traffic and must be set-back 2.0 metres from any other portable sign.

**25. COUNCIL MAY RESTRICT NUMBER OF PERMITS BY POLICY**

- 1) Council may, by policy, restrict the number of permits to be granted for vendors by category (i.e., craft markets, farmers' markets, vending stands, mobile canteens, mobile vehicle stands, door-to-door vendors, walking tours, buskers, and other vending activities).

**26. REVOKING A PERMIT UPON VIOLATION OR CONVICTION**

- 1) A Vending Permit issued under this By-law may be revoked by the Development Officer for any violation of the terms of this By-law or any other Town By-laws. A Vending Permit may also be revoked if the Permit Holder has been convicted of an offence under any provincial or federal statute or regulations.
- 2) If the Development Officer determines that a Vending Permit must be revoked, the Development Officer will notify the Holder, in writing, stating the reason(s) why the Permit is being revoked. This written notification may be personally delivered to the applicant or sent by ordinary mail to the applicant's last known address. If the primary means of communication between the Development Officer and the applicant is email, then a notification may be emailed.

**Vending By-law**

Adopted by Council:

- 3) To ensure proper notice is given to a Holder, if notice of a revoked Vending Permit is sent by ordinary mail, the Town will wait three (3) business days after the notice has been mailed to officially cancel the Vending Permit. When a notification has been emailed, the Vending Permit is revoked immediately upon acknowledgment of receiving the email or after three (3) business days, whichever comes first. When written notice is delivered in-person to a Holder, the Vending Permit is revoked immediately upon receipt.
- 4) If a Vending Permit has been revoked, the Holder will not be reimbursed any fees that had been paid to the Town for the Vending Permit.

**27. COUNCIL'S ABILITY TO REVOKE A PERMIT**

- 1) When it appears to Council that it is in the public interest to do so, Council may revoke any Vending Permit issued under this By-law.
- 2) If Council does deem it to be in the public interest to revoke a Vending Permit, the Development Officer will provide the Holder with advance notice, in writing, of Council's intention by personally delivering or mailing the notice to the Holder's last known address a minimum of two (2) weeks before the matter is formally voted on by Council at a public Council meeting, allowing the Holder an opportunity to appear before Council. If the primary means of communication between the Development Officer and the applicant is email, then a notification may be emailed.
- 3) If Council does proceed with revoking a Vending Permit, the Development Officer will notify the Holder if their Vending Permit has been revoked by personally delivering, emailing or mailing written notification to the Holder's last known address.
- 4) To ensure proper notice is given to a Holder, if notice of a revoked Vending Permit is sent by ordinary mail, the Town will wait three (3) business days after the notice has been mailed to officially cancel the Vending Permit. When a notification has been emailed, the Vending Permit is revoked immediately upon acknowledgment of receiving the email or after three (3) business days, whichever comes first. When written notice is delivered in-person to a Holder, the Vending Permit is revoked immediately upon receipt.

**Vending By-law**

Adopted by Council:

**28. APPEALS**

- 1) Any person who has been refused a Vending Permit, or whose Vending Permit has been revoked or suspended by the Development Officer, may appeal the refusal, suspension or revocation to Council.
- 2) Appeals must be made in writing to the Development Officer and filed with the Municipal Clerk within fifteen (15) days of receiving notice of the Vending Permit refusal, suspension or revocation. The appeal must clearly state why Council should consider reversing the Vending Permit refusal, suspension or revocation.
- 3) Upon receiving the written request for an appeal, Council will consider the appeal at a regularly scheduled meeting of Council. At that time, Council may confirm the Vending Permit refusal, suspension or revocation or may direct the Development Officer to issue or reinstate the Vending Permit. In making its decision, Council will adhere to this By-law.
- 4) If Council directs the Development Officer to issue or reinstate the Vending Permit, the Development Officer will do so immediately.

**29. GENERAL VENDING CONDITIONS**

- 1) The following general vending conditions apply to Vending Permits:
  - a. Any person engaged in vending in the Town is required to have a Vending Permit as outlined in this By-law, unless specifically deemed exempt under the Exemptions Section, Section 14, of this By-law.
  - b. No Vending Permit will be issued unless the vending activity occurs at a location or locations and under circumstances where vending-use is allowed under this By-law.
  - c. A vendor will not vend on any street or on any sidewalk except where vending is specifically authorized by this By-law.
  - d. A vendor will not vend between 11:00 p.m. and 8:00 a.m. of any day.
  - e. A vendor will not sell food or beverages for immediate consumption unless they have, for public use, their own litter, recyclable and compost receptacle (3

**Vending By-law**

Adopted by Council:

Stream) or there is a public litter, recyclable and compost receptacle (3 Stream) within 5 meters that is available for their customers' use.

- f. A vendor will not leave their vending location unattended.
- g. A vendor will not leave any location without first picking up, removing and disposing of all litter, recyclable and compost (3 Stream) materials remaining from sales from the vending operation.
- h. A vendor will not set up, maintain or permit the use of any table, crate, carton, rack, stand or any other device to increase the selling or display capacity of the Vending Stand, Mobile Canteen or Mobile Vehicle Stand, unless these items have been described in their application and approved in their Vending Permit.
- i. A vendor will not sell anything other than the items they are authorized to vend under their Vending Permit;
- j. A vendor will not use any device that produces loud noises. Such devices include, but are not limited to, sound systems, radios and sound amplifiers. This section also applies to loudspeakers, which are not allowed to be used to attract the public's attention to vending activities.
- k. A vendor will not vend with any type of lighting that is directed towards, or in any way negatively impacting neighbouring property owners or have any lights directed towards any street rights-of-way, including any sidewalks.
- l. A vendor must not block access to an abutting property.
- m. A vendor must not increase traffic congestion or delays.
- n. A vendor must not create any hazard to traffic, life or property.
- o. A vendor must not block access to fire, police or sanitation vehicles.
- p. A vendor must not create or become a public nuisance.
- q. A vendor will not operate at any location other than the location stated on their Vending Permit or, in the case of a Mobile Canteen or Mobile Vehicle Stand, at locations along their schedule route as stated on their Vending Permit.

**Vending By-law**

Adopted by Council:

- r. A vendor vending on public or private property is only eligible to vend within the designated Vending Area as displayed on the Vending Area Map (Schedule A).
- s. For vending on public and private property, vendors must provide written confirmation from the property owner of the property owner's consent to the Vending Permit Application. This written confirmation must be included with the Vending Permit Application.
- t. A vendor will not allow any other item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on private or public property, without the owner's permission.

**30. PENALTY**

- 1) Any person or business who violates any provision of this By-law, is guilty of an offence and subject to a penalty as provided in Section 505(2) of the Municipal Government Act SNS 1998, Chapter 18 as amended from time to time and the provisions of Section 505(3) of the said Act are applicable.

**31. REPEALS**

- 1) This Vending By-law repeals and replaces the Town's By-law #61 Vending By-law.

**32. SCHEDULES, APPENDICES AND FORMS**

- 1) The Vending Area Map (Schedule A), the Street Vending Location Maps (Appendices A, B, C and D), the Vending Permit Application (Form 1) and the Vending Permit (Form 2) form part of this By-law.
- 2) Form 1 and Form 2 may be amended and updated without an amendment to this By-law.
- 3) Amendments to the Vending Area Map (Schedule A) and the Street Vending Location Maps (Appendices A, B, C and D) require an amendment to this By-law.



# APPENDIX "A" - STREET VENDING LOCATION MAP (King Street)

**Legend**

- Civic Number
- Property Parcels
- Vending Area



Path: C:\Users\hume\OneDrive - explorelunenburg.ca\H Drive Files\Data\Wending\WendingByView2022.aprx Last Saved: 2022-12-23 10:59 AM



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, The Town of Lunenburg cannot assume liability for any damages caused by any errors or omissions in the data. Users of our maps and other analysis products are solely responsible for interpretations made from these products.

## APPENDIX "A" Street Vending Location Map (King Street)











## TOWN OF LUNENBURG

**2023/24 VENDING PERMIT APPLICATION FORM**

FEES REVIEWED ANNUALLY BY APRIL 1

1. Applicant name: \_\_\_\_\_

2. Company name: \_\_\_\_\_  
(if different from above)3. Street and mailing address: \_\_\_\_\_  
\_\_\_\_\_

4. Phone: \_\_\_\_\_ (primary) \_\_\_\_\_ (secondary)

5. Email: \_\_\_\_\_

**VENDING PERMIT(S) REQUESTED**

The Vending Permit fee is solely for the Town's Vending Permit. Other additional costs may be applicable including, but not limited to, costs associated with renting or leasing the vending location, insurance costs, and costs associated with provincial approvals, such as the Provincial Food Establishment Permit.

TYPE	PERMIT FEE/ PERIOD
Craft Markets and Farmers' Markets that are not exempt by the Vending By-law.	To be determined by Council
Vending Stand, Mobile Canteen or Mobile Vehicle Stand at a single fixed location.	<i>To be determined by Council</i>
Mobile Canteen or Mobile Vehicle Stand at multiple locations on a schedule route.	<i>To be determined by Council</i>
Door to Door Vendor	<i>To be determined by Council</i>
Walking Tours	<i>To be determined by Council</i>
Busker	<i>To be determined by Council</i>
On-street Vending Locations pursuant to Appendix A, B, C and D of Vending By-law	<i>To be determined by Council</i>

All Other Vendors	<i>To be determined by Council</i>
<b>TOTAL</b>	<b>\$</b>

6. Proposed location of vending activities: \_\_\_\_\_

\_\_\_\_\_

7. If applicable, describe the physical characteristics of the vending stand or mobile canteen (attach photo):

\_\_\_\_\_

\_\_\_\_\_

8. Describe the goods or services your vending activities will provide:

\_\_\_\_\_

\_\_\_\_\_

9. Please attach to mobile canteen or mobile vehicle stand applications:

- A Certificate of Insurance from your insurance company confirming your \$2-million insurance coverage for public property liability and property damage.
- A copy of your current Provincial Food Establishment Permit if vending food.
- A copy of your current Food Handler’s Certificate if vending food.
- Written authorization from the private property owner where you propose to locate (new locations only).

10. Signature:

By signing this application form,

I/we, \_\_\_\_\_

(print your name/s)

hereby make application for a permit in accordance with the particulars as stated above and declare that the above statements are true and correct and I/we undertake that if granted the permit applied for I/we will comply with all relevant Municipal, Provincial and Federal laws, regulation and By-laws, including the Town’s Vending By- law.

\_\_\_\_\_  
Signature of applicant(s)

\_\_\_\_\_  
Signature of applicant(s)

\_\_\_\_\_  
Date of application

**PLEASE NOTE:**

- It is an offence for any person to make a false statement in this application. Your permit may be revoked.
- If you wish to operate on Town of Lunenburg public property you will first be required to obtain the Town's approval.
- Please return the completed application and applicable fees payable to the Town of Lunenburg, care of Development Officer, Town of Lunenburg, 119 Cumberland Street, Lunenburg, Nova Scotia, B0J 2C0.

**QUESTIONS?**

If you have any questions about the application process, please contact the Development Officer at [planningtech@townoflunenburg.ca](mailto:planningtech@townoflunenburg.ca) or 902-634-4410 x 233.

FOR OFFICE USE ONLY	
DATE APPLICATION RECEIVED:	
APPLICATION RECEIVED BY:	
VENDING PERMIT APPROVAL DATE:	
PERMIT #	
DATE PERMIT DENIED <i>if applicable</i>	

In accordance with Section 485 of the Municipal Government Act (MGA), any personal information collected on this form will only be used by municipal staff for purposes relating the Vending Permit application process, unless otherwise noted on the form. If you have any questions about the collection and use of this personal information, please contact [planningtech@townoflunenburg.ca](mailto:planningtech@townoflunenburg.ca) or 902-634-4410 x 233.

**Form 2 – Vending Permit**



**2023 TOWN OF LUNENBURG:**  
**VENDING PERMIT**

**Vending Permit No.** \_\_\_\_\_  
**Vending Permit fee:** \_\_\_\_\_

A Vending Permit is hereby granted to \_\_\_\_\_  
for the operation of a \_\_\_\_\_ at  
\_\_\_\_\_, in the Town of Lunenburg as  
described in the application dated \_\_\_\_\_.

This Vending Permit is subject to all the conditions as outlined in  
the attached Schedule "A" and said Vending Permit shall expire  
on **March 31**, \_\_\_\_\_.

This Vending Permit shall be subject to all applicable Town of  
Lunenburg By-laws and Federal and Provincial laws.

Issued this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Trevor Hume, Development Officer

**Form 2**  
**Schedule A – Conditions**  
**Vending Permit No. TL-VP2023-001**

**Proposed 2023/24 Vending Permit Fee Schedule:**

**Fees reviewed annually by April 1**

Type of Vendor	Vending Permit Options and Fees
Craft Markets and Farmers' Markets that are not exempt by the Vending By-law	One day: \$54.50 One year: \$546.00
Vending Stand, Mobile Canteen or Mobile Vehicle Stand at a single fixed location	One day: \$10.90 One month: \$109.05 Six months: \$381.60 One year: \$546.00
Mobile Canteen or Mobile Vehicle Stand at multiple locations on a schedule route	One day: \$10.90 One month: \$109.05 Six months: \$381.60 One year: \$546.00
Door to Door Vendor	One Day: \$27.25 One month: \$109.05 Six months: \$381.60 One year: \$654.15
Walking Tours	Three months: \$218.10 Six months: \$327.10 One year: \$546.00
Busker	One day: \$10.90 One month: \$27.25
On-street Vending Locations pursuant to Appendix A, B, C and D of Vending By-law	One year: \$2,500
All Other Vendors	One day: \$10.90 One month: \$109.05 Six months: \$381.60 One year: \$546.00

A Lease Agreement is required in addition to a Vending Permit fee for any proposed vending operation on Town land, including the on-street locations pursuant to Appendix B - Street Vending Location Map.

The 2023/24 Lease Agreement Fee for a vending location on Town land shall be \$100.00 plus HST for each day of the week that the Vending Permit is issued for. For example, please refer to the table below:

<b>Lease Agreement Fee for Vending Locations</b>	
<b>Days of Operation:</b>	<b>Lease Agreement Fee:</b>
One day a week	\$100.00 plus HST
Two days a week	\$200.00 plus HST
Three days a week	\$300.00 plus HST
Four days a week	\$400.00 plus HST
Five days a week	\$500.00 plus HST
Six days a week	\$600.00 plus HST
Seven days a week	\$700.00 plus HST

## Letter to Council

Dear Councillors,

My name is Cameron Levy, and I am a lifelong resident of Lunenburg. I write to you on behalf of myself, part-owner of Boathouse Bites at Lightship Brewery, my sister Kelly Conrad, owner and operator of Dory Mates' Seafood Shop, and the rest of our family. I write to you in regards to the motion to open vendor locations across Lunenburg. For the below reasons, I contest the proposal in the belief it is not in the best interest of the high tax paying locals who are constituents or the existing businesses in the town. The proposed vending options will disrupt the current aesthetics and tranquility of Lunenburg, with the possibility of impacting the overall living experience of locals and cleanliness of our streets.

On constituents: The proposed vendors will greatly disrupt the lives of the citizens of Lunenburg. I have been personally approached by over a dozen separate households with concerns to how this will disrupt their daily lives. My chief concern is the noise created by vendors. As you should know, food trucks require high amps of electricity to operate their equipment. Fryers, hood fans, flattops, etc. cannot operate without running high powered diesel generators. These are noisy and will disrupt the quaintness throughout Lunenburg, rendering both the waterfront and Tannery Road to sound like construction job sites. The beautiful sounds of lines and tackle dinging against masts will be replaced with the loud rumbles and roars of generator engines and exhausts. The locations nearest to the tennis court and Tannery Road are directly in residential areas and the longtime residents will suddenly be forced to listen to these sounds from dusk till dawn.

Additionally, the old fishing village appeal will suddenly feel highly commercial. Street vendors creating congestion throughout the town selling whatever food or nicknacks they desire with little limitations isn't what makes Lunenburg more appealing than other areas to visit. People don't travel to Lunenburg for street vendors, and locals certainly don't need it to be even harder to get through the congested areas of King Street, Montague, or Bluenose Drive. Furthermore, With the drastic influx of vendors, which nearly matches that of Halifax, there will be a massive influx of takeout related trash. Lunenburg's often overflowing trash receptacles are already at their limits. I am concerned the amount of litter on the streets of Lunenburg will sky rocket, with every person visiting the street vendors having a stack of leftover containers. The last thing the Lunenburg Harbour needs is an influx of trash blowing in daily from both the waterfront and Tannery Road.

On businesses: The existing businesses in Lunenburg currently pay high taxes, costs of their infrastructure, and utilities to the benefit of the local economy. Additionally, they employ a large portion of our workforce with entry level jobs and consistent work. The addition of various vendors will impact the likelihood of our existing gift shops, clothing stores, and restaurants to meet the typical sales they expect to operate and employ within Lunenburg. It is an unfair advantage for outside businesses to suddenly operate within the same jurisdiction of existing employers without experiencing any of the barriers of entry existing in the past. These vendors

typically only employ themselves or a couple of workers, so if it affects other businesses we may lose more jobs than gained.

Further, the addition of the previously mentioned generator sound will vastly impact the experience of customers dining on our town's patios. The desirability and overall atmosphere of the restaurant patios at places like The Half Shell Oyster Bar or Lightship Brewery will vastly change with the incoming sounds of generators. The congestion will compromise the parking areas and roads of Lunenburg which already prove extremely difficult to navigate through the high season. I believe the overall experience of tourists coming to our town will be worsened by the proposed addition, as well as the existing generational businesses in place who serve them year after year.

I hope you have taken the time to review this letter, with concerns of the well-being of the town which I was raised in mind. As stated I believe it is to the detriment to locals, tourists and businesses to proceed with the filed motion regarding vendor sites in Lunenburg. I look forward to attending the Tuesday meeting.

Thank you,

A handwritten signature in black ink, appearing to read 'C. Levy', with a stylized flourish at the end.

Cameron Levy

**From:** steve costie [REDACTED]  
**Date:** March 14, 2023 at 9:07:13 AM ADT  
**To:** [REDACTED]  
**Subject:** Vending proposal

To the Town of Lunenburg :

In the last couple weeks I was made aware of the towns vending proposal , and just yesterday received a call from the town confirming some of the specifics .

I'm just overwhelmed that council could consider allowing up to 7 mobile food trucks in the Historic town of Lunenburg , just for optics alone . So much effort and expense to keep the buildings colourful and in good shape , buildings that house most of the current restaurants in town and if allowed there would be eyesores of food trucks compromising the character and integrity which the town is known for .

In the food business it's often said the most important part of selling food is location, location, location . By allowing food trucks to set up in the town on King street and the waterfront what your doing is giving them a unfair advantage as they will be in prime locations that the restaurants can't service and simply by their location cut off the flow of business to the restaurants in town .

Lunenburg is a very seasonal town , with just over 100 days from mid June to mid September to make enough profit to carry the other 9 months of the year , in those 9 months businesses often just break even or lose money but they continue supporting employment , pay taxes , utilities and hopefully they can make it until the next summer. Every restaurant in town would like to just be open for 3 months , fill their pockets, then close , stop paying taxes, rents , utility's and staff which is exactly the unfair advantage you will be giving food trucks .

I'm not sure of how this proposal evolved but the tax supporting restaurants of lunenburg was not informed or asked on their view , I don't believe there was any type of impact study or even a survey put forward by the town . But my understanding is that one person showed up to a council meeting requesting to have a food truck in town and all his effort has been made to accommodate .

It's not hard to see the restaurants in town are investing money into their restaurants , to get financing which is harder and more costly than ever , businesses need healthy financial statements to show banks , the impact of seasonal mobile food trucks could have a devastating effect on the financial stability of the restaurants . As part of the Franchisee agreement I have to renovate our Subway store in Lunenburg , this will cost over 150,000. and require financing .This store loses money 9 months of the year and depends on the 3 busy months to carry it through , I can't imagine what the proposed food truck just feet away on King street will do to our business as well as lock up even more the parking crisis in town .

I wish the town would focus on the parking issue and would probably be surprised how's many visitors drive to town and leave because they can't find a place to park.

I am not in favour of the proposed vending amendment that allows food trucks in the historical town of Lunenburg .

Steve and Elsa Costie  
Lunenburg Subway  
Sent from my iPad

Wednesday, March 22<sup>nd</sup>, 2023

To All Members of Lunenburg Town Council,

RE: Vending Permit By-Law (First Reading)

As a brick-and-mortar business owner in the Town of Lunenburg, we wanted to express some concerns from reviewing the new proposed by-law. We want to be clear; our concerns surround vendors of food sales (i.e. mobile food canteens/trucks).

Developing our business, we were subject to The Town's strict and costly by-laws, that surrounded building construction, bathroom installation, disability access (ramps, railings, etc) and so on. These by-laws were in place to ensure that our new business would meet Lunenburg's high standards of operating a business here, while also uphold the Town's cultural integrity and UNESCO heritage status. We complied willingly and found solace knowing that all brick-and-mortar businesses had to abide to the same rules and regulations. Creating a level playing field, so to speak. These by-laws are not the same by-laws that a mobile vendor will have to abide to. They will be able to sell food, promote their business with signage, allow space for people to consume their product, have prime real estate to do so, without the heavy-handed rules and permits required of a brick-and-mortar. A not-so-level playing field.

Another issue lies in the schedule of payment for the mobile canteens and food trucks, as it further pushes the point of creating an un-even playing field. With information brought to Council this past year, our business paid over \$19,000 in 2021 for property taxes, sewage use and water consumption. Being open 365 days a year, we paid about \$52/day. A mobile canteen (operating 2 days a week, for a year) would be required to pay \$546 for the year. That's only \$5.25/day. A 90% reduction! If open 7 days a week, then that's only \$1.50/day (that's 3% of what brick and mortar pay!). At this 90%+ reduction comparison, the mobile canteens can offer their food at a very reduced cost. With inflation, the rise of food expenses and wages for employees to operate, plus the property taxes and services to the Town, brick and mortar businesses are pushed to increase cost beyond the level of reasonability (you can only charge so much for a burger before it becomes ridiculous). Since mobile canteens do not have to pay such rates, their food sale prices can remain low, while others struggle.

Our business was built with the knowledge that food trucks and mobile canteens were not permitted (by previous Council). Our menus were specifically curated with our location and other restaurants in mind, while also considering the flow of tourists and patrons around the Town. Knowing that food trucks can come and set up in prime real estate areas around Town, offer reduced rates for their cuisine, and pay 90% less than some of the high tax paying businesses in this Town is un-fair.

A level playing field and fairness for all businesses in the Town of Lunenburg should be of great concern to Council and members of the Town. If all the brick-and-mortar businesses in the Town paid the same fees as proposed food trucks, then it would be equal. With inflation, a reduced tax rate would be welcomed, however, this would be a huge loss for the Town funding, and therefore unreasonable. Offering food truck vending permits at such a reduced rate would have little financial offering to the Town and is insulting to the brick-and-mortar businesses who pay high taxes that help keep the Town afloat.

We offer that the Town reconsider permitting mobile food canteens/trucks within Town limits and make operating fees fair and equal to all businesses. It would be understandable for these low fees for Special Events (i.e. Food Truck Rally). However, wouldn't these low fees over the year show un-equal biased and favouritism towards mobile food vendors over brick and mortar? If that's the case, then why would a future developer choose brick and mortar? This kind of installment could easily push some heavily invested businesses out, and potentially cause current financially burdened businesses to collapse.

Thank you,

Alexander Pittman



## Lunenburg Board of Trade

PO Box 1300  
11 Blockhouse Hill Rd.  
Lunenburg, NS  
B0J 2C0

(902) 634 3170  
office@lunenburgns.com

To: Town Council  
From: The Lunenburg Board of Trade  
Date: March 13<sup>th</sup>, 2023

RE: Proposed new Vending Bylaw

The Lunenburg Board of Trade has been receiving some feedback from within the business community regarding the proposed Vending Bylaw which is currently awaiting a second reading. While some of our members have been in contact with Town staff directly for some clarification and to give feedback, we felt it might be useful to compile what we have heard for Council's consideration.

While many members see the value in having clearer regulations regarding vending in Lunenburg, they did have some concerns about the bylaw as presented. By far the most common of those is regarding the proposed fee structure and the fees themselves. Many of our members feel that for a vendor to only have to pay \$546 per year in which to operate gives these vendors an unfair advantage over brick-and-mortar businesses. Some suggestions from within the business community were to perhaps have all the permit fees be comparable to the \$2500 fee for one of the on-street vending locations. Another suggestion given was to have the 3- and 6-month vending permits have seasonal rates, with the tourism high season having a larger fee.

In addition, another point brought up with some regularity was the areas in which vending would be allowed, with many feeling that it is too broad. One member cited that they live very close to one of the on-street sites and they would not enjoy a food truck being parked outside their home.

Some of our members expressed a wish to see a cap on the number of available permits per year, as opposed to the Council simply having the ability to restrict the amount granted. Also cited were concerns over further congestion in the downtown core, possible nuisances from noise, excess garbage and the like, although we have noted that Council would have the ability to revoke a permit for most of these reasons. Traffic control and safety concerns regarding crowds forming near the on-street locations was also concerning for some members.

The Lunenburg Board of Trade would like to request that we be able to make a presentation on this on behalf of our members at the second reading.



## Lunenburg Board of Trade

PO Box 1300  
11 Blockhouse Hill Rd.  
Lunenburg, NS  
B0J 2C0

(902) 634 3170  
[office@lunenburgns.com](mailto:office@lunenburgns.com)

In the meantime, we will continue to accept feedback from our membership, and should any new concerns or questions arise we will forward those on to Town Staff or Council for review.

Should there be any questions regarding this letter, please do not hesitate to reach out.

Sincerely,

The Lunenburg Board of Trade

**From:** [Beth Bulger](#)  
**To:** [Kayla Byrne](#)  
**Subject:** Shore Lunch and The Amendment for Food Trucks  
**Date:** March 22, 2023 12:02:47 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Hello Kayla,

I am writing to you to show my support for the Shore Lunch food truck to be able to sell their food in Lunenburg's downtown. Shore Lunch offers food that is unique to anyone else in the area, and visually their food truck is aesthetically trendy but also has a local folk art flare that would be a natural fit to the downtown streetscape. Beyond that, Shore Lunch supports so many local businesses through their food buying practices, and they offer outstanding food that would be a huge asset to the downtown.

I have been a long time customer of Shore Lunch, and having even traveled well outside my community to buy their food.. it's just that good!

I hope this letter helps you and the other deciding members approve the request for the amendment for the food trucks in Lunenburg, and allowing Shore Lunch to sell their food downtown.

Thank you,

-Beth Bulger

**From:** [Corrine Leon](#)  
**To:** [Kayla Byrne](#)  
**Subject:** Support for proposed vending bylaw  
**Date:** March 23, 2023 2:36:52 PM

---

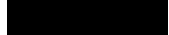
CAUTION: THIS IS AN EXTERNAL MAIL

Dear Ms. Byrne,

I am writing in support of the proposed vending bylaw. I think food trucks (mobile canteens) would be a wonderful addition to an already vibrant food scene.

Thank you,

Corrine Leon



Lunenburg

**From:** [Emma FitzGerald](#)  
**To:** [Kayla Byrne](#)  
**Subject:** food truck bylaw  
**Date:** March 22, 2023 12:54:53 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Hello Kayla,

I am writing in support of the bylaw to be discussed at your April 11th meeting that would allow for food trucks in the town of Lunenburg.

Thanks so much,  
Emma

Emma FitzGerald Art & Design  
[www.emmafitzgerald.ca](http://www.emmafitzgerald.ca)  
902-478-6194

**From:** [Melissa Shaw](#)  
**To:** [ED Halverson](#); [Jenni Birtles](#); [Kayla Byrne](#); [Kelly Jardine](#); [Michael Best](#); [Melissa Duggan](#); [Matt Risser](#); [Peter Mosher](#); [Stephen Ernst](#); [Susan Sanford](#); [susancorkumgreekmla@gmail.com](mailto:susancorkumgreekmla@gmail.com)  
**Subject:** Vending By-Law  
**Date:** March 29, 2023 12:02:19 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

The pandemonium between town hall and the constituents, as of late, has been disheartening. While Blockhouse Hill is a major issue, I am forced to focus on the Vending By-Law, as it directly impacts my “bread and butter”, the ability to feed and house my family, as well as, the business I have spent my entire adult life building.

Allowing 7 food trucks within the Town of Lunenburg, a community of 2300 permanent residents, seems enormously excessive. Especially so, when you look at the numbers across Canada. HRM has approx 13 food trucks, for the population of 500,000. Lunenburg is proposing 7, for our 2300 residents. A “bit” extreme, and odd giving the premium locations suggested, at bargain costs! The top food truck cities in North America average 9 per 100,000 residents. Lunenburg will be topping the charts—at the risk to our beloved businesses.

Other towns/cities across the country have taken into account the distance between existing restaurants and food trucks, with a required minimum distance. “A range”- A common regulation in Vending by-Laws, these are things our current council seems to have overlooked.

There's a concern for the, “brick-and-mortar” business operators who pay significant municipal tax to operate, largely seasonal, businesses in town. It is hard to compete with a mobile business, parked across the street paying next to nothing for overhead costs, in comparison to the fixed businesses paying exorbitant taxes, mortgages and maintenance fees because of our location, location, location.

The food trucks would create an eyesore in an otherwise picturesque facade. As well as, create excessive noise pollution, from powering generators to operate these mobile units in the heart of our town.

For the majority of Canada’s foodservice sector, the pandemic ushered in a period of unprecedented uncertainty, along with major financial challenges. Our sector emerged from the pandemic as one of the hardest hit financially, with many owners being forced to take on significant debt just to keep their doors open. The industry is also struggling with a number of post-pandemic operational challenges like inflation, labour shortages and supply chain hurdles – all of which are significantly impacting the profitability of

these businesses. Apparently, our town has decided that the best course of action is to increase that burden.

In 2016, Wolfville, passed a bylaw that largely restricts food trucks from operating on the Nova Scotia town's streets. After much consideration, Mayor Jeff Cantwell noted, “the council had to respect the high tax paying businesses, as well as the need to preserve parking.”

Notably, Lunenburg recently hired a communications manager, and the community seems less informed than ever. The lack of transparency is alarming, and the silence is deafening. Experimenting with our small business community, could potentially wreck havoc, it is simply unfair to offer others such an inequitable advantage. I am not in favour of this vending amendment, particularly with the lack of clarity, data and strategic foresight.

Melissa Shaw  
Sweet Treasures  
110 Montague Street

**From:** [Lunenburg Bound Books](#)  
**To:** [Kayla Byrne](#)  
**Subject:** We Love Food Trucks  
**Date:** March 22, 2023 12:26:20 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Hi there! I'm hoping that this statement could be read at the town council meeting on April 11th, as I am not available to attend. This statement is in support of the amendment to allow food trucks to operate in downtown Lunenburg. I believe this is "Amendment to Land Use By-Law: Deleting Schedule "G" - Vending."

---

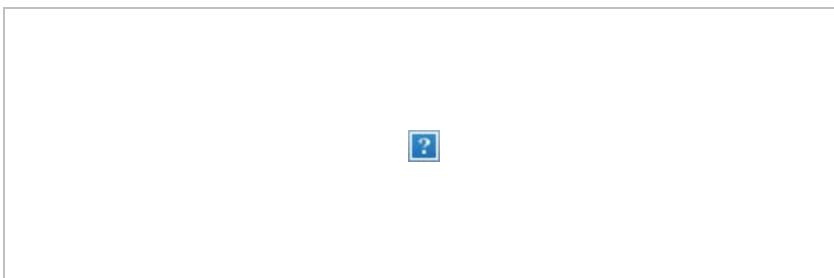
My name is Madelaine Higgins. I've worked in Lunenburg for the last three years, and moved to the area last year. I am writing in support of the amendment to allow food trucks to operate within downtown Lunenburg. During the summer months, our town is incredibly busy. One of the more frequent gripes I hear from our visitors is that they are required to wait up to, and sometimes over, two hours to eat a meal. We have a wide variety of wonderful restaurants in Lunenburg, but there simply aren't enough seats or hours in the day to serve everyone!

When I lived in Halifax, I attended food truck events in the downtown area that drew crowds and generated revenue for many businesses at once. Visitors could sample a variety of foods, mingle, and build community. Rather than seeing each other as competition, these vendors acknowledged that together they brought in more business than they would alone! This style of event is popular all across the maritimes. A few examples would be: The Cabot Trail Food Truck Rally, Nova Scotia Mobile Food Festival 2023 at Cole Harbour Place, Summer Food Truck & Market Event in Riverview, NB. The attendance of these events indicates that there is an appetite (pardon the pun) for this kind of experience!

I bring up these examples not because I'm trying to start a food truck festival, but because I believe it offers examples of the way other municipalities have embraced unconventional dining and businesses have supported each other by choosing to operate from a mindset of abundance, rather than one of scarcity. I urge town councillors to open their minds to new possibilities for our wonderful town.

Thank you for your time.

--



**From:** [Meagan MacDonald](#)  
**To:** [Kayla Byrne](#)  
**Subject:** Support for Shore Lunch Food Truck  
**Date:** March 22, 2023 1:58:03 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Good Afternoon,

I grew up in Lunenburg County, moved away for a few decades and now I'm so happy to be back again - now a homeowner and living and working here with my partner and our two children. I have been spending regular time in Lunenburg the past few weeks as our daughter has been rehearsing for a play and I have been enjoying and appreciating taking in the shops, spending time at the library and being reminded of the beauty of this town. I feel so lucky to have it nearby.

When I saw that there was a chance that Shore Lunch Food Truck may be setting up in downtown Lunenburg I pictured all of the folks I would take for lunch dates as we sat on the waterfront, taking in the world famous view and eating amazing sushi. Eating amazing sushi made by a local resident who sources ingredients from equally amazing local vendors, growers and fishers. Eating from plastic free, compostable containers and served from a kitchen powered by the sun.

We need to support passion driven small businesses like this one that do the important work of showcasing what we have to offer here on the South Shore of Nova Scotia - beautiful, delicious and sustainable food grown and harvested right here!  
I support the proposed by-law amendment that will allow the Shore Lunch Food Truck to operate in downtown Lunenburg.

Meagan MacDonald  
Resident of the Municipality of the District of Lunenburg  
Sushi Lover  
Small Business Supporter

**From:** [MAB](#)  
**To:** [Kayla Byrne](#)  
**Subject:** April 11, 2023 town meeting / Shore Lunch Sushi Food Truck  
**Date:** March 24, 2023 11:56:47 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

**This is in support of the bylaw amendment to allow food trucks in downtown Lunenburg.**

Maureen Brown

Rachel Steele-MacInnis



Lunenburg, NS  
B0J 2C0

Town Clerk's Office  
119 Cumberland Street  
P.O. Box 129  
Lunenburg, NS  
B0J 2C0

To Whom It May Concern:

I am writing to express my support for a proposed bylaw allowing food trucks to operate within the Town of Lunenburg.

Several friends and family members, when visiting the town, have commented that it would be great to have food trucks and picnic tables at the town wharf, as they've seen in other seaside towns, and that this would enhance the vibrancy of that part of town, as well as providing options for those not able, or wishing, to eat in sit-down restaurants. I fully agree and would love for this option to be available to those living in, and visiting, this beautiful town.

Thank you for considering the bylaw proposal. I hope it will find your approval.

Sincerely,

Rachel Steele-MacInnis

**From:** [Scott Sherman](#)  
**To:** [Kayla Byrne](#)  
**Cc:** [Matt Risser](#); [Jenni Birtles](#); [Melissa Duggan](#); [ED Halverson](#); [Peter Mosher](#); [Susan Sanford](#); [Stephen Ernst](#); [Jamie Doyle](#); [Patrick Burke](#)  
**Subject:** Proposed Vending By-Law  
**Date:** March 30, 2023 2:53:47 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Good afternoon Ms. Municipal Clerk,

After reading the proposed Town of Lunenburg Vending By-Law specifically as it relates to Appendix A, the by-law appears unacceptable. Specifically, a mobile canteen can only be "permitted on public and private property only in the designated Vending Area as shown on the Vending Area Map (Schedule A)."

This proposed by-law does not clearly differentiate from the limited coloured public street areas and those mobile canteens permitted on private property even though "this by-law (is) to ensure a fair and transparent process to regulate vending within the Town of Lunenburg." Privately owned property cannot be constrained by this proposal if it is zoned for such business activity and is only effectuated on such private property. This is not clearly addressed in your proposed new by-law.

Furthermore, item 13. LOCATIONS AND TERMS; number 3): "A vendor can only vend with a stand or other vehicle as specified and approved on their Vending Permit." Again, this is incorrect for such privately owned real estate. No vehicle can be required for such a Vending Permit on private lands. This is poorly written and not fully thought out as well.

As one of the Town's largest landlords, we strongly are against this proposed Vending By-Law as it is currently written. It only adds confusion given the lack of specificity and opens up unintended interpretations.

We have copied the Town solicitor on this communication as well as others. Thank you.

Opportunity is missed by most people  
because it is dressed in overalls and looks  
like work - Thomas Edison,

Scott R.Sherman  
[www.ElevenElevenCos.com](http://www.ElevenElevenCos.com)  
617-267-1100 Telephone  
617-267-1112 Facsimile  
902-634-1100 Nova Scotia

**From:** [Melanie Fontaine](#)  
**To:** [Kayla Byrne](#)  
**Subject:** Food trucks in our town  
**Date:** April 1, 2023 9:26:27 AM

---

CAUTION: THIS IS AN EXTERNAL MAIL

To whom this may concern,

I am writing in today in support of having food trucks available in our old town of Lunenburg. The diversity of food and fast accessibility to meals or snacks on our water front would not only attract tourists from all over the area to our town, but would make for an immensely more vibrant, interactive and attractive town/waterfront. Ever since I moved to Lunenburg over 15 years ago, it's been on my mind. The question of why don't we have a food truck, or two, or three, in our old town. Why does the success of other restaurant operators have to turn to greed and close mindedness towards equality driven business owners. And let's not forget that having this incredible addition to our town will not only serve the food truck industry , but the whole community at large. I am in FULL support of having Amy Funk, owner of Shore Lunch, offer her incredible services right here in Lunenburg!!

Thank you for your time

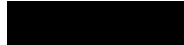
Melanie Fontaine

Owner of Meversible Clothing

--

**Melanie Fontaine**

**Meversible**



*Amy Funk*

*Lunenburg, NS, B0J 2C0*

*Monday, April 3rd, 2023*

*The Honourable Matt Risser*

*119 Cumberland St.*

*Lunenburg, NS, B0J 2C0*

Dear Council,

I would like to start my letter off by commending the Town of Lunenburg on taking this crucial step towards creating a more vibrant and diverse community. Change is hard, but is also necessary. Lunenburg is a very special place and these changes can help ensure it remains spirited and successful.

I, Amy Funk, owner and operator of Shore Lunch Food Truck, am writing this letter to show my support for the passing of the newly written vending by-law for the Town of Lunenburg. One year ago I stood before you and suggested that this by-law was deserving of attention and I am ecstatic that it is now being addressed with so much thought and effort. I commend all those involved for their research and hard work, and would like to express my thoughts on the proposed by-law here in hopes of addressing some of the issues involved.

### **The Business of Food Trucks**

Food trucks have been proven to provide increased economic development into the future. The popularity of food trucks helps improve the local offering of foods by increasing the number of options that customers have, which is wonderful. Competition is very healthy for a thriving community.

If we want to attract new businesses and younger generations to Lunenburg we need to create an active and assorted food scene. Lunenburg is already the best town on the south shore to eat thanks to the current restaurants, as well as the reason I moved here nine years ago, but it fails in the diversity category at the moment. I know that the passing of this by-law is asking the restaurant owners of Lunenburg to be generous and welcoming, but in the end it is in their best interest to allow both the town residents and its tourists to have options. We cannot prosper in a society that denies its citizens the right to choose. Should a restaurant exist because there is no room for competition or because the food and service is great?

There is sometimes the complaint from restaurants that food trucks don't pay property taxes and are therefore leeches off the land, but this is not a concern of restaurants as it doesn't affect their property. It is a concern that the town deals with because that is their revenue. Commercial property tax is for owning land and having your business on that land 365 days a year, 24 hours a day. Vending permit fees are paid to the town by temporary vendors for renting out a

vehicle-sized plot of land for a number of hours per month. Perhaps a food truck owner should complain that the system makes it easier for someone who already owns a restaurant to open another one than it does for a young entrepreneur to buy their first commercial building. Food trucks are not a way to become a millionaire. There is a small cap on what revenue is possible serving food out of a window. Your income depends on the weather, if it's raining you make zero dollars. I do it because I love to cook and customers derive joy from my food. I chose a food truck because the start-up costs were manageable for someone who has never owned their own business. If I could afford to buy a commercial building I would, but for now ~ I will make do with what I have and hope I am invited in to try my best.

As for the competition situation - people who want to go and sit in a restaurant or on a balcony, have a glass of wine and enjoy the conveniences of table service - they are not going to see a food truck and say, "hey, let's go do that instead!". They might if they can't get into a restaurant, but that brings us to the reason the Town of Lunenburg knows it needs food trucks so badly.

On any given day in the summer months Lunenburg is bursting at the seams with tourists and I know the town is working very hard to wade through the kinks of making our booming tourism economy as efficient as possible. Seeing as we *want* to keep people coming, as our citizens and businesses are financially dependent on them coming, our town efficiency levels need to be addressed and that includes feeding everyone. The restaurant lineups in town are getting out of control - seeing visitors look at their watches, shake their heads and get into their cars to go elsewhere has become frequent. We are seeing our wonderful but limited restaurants, all with lineups of a dozen or so people getting on wait lists an hour or so long, simply unable to keep up with the demand for food in a timely fashion. This is so wonderfully fixable by introducing food trucks to take the overflow! Food trucks are not going to reap local restaurants of their profits, we are simply going to feed the people they cannot. The reality is, if their food and service are fabulous they have nothing to worry about. Food trucks will ultimately have a positive impact on their community, and I hope that rather than worry about competition we all concentrate on being our own best selves and exhibit the decorum necessary for a healthy town ecosystem.

It should be said here that food trucks are not a new concept! Other towns in Nova Scotia allow them. A well written by-law is capable of squashing any concerns that citizens might have. The by-law will address garbage receptacles, location and terms, correct permits, health and safety, and whatever other concerns there may be. The vending by-law the Town of Lunenburg has written is, at present, quite vague. This is understandable as they are yet unsure of how the system will play out. That being said, I did suggest one year ago when I addressed council that it would be in everyone's best interest if there was consultation in the *process* of writing this document from the professional food industry around them. As there was no public consultation during construction of the by-law there are a few holes yet to be filled. Hopefully we will see its vagueness ironed out as situations arise so it works for everyone. Especially since, "The Town of Lunenburg is enacting this by-law to ensure a *fair and transparent process* to regulate vending within the Town of Lunenburg." - Town of Lunenburg Vending By-Law, page 1.

Here are some of the issues that I would have liked to impart during the writing process of the vending by-law. My hope in sharing these notes is that they will be taken into consideration for the future of this document:

I would like to see the vending by-law document address:

- Noise minimums. This is a quaint, peaceful town and there should not be intrusive noises created by vendors. The by-law addresses music coming from the vending unit but not things like overly loud generators etc.
- Overnight parking restrictions
- A cap on the number of trucks allowed within UNESCO limits at one time
- In order to operate within UNESCO limits the mobile vendor, stand, trailer, wagon or vehicle must be assessed by the town to ensure quality and contribution to the general aesthetic of the UNESCO area as all buildings must
- 5 feet away from any driveway, sidewalk, utility box, handicapped ramp, building entrance or exit
- Adhering to Plastic Free Lunenburg's ban on single use plastic
- A vetting process that promotes vendors offering culinary diversity in effort to not repeat menus that currently exist in town

I would also like to address the 7 spots that were chosen in Appendix's "A" through "D". The 3 spots in Appendix "C" - on Tannery Road where there is ample space and picnic tables - are fabulous. As is the 1 spot in Appendix "D" next to the playground beside Tennis club Lunenburg. These spots were suggested last year in my presentation to the council and I am very happy they were taken into consideration. Appendix "A", however, was not in my proposal and is unfortunately problematic. Appendix "A" includes a spot on the corner of King St & Montague St that will inevitably cause pedestrian congestion as it sits in front of the bright green building where the stairs encroaching on the sidewalk already cause a bottleneck situation. Adding a lineup of customers to that equation seems a poor decision. Were a food truck to instead be:

1. Situated in front of CIBC, with ample sidewalk room for passersby
2. In front of the gym, where there is more than twice as much pedestrian space and a bench

These simple adjustments present themselves as much more fitting from the perspective of a food truck operator. Hopefully this can be addressed and fixed.

In conclusion, I am so happy that the people's cry for culinary diversity is being heard! This is, after all, a democracy! Since this is a small town with limited spaces for businesses it is very wise to have food trucks be embraced - allowing the people to have choice and variety while drawing in new faces. I have the utmost respect for every restaurant owner in town and know that this cannot be an entirely welcome change for them. I get what having competition means. I'm not denying that introducing more food options to our community is going to bring new challenges for the established hospitality industry. But this change doesn't mean we have to be

up in arms with each other just because food trucks are being afforded the opportunity to participate in the economy. Food trucks were designed with a purpose, and right now what they provide is what Lunenburg needs. Each food truck will have to prove themselves worthy of people's business, just as local restaurants had to when they opened. There are the right laws in place to ensure mobile vending does not negatively impact the space they occupy, and the proper fees established to fairly compensate their location.

I am honored to have my business valued by the Town of Lunenburg. I vow to always recognize the privilege that it is to vend here and to show nothing but respect to the businesses and people around me. I hope this step towards town betterment is well received and results in many happy tummies and prosperity.

I truly appreciate your taking the time to read this letter, and hope to feed you soon,

~ Amy Funk

*Shore Lunch Food Truck*

*@shore.lunch*

*eatshorelunch.ca*

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



**From:** [sheila.gallagher](#)  
**To:** [ED Halverson](#); [Jenni Birtles](#); [Kayla Byrne](#); [Melissa Duggan.](#); [Matt Risser](#); [Peter Mosher](#); [Stephen Ernst](#); [Susan Sanford](#); [Tyson Joyce](#)  
**Subject:** Council Meeting -April 11th, Vending Bylaw  
**Date:** April 3, 2023 2:54:32 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Mr. Mayor and Council,

I am writing to express my concern regarding the proposed vendor sites in the Town of Lunenburg. I understand you are considering 7 street vendor sites, 3 of these within the old town district, 1 by the tennis court and 3 along Tannery Rd.

How will several food trucks impact the restaurant businesses in town?

Our local restaurants provide a necessary service, especially to tourists. They also provide local employment and supply tax revenue to the Town. During Covid, we supported our local businesses with the hope they could hang on until tourism picked up speed. Are we now expecting these businesses, with higher operating costs, to compete with food vendors? Isn't it unfair for local restaurants to lose revenue to temporary vendors that can't contribute to the town in the same way?

How will pedestrian safety be assured at these sites and will the Town be exposed to any liability claims if an accident occurs?

I live on Tannery Rd and have particular concerns regarding the safety of the vendor locations along this street. One of the proposed sites, across from 110 Tannery Rd., will certainly pose a safety risk for patrons parking along one side of the road and darting across the street to a food truck. This location is especially dangerous due to the blind corner and the quick speed of cars travelling around this bend. The other proposed sites on Tannery Rd are along narrow gravel shoulders adjacent to the stone retaining wall. There is at least a 7ft. drop into the harbour from this wall and without safety rails, an accident could easily happen. I've witnessed young children venturing dangerously close to the edge of the wall while distracted parents take photos. It is quite possible for a similar situation to occur as people congregate around a food truck on this narrow part of the road.

Will food trucks produce noise or unwanted cooking smells?

Often, we hear and smell a food truck before we actually see it. Noisy generators and cooking odors will certainly detract from the charm and image we value in Lunenburg.

Will litter be an issue? Despite food trucks providing garbage receptacles, I imagine litter could be blown into the harbour from Tannery Rd.

I understand how a food truck on a short term basis, such as during a festival, could serve a valued purpose. However, designating 7 sites and privately owned areas for vendor usage is an ambitious plan. Is it possible to test one or two food truck sites and consult local businesses

regarding their location before approving a vending bylaw? I ask you give careful consideration to these concerns. I would prefer you proceed cautiously with a plan so that it works better for everyone.

Sincerely,

Sheila Gallagher

-----Original Message-----

From: (null) BENDELL [REDACTED]  
Sent: Monday, April 3, 2023 10:16 AM  
To: Tyson Joyce <tjoyce@townoflunenburg.ca>  
Subject: Vendor permits

CAUTION: THIS IS AN EXTERNAL MAIL

Tyson Joyce

As a property owner on Tannery Rd. we wish to express our deep concerns regarding vendors parking on the strip of land along the harbour. First and foremost the safety of pedestrians. There is not enough room to accommodate people without being on the road.

Secondly the lack of washrooms, garbage disposal, environmental noise of running generators.

We also wish to support our local restaurants. Without them, Lunenburg would not have survived before, during and post COVID.

I look forward to attending the town meeting on April 11/23.

Regards,

Pamela Bendell  
Michel Papillon

Sent from my iPhone

**From:** [Dan Misener](#)  
**To:** [Kayla Byrne](#)  
**Cc:** [Jenna Zuschlag Misener](#); [hello@eatshorelunch.ca](mailto:hello@eatshorelunch.ca)  
**Subject:** Comments on proposed Vending By-law  
**Date:** April 4, 2023 9:34:44 AM

---

CAUTION: THIS IS AN EXTERNAL MAIL

To the members of Lunenburg Town Council,

I am writing to voice my support for [the proposed Vending By-law](#) to be discussed at the council meeting on April 11, 2023 at 6 p.m.

I am very familiar with the lunchtime rush in downtown Lunenburg, especially during peak tourist season. I believe that mobile food vendors could add significant lunchtime capacity, and ease frustrations among tourists and local residents alike.

I believe our town should support the efforts of entrepreneurial mobile food vendors like Shore Lunch. Their commitment to serving healthy, sustainable, locally-sourced food is commendable.

I live near two other quick-serve restaurants in our community: Tim Hortons and Burger King. Both are part of huge multinational restaurant chains. I want to live in a community that supports local businesses. I see the proposed Vending By-law as an important part of that.

Thank you for your time. I look forward to the council meeting on April 11.

Dan Misener  


**From:** [REDACTED]  
**To:** [Jenni Birtles](#); [Kayla Byrne](#); [Stephen Ernst](#); [Susan Sanford](#); [Tyson Joyce](#); [Kayla Byrne](#); [Matt Risser](#); [Peter Mosher](#); [Melissa Duggan](#); [Kayla Byrne](#)  
**Subject:** Proposed Vending Bi-law  
**Date:** April 4, 2023 3:47:18 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Honourable Mayor and Councillors of the Town of Lunenburg,

I am a resident of Lunenburg and am writing to share my concerns about a new bi-law proposal that could allow seven street vendors to park throughout the town of Lunenburg. It is my understanding that three of those proposed sites are along the Tannery Road. Below I have listed some concerns in relation to that area of the town.

**Traffic:** Tannery Road has long been an area for tourists to come and admire the town. We have a great deal of traffic along this street without the additional vendors. There is limited parking, and already several distractions.

**Safety:** There are no sidewalks or bike lanes on the majority of Tannery Road. There will now be additional concerns for pedestrians dashing across traffic to access the proposed vendors. The blind corner on Tannery Road, and the excessive speeds that drivers use on this stretch of town should be a huge concern for council.

**Environment:** These vehicles may have noisy fans and generators that they will need to prepare their product. It will disturb the residents, of course, but foremost of concern should be the shore birds. The Herons nest near Tannery Road, as do the Osprey, this additional noise and commerce will have an impact on them. Also, where will all the garbage from these sites end up? The current garbage cans here will need to be frequently emptied! I am predicting the garbage will end up in the ocean and in the yards of the residents.

**Sanitation:** Where will the people frequenting these proposed vendors use washrooms? Has there been any thought or planning to that? Also, let's not forget about rats and racoons that will be attracted to the area due to additional food waste.

Lunenburg has long prided itself on valuing heritage. The heritage and feel of the town is what contributes to Lunenburg being a "must visit location" not just nationally, but internationally. It is hard to imagine food trucks scattered about like 'the circus has come to town' adding to that image. My opinion is that whatever fees the town makes this season with this venture, it will cheapen the overall impression of the town and have a negative, lasting impact affecting future tourism.

And lastly my thoughts are for the people that own and run permanent businesses in this town. The investment they have made to Lunenburg over the years is substantial. They live here, employ people that live here, and sell local produce. Is it not enough that they had to be inventive to survive a pandemic to now be faced with this proposal? How can the town justify bringing in a vendor that has not invested in the sustainability of this town?

I write this letter in the hopes that this proposal will be reconsidered, and I look forward to hearing our concern's addressed.

Sincerely

Geraldeen Sinclair-Kerr  
Graham Kerr

April 4th, 2023

Dear Mayor and Council,

I am affiliated with Shore Lunch Food Truck where you'll find me changing tires and tallying receipts. I'm writing to express my support for the new vending bylaw as well as to briefly address some of the concerns we've been hearing.

Generally speaking, people like food trucks but restaurants don't. Restaurants perceive food trucks as unfair competition while residents, tourists, and entrepreneurs love the diversity, convenience, and business opportunities that food trucks provide. The solution that most towns and cities have come up with is to create a vending bylaw to regulate food trucks. Has there been an epidemic of shuttered restaurants and panhandling restauranteurs since food trucks entered the scene? No. That's because they are a different business model and offer different services.

The Competition Bureau of Canada explicitly promotes the benefits of food trucks and state that restrictive regulations "reduce consumer choice and stifle innovation" [Government of Canada]. The entire "Promoting Fair Competition in the Restaurant and Mobile Food Industry" by the Competition Bureau Canada (linked below) is worth a read. This is followed by the fact there is no evidence that food trucks are detrimental to restaurants. Research by the Justice Institute found no correlation between restaurant closures and food truck openings [King, D.]. The U.S. Bureau of Labor Statistics found that in U.S. counties whom experienced higher growth in mobile food services actually also had quicker growth in their restaurant and catering businesses [The Economist]. This and other data points towards food trucks not being unfair competition but representing a different, low-cost business model with different services to restaurants. The Lunenburg business community should recognize the opportunities that food trucks offer in terms of low-investment, low-risk entrepreneurship and understand that they can improve the vibrancy and quality of life for town residents.

Thanks for your consideration,

Kyle Melnick

Citations:

The Economist. (2017, May 4). America's food-truck industry is growing rapidly despite roadblocks. *The Economist*.

<https://www.economist.com/graphic-detail/2017/05/04/americas-food-truck-industry-is-growing-rapidly-despite-roadblocks>

Government of Canada, Innovation, Science and Economic Development Canada, Office of the Deputy Minister, Competition Bureau Canada. (2022, January 20). *Promoting Fair Competition in the Restaurant and Mobile Food Industry*.

<https://ised-isde.canada.ca/site/competition-bureau-canada/en/how-we-foster-competition/promotion-and-advocacy/promoting-fair-competition-restaurant-and-mobile-food-industry>

King, D. (2022, May 6). New Report: Food Trucks Not a Threat to Restaurant Industry. Institute for Justice.

<https://ij.org/press-release/new-report-food-trucks-not-a-threat-to-restaurant-industry/>

April 4, 2023

Dear Mayor Risser and Lunenburg Town Councillors,

As a resident of Lunenburg, I respectfully submit the following input to the Proposed Vending Bylaw, for your consideration:

In general, thank you for attending to revision of the old LUB and new Vending By-law. These are needed changes that reflect current and future needs in Lunenburg. In general, I welcome mobile canteens because they will add creativity, vibrancy, diversity and flexibility to our food service offering. They will fill a critical seasonal gap, create a more positive visitor and resident experience and relieve pressure on fixed restaurants.

I am in favour of allowing mobile canteens but I do have some concerns with the proposed by-law as it is currently drafted and encourage you to consider the following modifications:

- Noise minimums: Loud vendors will cause this bylaw to backfire. The by-law needs to explicitly address any source of loud noise, not just music, and specifically generators.
- Noxious fumes: Even a quiet generator is not ok if it produces noxious fumes; fossil fuel fumes are toxic and need to be disallowed.
- Overnight parking restrictions will help gain acceptance and ensure safety
- Density: Cap the number of trucks allowed within UNESCO limits at one time
- Ensure the distance from the front door of any restaurant is sufficient not to interfere, allowing room for customer line-ups on sidewalks for both fixed and mobile restaurants.
- Location: Locations selected are generally great! I especially like the Tannery Rd. and Tennis park locations. However, the King St. and Montague location is problematic as it is such a high traffic area. This spot should be moved, possibly further up King St.
- Waste: There is no language in the bylaw regarding waste - Vendors of mobile AND fixed restaurants must not add to our local/global waste crisis. Yet food businesses are often designed to generate waste (for example, some businesses set up a disposable container/cup system, with no dishwasher and no option for reusable dishware for dine-in). This allows businesses to transfer the burden of waste onto the municipality. The Town has a responsibility to regulate this. Please see further notes below.

### **Restaurant-generated waste in Lunenburg**

The issue of restaurant-generated waste is broader than this Vending bylaw but I **urge Council to consider it now as relevant context**. Given the tourism-focused nature of Lunenburg, businesses generate a disproportionate amount of waste in peak season, especially take-out and in-restaurant waste. Currently, businesses are allowed to maximize profits by generating waste **which becomes a municipal burden**. Only a very small percentage (if any) restaurant and take-out food waste is sorted, recycled or

composted properly; improperly sorted waste is "rejected" by contractors and must be landfilled. **This waste becomes an inter-generational environmental burden.**

The Federal Government has begun phasing in a ban on several single use plastics. Lunenburg businesses have already done a great job of moving voluntarily toward plastic alternatives for many takeout containers, straws, wrapping and cutlery. So many are prepared for this regulated ban, in the sense that they have chosen a legal solution of substituting single use plastics for single use compostables. However, very few have shifted to the environmentally better choice of reusable/returnable food service vessels. With the federal ban, Lunenburg, like all municipalities across Canada, should **expect to see an increase in the volume and weight of waste generated, especially from the food industry.** This additional burden might be somewhat mitigated if the additional waste was regenerated into high quality clean compost. But it won't be.

We know from decades of experience that people do not sort waste properly - this is especially true when we are visiting away from home. Lunenburg waste bins overflow in the summer with every assortment of waste binned together. Lunenburg will see an increase in "compostable" containers being improperly sorted and going into our landfills as contaminated waste - not composted as per their marketing promise. Composting material in landfill is not only illegal in Nova Scotia, it produces potent methane emissions which contribute to global heating. This is something the Town needs to be aware of and mitigate.

Lunenburg's waste problem is not new but now it is more urgent than ever for the Town to get in front of this problem. Reducing waste before it is used is the best approach. At the very least, the Town should streamline the management of single use waste products, especially facilitating collection, sorting and proper composting of COMPOSTABLE waste products. It is not enough to switch to "compostables" if they do not become clean compost (rather become landfill)!

Consumers, businesses and the municipality all play a role:

- businesses should be responsible for the waste they profit from
- consumers can choose to refuse single use products (reuse instead) and responsibly sort waste from their consumption
- businesses and consumers need municipalities to provide the coordination, standards and systems to facilitate these choices and to support effective waste management, especially an effective stream for the growing compostable waste

Specifically, I urge the Town to **require and enforce all businesses to be responsible for the proper sorting of the waste on site that their businesses generate.** The costs for rejected (not properly sorted) waste needs to be borne by businesses, not residents.

Additionally, the Town should enlist the help and guidance of Region 6 Waste Management & Divert NS to ensure our Town applies best practices for waste reduction and management; I believe the following are some areas they could help us improve:

1. Optimizing our compostable waste stream (and other streams) across town, including standardized and effective labeling

2. Regulating all food providers to apply approved waste management systems on-site
3. Educating residents and visitors - this is an opportunity and need to position Lunenburg as a clean Town that respects our environment
4. Educating all tourism staff, accommodations staff, restaurant owners and staff to sort the waste their businesses generate.
5. Training should ensure that front line food staff collect and sort the waste, rather than customers (this is a best practice).

The above measures will have benefits of positioning Lunenburg as a leader, reducing waste management costs, and protecting our environment for future generations.

I very much look forward to enjoying local, responsible mobile food vendors in Lunenburg this summer!

Thank you for your consideration.

Respectfully,

Teresa Quilty

[REDACTED]

Lunenburg, N.S.

[REDACTED]

I live in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People

**From:** [Suni Ferreira](#)  
**To:** [Kayla Byrne](#)  
**Subject:** RE:PROPOSED FOOD TRUCKS IN LUNENBURG  
**Date:** April 4, 2023 7:47:26 PM

---

CAUTION: THIS IS AN EXTERNAL MAIL

Hi,

I am the owner of a small take out cafe in Lunenburg, Lamprai & Spice Cafe.

It has come to my attention that plans are underway to accommodate food trucks in the town. Unfortunately I cannot be at the 11th April town council meeting as I am in Toronto that week.

But I am writing this email to state that this is a very worrying situation to me.

I have faithfully supported the town with my business the past 6 years. My restaurant has been featured in many newspaper articles and magazines throughout the Maritimes and I have had many customers come to Lunenburg town from all over Canada and Nova Scotia just to experience my food. Upon their visit to my cafe I always encourage them to visit the towns unique historical sites and to enjoy the other amazing restaurants, gift stores, and ice cream store, festivals and other things to do that the town has to offer. Many of these local business owners themselves frequent my cafe and encourage their own customers to visit my cafe and try my food. My point in saying this is that COMMUNITY matters.

We all work very hard and support each other season after season to make every tourists visit to Lunenburg an enjoyable experience and one that lifts Lunenburg up with a high standard of service that reflects the love we have for our town.

Food trucks rolling in randomly from just anywhere do not have that sense of community that we have worked so hard to cultivate. Perhaps I am assuming, but I feel that is a truth that is hard to deny.

As for me personally, the last three years with covid and all the many set backs that came with it has been so hard to navigate through ... each summer that comes is an opportunity to catch up and get my feet back on the ground firmly again. I hope to expand my business to include a sit in and have been working hard to raise enough finances to transition. Summer is the time we as local restaurants need to survive on and get ahead. Now we have the added costs of inflation (food costs) increasing rent, etc. I will most probably not make it through if I have the added pressure of trying to compete with a different food truck everyday that decides to roll up around the corner from my cafe.

If the town does permit food trucks to take their place in the town I will forced to take the decision to close my cafe by the end of this year. The pressure and stress of all this is absolutely unbearable and I will no longer have the joy in my heart to serve in a town whose leadership does not value or honour their already established hard working local businesses.

I am very disappointed to even have to write this email, but the town council decision to

entertain this plan has left me no choice.

An important lesson I have learnt in my life is a simple one ... value the treasure you have and above all HONOUR one another.

Kind regards,

Suni Ferreira

**Subject:** Amendment to Land Use By-Law: Deleting Schedule "G" - Vending  
**From:** Arthur MacDonald, Director of Community Development  
**Reviewed by:** Jamie Doyle, CAO  
**Date:** April 11, 2023

---



### **Recommendation**

That Council approve second reading of the proposed amendments to the Land Use By-law by deleting Schedule "G" Vending as outlined in the Planner's report.

### **Alternatives**

- To refuse the amendment
- Approve the amendment with changes.

### **Background**

At its May 10, 2022 meeting, Council passed the following motion:

Motion: moved and seconded to undertake a planning report and draft Vending Bylaw, which would include a map showing permitted areas for vending, and amend the Land Use Bylaw to delete Schedule G, Vending. Motion carried.

The development of a new Vending By-law has been addressed in a separate report. This report focuses on the amendment to the Land Use By-law (LUB) to delete Schedule "G" - Vending.

The Planning Advisory Committee (PAC) held a Public Participation Meeting on February 27, 2023. There were no submissions for or against the proposed amendments. The following the motion was approved:

Moved and seconded that the PAC recommends that Council proceeds with first reading of the proposed amendments to the Land Use By-law by deleting Schedule "G" Vending as outlined in the Planner's report.

**Motion carried unanimously**

Council approved First Reading of the proposed amendments on March 14, 2023. Public Hearing Ads for the proposed amendments were placed in the Progress Bulletin on March 22 and March 29<sup>th</sup>.

### **Discussion**

The proposal involves the creation of a new Vending By-law that will accommodate all the aspects related to vending within the Town without the need for cross-referencing with the Town's LUB. Upon

completion and adoption, vending will be solely regulated through the new Vending By-law and the LUB will be silent in this regard.

**The Municipal Planning Strategy (MPS):**

Policy 6-9 (Attachment A) enables Council to consider an amendment to the text of the Land Use By-law if the proposed amendment is consistent with this Municipal Planning Strategy and meets the general evaluation criteria for amending the Land Use By-law, as set out in Policy 6-19. The MPS is silent with regarding to “vending” and as such an amendment to the Land Use By-law (LUB) with regards to Schedule “G”- Vending, would not be considered to be inconsistent with the intent of the MPS. In addition, the proposed amendment is considered to meet the general evaluation criteria as set out in Policy 6-19 (Attachment B).

Any amendment to the MPS and LUB must be evaluated pursuant to the Statements of Provincial Interest. The proposed amendment is considered not to be contrary to any Provincial Interest Statements as shown in the table below:

Provincial Interest Statements	
Statement 1: Drinking Water	
Goal: To protect the quality of drinking water within municipal water supply watersheds.	Enabling vending operations to be completely regulated through a Vending By-law will not have an impact on the municipal water supply.
Statement 2: Flood Risk Areas	
GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.	Enabling vending operations to be completely regulated through a Vending By-law will not have an impact on flood risk areas.
Statement 3: Agricultural Land	
GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.	Enabling vending operations to be completely regulated through a Vending By-law will not have an impact on agricultural lands.
Statement 4: Infrastructure	
GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.	Enabling vending operations to be completely regulated through a Vending By-law will not have an impact on infrastructure.

Statement 5: Housing  GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.	Enabling vending operations to be completely regulated through a Vending By-law will not have an impact on housing.
--	---

**Yard Sales**

Schedule “G” - Vending of the Land Use By-law includes a section on yard sales. As yard sales will not be covered under the Vending By-law, it would be best to maintain these provisions and have been substituted therefore, under Part 6.12. of the Land Use By-law.

**Strategic Plan Relevance**

- Economic Development: Direction to support economic development.
- Governance: Direction to enhance internal and external relations through policies, procedures and resources.

**Relevant Legislation**

The Municipal Government Act outlines the required process for amendments to planning documents.

**Financial**

The deletion of Schedule “G”-Vending from the LUB and regulating vending activities solely through a new Vending By-law will not have any financial impacts on the Town.

**Communications**

A Public Hearing will be advertised in the local newspaper and on the Town’s website and social media.

**Attachments**

- A. MPS Policy 6-9
- B. Evaluation of Policy 6-19
- C. Section 6.12. and Schedule “G”- Vending
- D. Amendments to LUB

**Attachment A**  
**MPS Policy 6-9**

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

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

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

**Policy 6-9:** Council shall amend the text of the Land Use By-law if the proposed amendment is consistent with this Municipal Planning Strategy and meets the general evaluation criteria for amending the Land Use By-law, as set out in Policy 6-19.

**Attachment B**  
**Evaluation of Policy 6-19**

**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 not inconsistent with the MPS. The MPS is silent on the issue of vending.
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;  
The proposal does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality.
- (c) is not premature or inappropriate due to:
  - i. the ability of the Town to absorb public costs related to the proposal;  
The proposal is not premature or inappropriate due to the ability of the Town to absorb any public costs.
  - ii. impacts on existing drinking water supplies, both private and public;  
The proposal is not premature or inappropriate due to impacts on existing drinking water supplies, both private and public.
  - iii. the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;  
The proposal is not premature or inappropriate due to the adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services. No services are required for vending operations and the sites vary throughout the Town.
  - 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 difficult to assess this evaluation criteria as no specific site is being proposed. The proposed amendment is to delete vending regulations from the LUB and incorporate vending regulations under a new Vending By-law. Considering the above, the proposal does not seem to be premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal.
  - v. the adequacy of fire protection services and equipment;  
It is difficult to assess this evaluation criteria as no specific site is being proposed.
  - vi. the adequacy and proximity of schools and other community facilities;  
It is difficult to assess this evaluation criteria as no specific site is being proposed.
  - vii. impacts on UNESCO World Heritage Site statements of outstanding value;  
No impacts on the UNESCO World Heritage Site are anticipated.

- 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 amendment will not cause any new, or worsening of any known, pollution problems.
- ix. site-specific climate change risks;  
The amendment will not cause or increase any site-specific climate risks.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;  
The amendment will not cause any flooding or drainage issues.
- xi. impacts on known habitat for species at risk;  
The amendment will not cause any impact on known habitat.
- xii. impacts on the navigability and environment of Lunenburg Harbour;  
The amendment will not cause any impact on navigation or environmental concerns on Lunenburg 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  
It is difficult to assess this evaluation criteria as no specific site is being proposed.
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.  
The amendment to delete vending regulations from the LUB will not, by itself, cause any land use conflicts with existing businesses. However, the new Vending By-law may, by its nature, impact existing businesses. The proposed Vending By-law strives to strike a balance between fixed roof businesses and mobile vending operations by regulating their locations and fees to ensure a fair and transparent process to permit vending within the Town of Lunenburg.

**Attachment C**  
**Section 6.12. and Schedule “G”- Vending**

**6.12. Vending**

6.12.1 Vending shall comply with the *Vending By-law* and with Schedule ‘G’, Vending, of this Land Use By-law.

6.12.2 Where the *Vending By-law* references a section of this Land Use By-law, that reference shall be considered as a reference to the section with the same name within Schedule ‘G’, Vending, of this Land Use By-law.

## Schedule 'G' – Vending

The provisions of this Schedule shall apply to vending activities in the Town, subject to the *Vending By-law*.

### Outdoor Vending

Outdoor vending activities are prohibited in all use zones except those in which they are specifically permitted.

### Yard Sales

- (a) Yard sales are permitted in any use zone provided that:
  - i. articles for sale may include only the tangible personal property of the residents conducting the sale and may not include goods acquired for resale;
  - ii. only two yard sales may take place on any property during each calendar year; and
  - iii. yard sales may be conducted only on Saturdays from 8 am to 10 pm and on Sundays from 12 noon to 10 pm.
- (b) No development permit is required for yard sales permitted under clause (a).

### Transient Vending

Transient vending is permitted in any use zone and does not require a development permit, but is subject to the Town of Lunenburg *Vending By-law*.

### Vending at Group Fund Raising Events by Community or Religious Not-for-Profit Groups

No development permit is required for vending activities associated with fund raising by community or religious not-for-profit groups from the Town of Lunenburg.

### Outdoor Sales of Prepared Food

Outdoor sales of prepared food shall be prohibited except for:

- (a) those uses specifically authorized by this by-law;
- (b) outdoor food sales in a restaurant;
- (c) outdoor food sales by Transient Vendors authorized under the Town of Lunenburg Vending By-law;
- (d) outdoor food sales in the General Commercial Use Zone or Commercial Mixed Use Zone; and

- (e) outdoor food sales at Craft Markets and Farmers' Markets.

#### Walking Tours

Walking Tours shall be permitted in all zones and shall not require a development permit but shall be subject to the Town of Lunenburg *Vending By-law*.

#### Flea Markets

- (a) Flea markets organized and operated by community or religious not-for-profit groups from the Town of Lunenburg for the purposes of fund raising are permitted in any use zone other than the Lower Density Residential Use Zone, Medium Density Residential Use Zone, or Higher Density Residential Use Zone.
- (b) Flea markets not otherwise permitted by Clause (a) are prohibited in all use zones.
- (c) A development permit is not required any flea market permitted by Clause (a)

#### Mobile Canteens

Mobile canteens are permitted in the following use zones and do not require a development permit but are subject to the *Vending By-law*:

- (a) Commercial Mixed Use Zone

## **Attachment D Amendments to LUB**

- 1) **Amendment to the Land Use By-law thereby deleting “6.12. Vending” from the Table of Contents on Page vii of the Land Use By-law and substituted therefore by the words “6.12. Yard Sales”.**
- 2) **Amendment to the Land Use By-law thereby deleting “Schedule “G”- Vending” in its entirety from the Table of Contents on Page viii of the Land Use By-law and substituted therefore by the words “Schedule “G”- Vending “DELETED””.**
- 3) **Amendment to the Land Use By-law thereby deleting Section “6.12. Vending” in its entirety including Subsection 6.12.1 and Subsection 6.12.2 inclusive as outlined on Page 23 of the Land Use By-law and substituted therefore by the following words:**

### **“6.12. Yard Sales**

6.12.1. Yard sales are permitted in any use zone provided that:

- (a) articles for sale may include only the tangible personal property of the residents conducting the sale and may not include goods acquired for resale;
- (b) only two yard sales may take place on any property during each calendar year; and
- (c) yard sales may be conducted only on Saturdays from 8 am to 10 pm and on Sundays from 12 noon to 10 pm.

6.12.2. No development permit is required for yard sales permitted under Part 6.12.1.”

- 4) **Amendment to the Land Use By-law thereby deleting the words “Schedule “G”- Vending” from the list of Schedules on Page 66 of the Land Use By-law and substituting therefore the words “Schedule “G”- Vending “DELETED””.**
- 5) **Amendment to the Land Use By-law thereby deleting “Schedule “G”- Vending” in its entirety from the Schedules as outlined on Pages 73 and 74 inclusive of the Land Use By-law and substituting therefore the words “Schedule “G”- Vending “DELETED””.**



**Subject: Old Town Lunenburg Heritage Conservation Plan and By-Law Update**

**From:** Hilary Grant, Senior Planner and Heritage Officer

**Reviewed by:** Arthur MacDonald, Director of Community Development  
Michael Best, Communications Manager

**Date:** March 31, 2023

---

**Recommendation**

This is an information report. No decision from Council is required.

**Background**

On December 14, 2021, Council awarded Brighter Community Planning & Consulting and EVOOQ Strategies (henceforth Brighter Community) an \$88,430.00 plus net HST contract to complete a new Old Town Lunenburg Heritage Conservation District Plan and By-law.

This is an information report on the progress of the new Heritage Conservation District Plan and By-law. Staff have a draft of the new Heritage Conservation District Plan and By-law and are completing a final review and communications plan towards its public release.

**Discussion**

The Town of Lunenburg is empowered under the *Heritage Property Act* to protect areas of heritage value from threats like demolitions, inappropriate exterior alterations, and insensitive new development by establishing a Heritage Conservation District. Old Town Lunenburg Heritage Conservation District is a municipal heritage district, that encompasses a National Historic Site of Canada district designation, and a World Heritage Site. The Town of Lunenburg is the authority legislated to legally protect Old Town Lunenburg for future generations through a Heritage Conservation District Plan and By-law. Since the Nova Scotia Heritage Property Act does not provide a clear mechanism to revise existing Heritage Conservation District Plans and By-laws, the Town will replace the existing plan and by-law, adopted May 1, 2000.

On August 9, 2022, Council approved Brighter Community's Lunenburg Old Town Historic Conservation District Review Background Study (henceforth Background Study). The current draft of the Heritage Conservation District Plan and By-law still meets all the goals for the Heritage Conservation District Plan and By-law as outlined in said Background Study. It:

- Takes a value-based conservation approach following the *Standards and Guidelines for the Conservation of Historic Places in Canada* and internationally adopted heritage policies (see Attachment A);

- Aligns Old Town Lunenburg's heritage recognitions, ensuring all its locally, nationally, and internationally recognized heritage attributes are legally protected and that boundaries match;
- Aligns Old Town Lunenburg Heritage Conservations District's management with the Town's other principal planning documents, namely the Municipal Planning Strategy, Comprehensive Community Plan, Land Use By-law, and Subdivision By-law;
- Ensures Old Town's vitality by balancing heritage protection and its continuation as a living downtown.
- Addresses current and emerging Town challenges and priorities, such as sustainability, inclusivity, and accessibility;
- Identifies a new district boundary and character areas that reflect Old Town's diverse functions, building types and styles, and entry points; and
- Identifies contributing and non-contributing properties (see 4 New Terminology below).

Staff have worked with Brighter Community towards completing the Old Town Lunenburg Heritage Conservation District Plan and By-law. With new internal resources, namely the successful hiring of a new Town Heritage Officer, it was deemed that staff could tailor Brighter Community's work to the local Lunenburg context to ensure it met the Town's needs and remained on budget. We received Brighter Community's final deliverable on February 23, 2023.

Staff have made the following changes relative to Brighter Community's Background Study:

1. Modified District Boundaries:

The draft Old Town Lunenburg Heritage Conservation District Plan and By-law include a new district boundary, slightly larger than that proposed by Brighter Community, to act as a buffer zone around the district. This change brings the new Old Town Lunenburg Heritage Plan and By-law in line with *World Heritage Convention* Policy 2.2.6 'Boundaries and Buffer Zones' (Appendix B, see maps in appendices C and D).

2. Modified Heritage Character Area Boundaries:

Brighter Community proposed dividing Old Town Lunenburg Heritage Conservation District into five heritage character areas: the civic area, the commercial area, the residential area, the waterfront area, and the transition area. These character areas correspond to the distribution of Old Town's historic building types, not their current uses. The draft Old Town Lunenburg Heritage Conservation Plan and By-Law divide the district into these areas. However, the boundaries of each have changed slightly. This change is recommended to correct historical inaccuracies in the earlier version that would undercut the areas' usefulness as a management tool, especially the misidentification of the civic area relative to Charles Morris' original town plan (see maps in appendices E and F).

3. Revised Statement of Significance:

Brighter Community prepared a Statement of Significance for Old Town Lunenburg (Appendix G). Value-based conservation, where conservation decisions are led by a statement of heritage values and an inventory of character-defining elements, is standard practice across Canada. The current draft Heritage Conservation District Plan and By-law have a revised Statement of Significance that clarifies the relationship between the district's values and character-defining elements and includes all values and

elements for which the district is recognized locally, nationally, and internationally. This new Statement of Significance minimizes possible jurisdiction contradictions toward streamlining conservation decisions (Appendix H).

4. New Terminology: Brighter Community committed to identifying contributing and non-contributing properties within Old Town Lunenburg. The new Old Town Lunenburg Heritage Conservation Plan and By-law use character-defining and supporting instead. This language reinforces the value-based approach taken throughout the document and better captures that every property, regardless of type or age, contributes to the integrity and authenticity of the district.

Kevin Barrett, Coordinator of the Heritage Property Program under Nova Scotia's Department of Communities, Culture, Tourism, and Heritage, has advised we may proceed to a Public Participation Meeting with a draft Heritage Conservation District Plan and By-law with these changes. The Background Study need not be revised.

These changes will be discussed when the District Plan and By-law come forward for public review (see Communications below).

### **Strategic Plan Relevance**

#### Heritage

- Preserve the valuable heritage resources of Lunenburg while embracing an ongoing evolution of the landscape.
- Update and clarify heritage management frameworks to respond to current needs and follow best practices.
- Expand the classification of heritage resources to include a range of elements with tangible and intangible heritage value.
- Expand heritage recognition beyond European colonial landscapes to include perspectives of Nova Scotia's First Nations, Black communities, and other cultural groups.

### **Relevant Legislation**

*Heritage Property Act*

### **Financial**

Council allocated \$88,430.00 plus net HST to this project. No additional funds are being sought.

### **Communications**

The Old Town Lunenburg Heritage Conservation Plan and By-law must be referred to the Heritage Advisory Committee and a Public Participation Meeting per the *Heritage Property Act* and the Town's Heritage Conservation District Public Participation Program. Written notifications will be sent to all property owners within Old Town Lunenburg Heritage Conservation District. Following the Public Participation Program, Council will provide further public consultation through the Public Hearing Process.

The Department of Community Development will be working with the Communications Manager to prepare a Fact Sheet on the new Old Town Lunenburg Heritage Conservation Plan and By-law to publicly release along with the draft.

**Attachments**

Attachment A: Ensuring Best Practice

Attachment B: World Heritage Convention Policy Compendium Excerpt

Attachment C Map 1: Old Town Lunenburg Heritage Conservation District Boundaries as proposed by Brighter Community

Attachment D Map 2: Old Town Lunenburg Heritage Conservation District Boundaries in new draft Old Town Lunenburg Heritage Conservation District Plan and By-law.

Attachment E: Old Town Lunenburg Heritage Conservation District Statement of Significance as proposed by Brighter Community

Attachment F: Old Town Lunenburg Heritage Conservation District Statement of Significance in new draft Old Town Lunenburg Heritage Conservation District Plan and By-law.

## Attachment A: Ensuring Best Practice

The draft Old Town Lunenburg Heritage Conservation Plan and By-law tailors high-level national and international heritage documents to Lunenburg's unique conditions so Council, staff, and residents can rest assured they are making sound conservation decisions. The heritage documents are:

- UNESCO's World Heritage Committee's *Budapest Declaration* (2010);
- The International Council on Monuments and Site's (ICOMOS) *Charter on the Built Vernacular Environment* (1999);
- ICOMOS's *Charter on the Interpretation and Presentation of Cultural Heritage Sites* (2008);
- ICOMOS's *Valletta Principles for the Safeguarding and Management of Historic Cities, Towns and Urban Areas* (2011);
- ICOMOS and The International Committee for the Conservation of the Industrial Heritage's *Principles for the Conservation of Industrial Heritage Sites, Structures, Areas, and Landscapes* (2011);
- ICOMOS's *Principles for the Conservation of Wooden Built Heritage* (2017); and
- The *Standards and Guidelines for the Conservation of Historic Places in Canada* second edition (2010), a federal, provincial, and territorial collaboration.

## Attachment B: World Heritage Convention Policy Compendium Excerpt

2 - Policies Regarding CREDIBILITY of the World Heritage List

2.2 - Outstanding Universal Value

2.2.6 - Boundaries and buffer zones

### Decision 44 COM 7.2

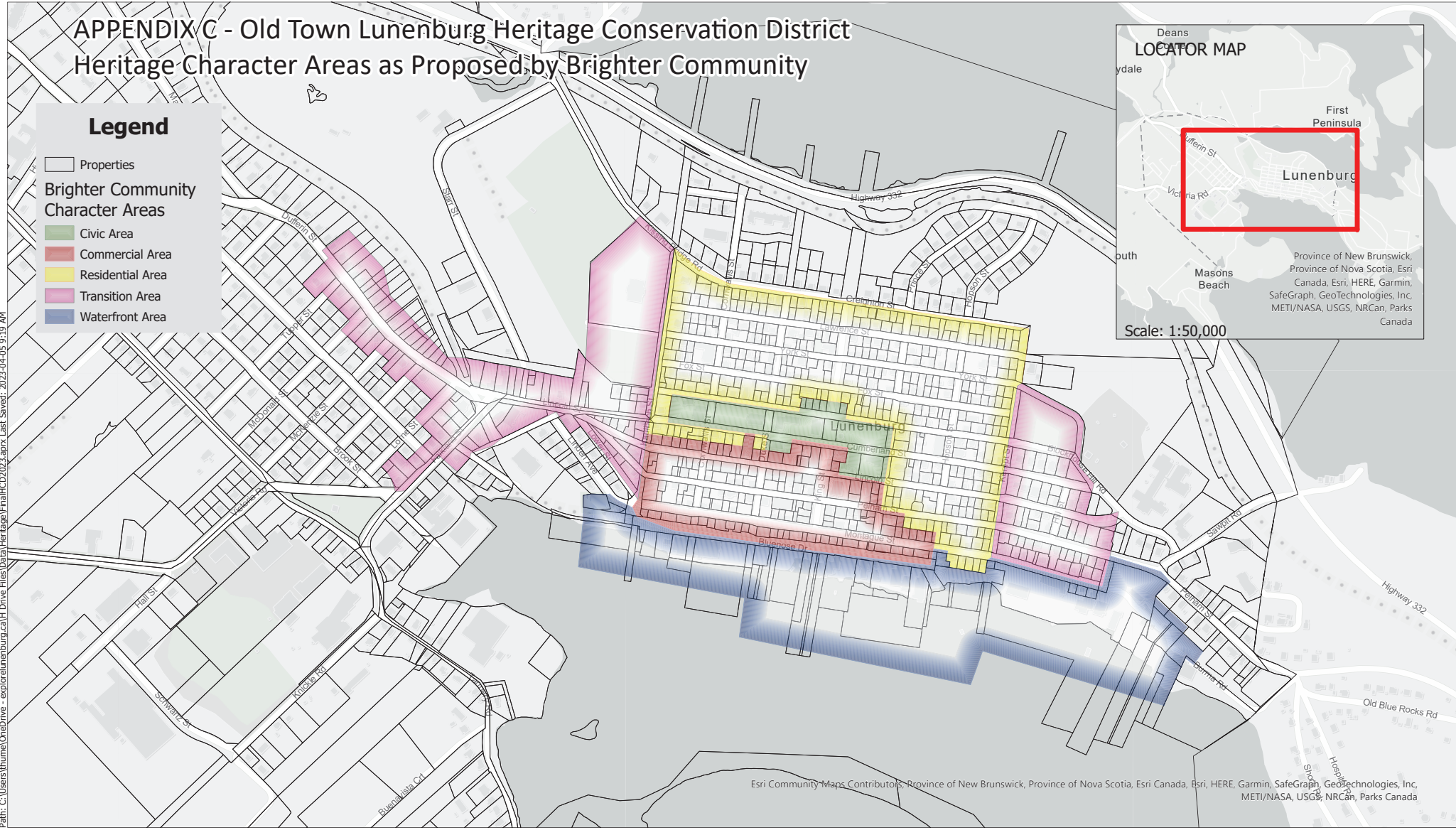
"21. [The World Heritage Committee] (u)rges States Parties, with the support of the World Heritage Centre and the Advisory Bodies, to:

- a) Incorporate well-designed buffer zones based on a holistic understanding of natural as well as human-induced factors affecting the property, supported by reinforcing relevant legal, policy, awareness and incentive mechanisms, into new nominations and, where appropriate, into existing properties to ensure enhanced protection of World Heritage properties,
- b) Place particular emphasis on strategic environmental assessment and impact assessments for potential projects within buffer zones to avoid negative impacts on OUV from developments and activities in these zones,
- c) Develop buffer zone protection and management regimes that optimize the capture and sharing of benefits to communities to support the aspirations of the 2015 Policy for the integration of a Sustainable Development Perspective into the processes of the *World Heritage Convention*,
- d) Ensure buffer zones are supported by appropriate protection and management regimes in line with the property's OUV that build connectivity with the wider setting in cultural, environmental and landscape terms."

# APPENDIX C - Old Town Lunenburg Heritage Conservation District Heritage Character Areas as Proposed by Brighter Community

**Legend**

- Properties
- Brighter Community Character Areas**
  - Civic Area
  - Commercial Area
  - Residential Area
  - Transition Area
  - Waterfront Area



**LOCATOR MAP**

Province of New Brunswick,  
Province of Nova Scotia, Esri  
Canada, Esri, HERE, Garmin,  
SafeGraph, GeoTechnologies, Inc,  
METI/NASA, USGS, NRCan, Parks  
Canada

Scale: 1:50,000

Path: C:\Users\thurne\OneDrive - explorer.lunenburg.ca\1 Drive Files\Data\Heritage\Final\FHCD2023.aprx, Last Saved: 2023-04-05 9:19 AM

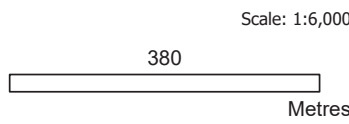
Esri Community Maps Contributors, Province of New Brunswick, Province of Nova Scotia, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, NRCan, Parks Canada



Maps are for graphical purposes only.  
They do not represent a legal survey.  
While every effort has been made to ensure that these data are  
accurate and reliable within the limits of the current state of the art,  
The Town of Lunenburg cannot assume liability for any  
damages caused by any errors or omissions in the data.  
Users of our maps and other analysis products are solely  
responsible for interpretations made from these products.

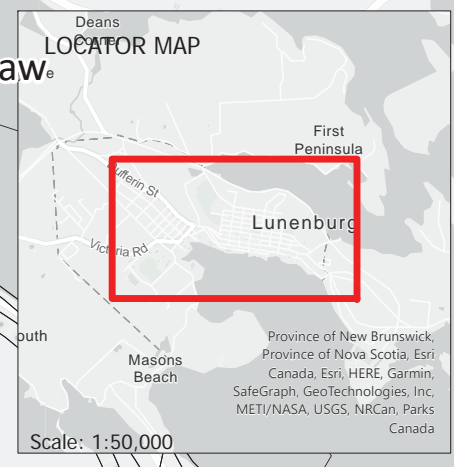
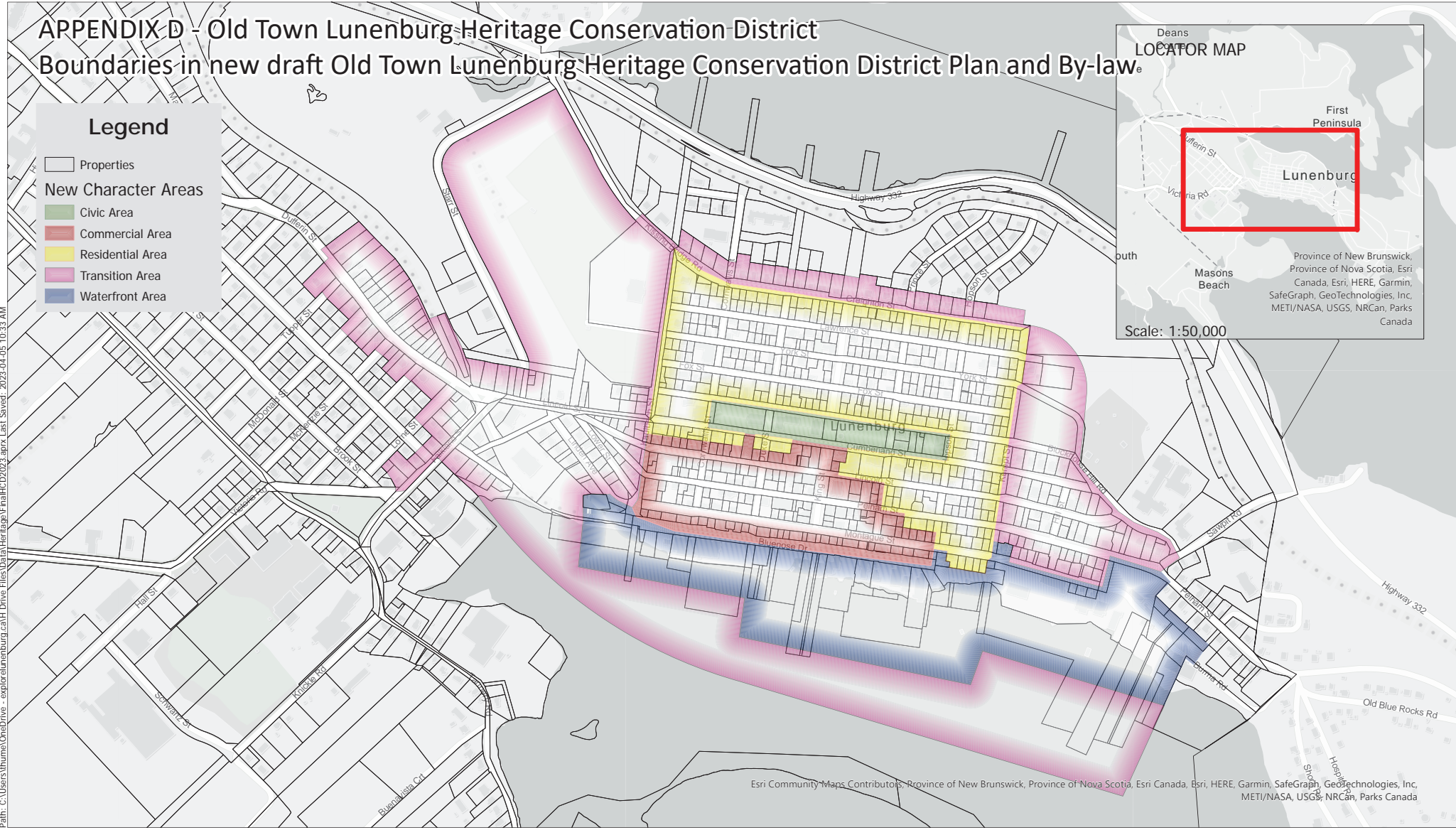
## TOWN OF LUNENBURG

GN



# APPENDIX D - Old Town Lunenburg Heritage Conservation District Boundaries in new draft Old Town Lunenburg Heritage Conservation District Plan and By-law.

- Legend**
- Properties
  - New Character Areas**
    - Civic Area
    - Commercial Area
    - Residential Area
    - Transition Area
    - Waterfront Area



Path: C:\Users\Whurms\OneDrive - explorer.lunenburg.ca\H Drive - Files\Draft Heritage\Final\FinalHCD2023.aprx, Last Saved: 2023-04-05 10:33 AM

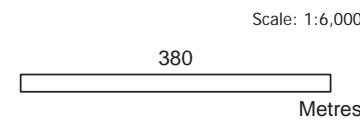
Esri Community Maps Contributors, Province of New Brunswick, Province of Nova Scotia, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, NRCAN, Parks Canada



Maps are for graphical purposes only. They do not represent a legal survey. While every effort has been made to ensure that these data are accurate and reliable within the limits of the current state of the art, The Town of Lunenburg cannot assume liability for any damages caused by any errors or omissions in the data. Users of our maps and other analysis products are solely responsible for interpretations made from these products.

TOWN OF LUNENBURG

GN



Metres

## **Attachment E: Old Town Lunenburg Heritage Conservation District Statement of Significance as proposed by Brighter Community.**

### **Description of Place**

Lunenburg is located on the southwest coast of Nova Scotia, within Mi'kmaki, the traditional territory of the Mi'kmaq. Lunenburg Old Town Heritage Conservation District is an 18th century British colonial planned town laid out on a portion of the south facing side of a peninsula known traditionally as E'se'katik, the place of clams, overlooking a natural harbour.

The town grid is composed of blocks formed by seven north-south streets, each including a number of distinct lots of regular sizes, rigidly laid over the undulating topography and drumlin landform of the peninsula, resulting in steep straight streets.

Primarily oriented towards the waterfront with sections of the town set aside for distinct uses, the Lunenburg Old Town Heritage Conservation District offers a consistency of architectural styles that gives it a sense of historical and cultural cohesion. It includes waterfront and shipyard buildings, and continues north up the slope of the peninsula's hills to encompass the downtown commercial district; the institutional area of the town, with a parade square, town hall, Anglican church, former courthouse and rectory, and other public buildings; and the private wood-construction homes to the north of the town centre.

To the east and the west of Old Town, the two commons at Gallows Hill and Blockhouse Hill, as well as the early expansions complete the place.

### **Heritage Value**

Lunenburg Old Town Heritage Conservation District is significant because it is the second oldest and most intact example of an 18th century British planned colonial town in Canada, it illustrates a well-preserved vernacular architectural tradition that spans two centuries, it exemplifies marine-related and fisheries industries in Nova Scotia, and it expresses the culture and traditions of the people that lived and settled here for centuries.

Its heritage value lies in the urban form as defined by the gridiron street pattern of the town plan; the dedicated open civic spaces; spatial organization of institutional, commercial, industrial, and residential areas; regular lot sizes; and built forms within that plan. It also resides in a vernacular building tradition deriving from the shipbuilding skills characterized by the use of wood, and unique architectural details like the 'Lunenburg Bump'.

Its heritage value is equally embodied in the ongoing functional waterfront and the presence of brightly painted warehouses and outbuildings, associated with fishing, shipbuilding and other marine related activities.

### **Character-Defining Elements**

The HCD encompasses Character-Defining Elements (CDEs) defined as those tangible elements that embody the heritage value of the district, in the entire district and in five specific areas of the HCD.

#### *The Old Town*

The HCD encompasses CDEs that support the heritage value of the whole, including:

- its gridiron plan, characterized by its rectangular form divided in regular streets and blocks, the allocation of spaces for public uses in the centre of the town, and the clear delineation between town and surrounding areas. There are seven north-south streets, 48 feet wide (with the exception of King Street, which is 80 feet), intersected at right angles by nine east-west streets, each 40 feet wide, and with each block divided into 40 foot by 60 foot lots.
- its smaller sized lots within each block;
- the distinction between commercial, civic, residential, and industrial areas as characterized by greater density in residential and commercial areas, open spaces surrounding landmark public buildings, and larger and functional waterfront spaces and structures;
- the concentration and comprehensive collection of quality architecturally significant 18th to 20th-century buildings and works, of various styles including residences, churches, institutional buildings, shops and waterfront warehouse and industrial buildings;
- the characteristic elements of the Lunenburg vernacular building tradition, including the predominance of wood construction and exterior finishes among all building types and styles; and the "Lunenburg Bump";
- its skyline punctuated by the spires of its churches;
- the visual and physical predominance of the waterfront buildings and of the churches when viewed from the harbour;
- The areas outside the original town plan that supported, protected, and connected the community, including the commons, parts of Blockhouse Hill, and the Academy.

### *The Waterfront Area*

Additionally, the HCD encompasses CDEs of the Waterfront Area including:

- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, no more than four-storey high, small paned windows and painted in bright colours;
- the utilitarian nature of buildings which combine large structures with smaller service building and exhibit, in simpler form, the fundamental architectural characteristics of the rest of the town;
- the interrelationship between buildings, spaces, structures and the harbour, illustrating the functional nature of the waterfront associated with marine, shipbuilding and fishery activities;

### *The Commercial Area*

Additionally, the HCD encompasses CDEs of the Commercial Area including:

- the streetscapes defined by close or contiguous buildings, no more than four-storey high, built to the streetline, with doors facing the street, designed or adapted for commercial activities, blending residential and commercial architecture;
- late Victorian, Georgian, and Edwardian architectural styles;
- sympathetically scaled buildings along Lincoln Street that contribute to a cohesive streetscape;
- the densely built nature of the commercial area;

### *The Civic Area*

Additionally, the HCD encompasses CDEs of the Civic Area including:

- a well defined open space interspersed with landmark buildings serving a public purpose, including Saint John's Anglican Church building and open space surrounding the building, the old fire hall and electric lights building, town hall with park space to either side, the open park space to the east of town hall including war memorials, a bandstand and the King Street right-of-way;
- a visual and architectural relationship between the open spaces and the buildings that surround them, most built close to the streetline, emphasizing the prominence of the location;
- the lighter density, emphasizing the importance of the civic core and its public uses;

### *The Residential Area*

Additionally, the HCD encompasses CDEs of the Residential Area including:

- the significant concentration of diverse historic architectural styles, creating cohesive streetscapes, including Cape Cod, Georgian, Gothic Revival, Classical Revival, and Second Empire styles, accentuated with vernacular architectural elements;
- elements that are typical of a longstanding building tradition particular to the Lunenburg area, including sturdy wooden construction, with clapboard or shingle cladding and wooden trim elements and decorative elements;
- individual or single houses, no more than three storey high, with doors and windows facing the street, modestly set back from the street, at regular intervals, with occasional smaller secondary buildings on the side or the back;
- the moderate density;

### *The Transition Area*

Additionally, the HCD encompasses CDEs of the Transition Area including:

- the significant concentration of diverse historic architectural styles;
- Street patterns that evolve from the gridiron pattern prevalent in the rest of Old Town, forming larger lots;
- Gallows Hill, its cemetery, Academy, and open spaces;
- Parts of Blockhouse Hill, and open spaces;
- The cohesive streetscapes along Falkland and Dufferin streets, meeting at Lincoln street, their concentration of 19th and early 20th century houses and commercial buildings, no more than three storeys high, exhibiting Victorian and Edwardian styles, emphasizing a sense of arrival to Old Town;

## **Attachment F: Old Town Lunenburg Heritage Conservation District Statement of Significance in new draft Old Town Lunenburg Heritage Conservation District Plan and By-law.**

### *Old Town Lunenburg Heritage Conservation District Statement of Significance*

#### **Description:**

Old Town Lunenburg Heritage Conservation District is located on Nova Scotia's South Shore in the Town of Lunenburg. It includes approximately 44.1 hectares bounded by Kaulbach Street, Kissing Bridge Road, Kempt Street, and Lunenburg Harbour's Waterfront. It also consists of a 47.5 hectares transition area, stretching West along Lincoln Street, South along Falkland Street, and East along Blockhouse Hill Road, Lincoln Street, Pelham Street, and Montague Street. The district comprises the Town's original urban core and approximately 550 civic, commercial, and residential buildings, in addition to engineering works, monuments, parks, and public spaces. Founded in 1753 to Plans by Surveyor General Charles Morris, Old Town Lunenburg retains its original grid Plan and continues to function following Morris's layout. A rich vernacular architectural tradition profoundly shaped by Lunenburgers' connections to the sea, especially the offshore fishery, complements Morris' vision, filling in the Town's regular blocks. Today, Lunenburg's vernacular architectural tradition continues, and the Town maintains close cultural and economic ties to the Atlantic through a combination of new and historic marine-related activities.

#### **Heritage Value:**

Old Town Lunenburg is recognized as a Municipal Heritage Conservation District because it is:

- The best-preserved example of a Planned colonial settlement in North America;
- Home to a well-preserved vernacular architectural tradition; and
- An exceptional example of a culture based on, and an urban community designed for marine activities.

#### **Character-Defining Elements:**

Elements that evidence British colonial planning, in particular surveyor General Charles Morris's design, include:

- The geometrically regular gridiron Plan comprising seven north-south streets, 48 feet wide (except for King Street, which is 80 feet wide), intersected at right angles by nine east-west streets, each 40 feet wide;
- The lack of encroachment into the streets mentioned above, providing unobstructed north-south and east-west sightlines;
- The minimal setbacks of structures from the street visually reinforcing the street Plan's regularity and rectilinearity;
- Old Town's typography, especially its steep streets that evidence a disregard for local terrain;
- The grandeur of King Street, including its width relative to other North-South streets (50% increase in width) and its location relative to public space, marking the middle of the four public lots set aside for public functions in Morris' original plan;
- Archaeological remains of Old Town Lunenburg's original fortifications;
- Unobstructed views over Old Town Lunenburg Heritage Conservation District and out towards Lunenburg Harbour from the location of the Town's four original blockhouses;
- Physical attributes that delimit the four blocks that Morris set aside for public use, including:
  - The siting of the four blocks in the centre of Old Town, marking their importance and Morris' disregard for local topography;
  - The exclusion of non-civic buildings and functions from these four blocks;

- The lower density of buildings on these four blocks relative to the surrounding contiguous and near-contiguous residential and commercial structures;
- The public landscaped grounds between public buildings;
- The scale of public and civic buildings, approximately four and a half storeys in height (approximately 16 metres), signaling their importance relative to surrounding commercial and residential buildings of approximately one and a half to three storeys in height (approximately 5 meters to 11 meters);
- The intactness of these four blocks compared to the other blocks in the district, which were initially divided into 40-foot by 60-foot lots. The lots in blocks outside the four civic blocks have continued to evolve to meet the needs of property owners;
- Landmark public buildings, including St. John's Parish Hall, St. John's Anglican Church, Lunenburg Town Hall, and the Armoury; and
- Physical elements at the centre of public activities, such as memorials; and
- Its continued social and economic functioning along Charles Morris' original plan, in particular:
  - The civic area's continuing civic and public functions includes public use of structures and the open spaces between and surrounding structures.

Elements that evidence and support Lunenburg's continuing vernacular architectural tradition include:

- Adaptations of imported styles, especially those fashionable in settlers' home countries, such as, but not limited to Georgian, Classical, Gothic, Second-Empire, and Dutch Colonial - Throughout Lunenburg's history, styles and architectural conventions have been adapted to the local environment and culture. This includes any evidence of accommodating local terrain, using local materials, changing decorative schema to reflect local values, and adapting trends to better suit the local climate;
- Wooden construction and decoration, reserving stone and brick for select public and civic buildings, including wooden windows, trim, and clapboard and shingle cladding;
- Architectural elements unique to Lunenburg, especially the 'Lunenburg-bump' in all its iterations;
- Refined carpentry skills, especially those derived from marine-related industries such as vessel construction; and
- Individual vernacular structures, including but not limited to vernacular
  - Maritime buildings and engineering works;
  - Public, Civic or Institutional buildings;
  - Commercial buildings;
  - Residential buildings;
  - Ecclesiological buildings; and
  - Outbuildings.

Elements that evidence Lunenburg's historical and continued cultural and economic relationship with the Atlantic, especially the offshore fisheries, include:

- Old Town Lunenburg Heritage Conservation District's location on Lunenburg Harbour;
- The working waterfront's continual use in support of the fisheries, shipbuilding and retrofitting, and other marine-industrial activities;
- Waterfront warehouses and other buildings that reflect Lunenburg's history of economic dependence on the shipbuilding and fishing industries, especially maritime vernacular buildings;

- The interrelationship between buildings, spaces, structures, and the harbour, illustrating the functional nature of the waterfront associated with marine, shipbuilding and fishery activities;
- The Fishermen's Memorial and Fishermen's Memorial Ceremony; and
- Clear sightlines down North-South streets that visually connect the commercial-residential and civic areas to Lunenburg Harbour.

**Subject: Sustainable Services Growth Fund**

**Prepared by:** Kathleen Rafuse, Accountant

**Reviewed by:** Jamie Doyle, CAO

**Date:** April 11, 2023

---



## **Recommendation**

That Council approve that the Mayor and CAO sign the Sustainable Services Growth Fund Agreement Form.

## **Background**

The Province of Nova Scotia has approved a grant to the Town of Lunenburg in the amount of \$375,867 to support infrastructure investments in the Town from the Sustainable Services Growth Fund.

This funding must demonstrate direct impact to support Nova Scotia's growing population by investing in the following categories:

Municipal Services - renewing, increasing capacity or creating services for:

- Housing Development
- Seniors and long-term care
- Accessibility
- Active transportation

Eligible Expenditures include:

- Expenditures associated with planning, design, constructing, or renovating a tangible capital asset, as defined by generally accepted accounting principles; and
- Municipal contributions towards expenditures related to other cost shared projects which satisfy terms of Sustainable Services Growth Fund.

## **Strategic Plan Relevance**

This funding program aligns with many overarching deliverables contained in the Comprehensive Community Plan.

## **Attachments**

- Letter from the Minister of Municipal Affairs and Housing
- Sustainable Services Growth Fund Agreement Form



**Municipal Affairs and Housing  
Office of the Minister**

---

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • [novascotia.ca](http://novascotia.ca)

---

March 31, 2023

Matt Risser, Mayor  
Town of Lunenburg  
VIA E-Mail: [mrissier@townoflunenburg.ca](mailto:mrissier@townoflunenburg.ca)

Dear Mayor Risser:

I am pleased to advise the Department of Municipal Affairs and Housing has approved a grant of \$375,867 to support infrastructure investments in your community under the new Sustainable Services Growth Fund (SSGF).

The SSGF can be used to support Municipal services by investing in municipal infrastructure needed to serve a growing population, improve sustainability and provide increased resiliency.

Please refer to the attached Terms and Conditions for more information on the funding approval. If you accept this offer, please sign the Terms and Conditions, and send to the program email listed below.

Should you have any questions, please contact Ahmad Shahwan, Manager of Infrastructure Programs at [Ahmad.Shahwan@novascotia.ca](mailto:Ahmad.Shahwan@novascotia.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "John Lohr".

Honourable John A. Lohr  
Minister of Municipal Affairs and Housing

c Jamie Doyle, Chief Administrative Officer, [cao@townoflunenburg.ca](mailto:cao@townoflunenburg.ca)

Attachment

## Sustainable Services Growth Fund (SSGF) Agreement Form (Terms and Conditions)

**Proponent:** Town of Lunenburg

**Approved Funding:** \$375,867

**Project End Date:** March 31, 2025

**Funding approval for the above noted program is subject to the acceptance of the following Terms and Conditions. The Municipality agree to:**

- 1) Carry out the provision of the project(s) as described in the approval documentation without any material changes.
- 2) Use the grant funds for the purpose of carrying out the project(s) as specified by Schedule A – Eligible Projects and Schedule B – Eligible & Ineligible Expenditures.
- 3) Notify and seek approval from Municipal Affairs and Housing (DMAH) in writing of any significant changes in circumstances that may affect the project(s) timelines.
- 4) Be responsible for any cost over-runs incurred in carrying out the project(s).
- 5) Complete project(s) by the Project End Date unless otherwise agreed to in writing.
- 6) To complete a Request for Amendment at least one month prior to the Project End Date should an extension be needed.
- 7) Follow the intent of the Nova Scotia Government Procurement Policy in awarding contracts.
- 8) Submit a Program Closeout Report for approval within 60 days after the project(s) completion date(s) or the Project End Date.
- 9) Refund any unexpended portion of the Grant and any amounts expended for purposes other than for those specified in Terms and Conditions to the Government of Nova Scotia.
- 10) Maintain proper and accurate accounts and records in respect of all related expenditures for at least six (6) years after completion of project(s) and, upon reasonable notice, make them available to Nova Scotia.
- 11) Record separately and distinctly any SSGF amounts, including any interest earned thereon.

Please return a scan of signed Agreement form to the following program email:  
[SSGF@novascotia.ca](mailto:SSGF@novascotia.ca)

Name of Signing Authority	
Title	
Phone	
Email	

Signature \_\_\_\_\_

Date \_\_\_\_\_

**Approval Information**

**General Conditions and Requirements**

Proponents undertaking project(s) with financial assistance through SSGF shall comply with the following general conditions and requirements:

- Funding cannot be applied against costs related to work carried out in violation of conditions set by regulatory authorities.
- Proponents may be required to submit general progress and evaluation reports during the project(s) and will be required to co-operate with DMAH staff in monitoring the implementation.
- The project(s) are considered complete upon approval of the Program Closeout Report.

**Program Closeout Report**

The Program Closeout Report must include the following:

- Description of all projects funded.
- Confirmation of achieved project(s) outcomes.
- Statement of Funding Expenditures (template to be provided).

## **SCHEDULE A – Eligible Projects**

Projects must demonstrate direct impact to support Nova Scotia’s growing population by investing in the following project categories:

**Municipal Services** – renewing, increasing capacity or creating services for:

- a. Housing development
- b. Seniors and long-term care
- c. Accessibility
- d. Active transportation

Some examples of eligible projects include:

- Expansion or renewal of water and wastewater treatment, storage and distribution systems
- Solid waste management infrastructure
- Active transportation trails and sidewalks
- Accessibility retrofits to municipal buildings

## **SCHEDULE B – Eligible & Ineligible Expenditures**

Eligible Expenditures include:

- Expenditures associated with planning, designing, constructing, or renovating a tangible capital asset, as defined by generally accepted accounting principles; and
- Municipal contributions towards expenditures related to other cost shared projects which satisfy the terms of SSGF.

Ineligible Expenditures include:

- Expenditures incurred before April 1, 2023;
- Expenditures incurred after the Project End Date;
- Cost of leasing of equipment, overhead costs, salaries and other employment benefits of any employees of the Municipality, the direct or indirect operating or administrative costs of the Municipality;

- Taxes for which the Municipality is eligible for a tax rebate and all other costs eligible for rebates or recoveries;
- Purchase of land or any interest therein, and related costs;
- Legal fees; and,
- Routine repair, maintenance, and operating costs.

**Subject: Regional Anti-Racism & Anti-Discrimination Committee**

**Prepared by:** Jamie Doyle, CAO

**Date:** April 11, 2023



---

## Recommendation

That Council approve the Terms of Reference (TOR) for the Lunenburg County Anti-Racism and Anti-Discrimination Committee as presented; and that Council approve the new Regional Equity, Diversity, and Inclusion Coordinator position, a two-year term shared position with the other five municipal units based on the funding formula and budget as presented.

That Council direct the CAO to work with the other five municipal units to develop a Memorandum of Understanding (MOU) for the Regional Equity, Diversity, and Inclusion Coordinator position; and that the MOU be presented to all participating Councils for approval.

That Council approve the dissolution of Town of Lunenburg's Anti-Racism Special Committee.

## Alternatives

Not approve the TOR and provide alternative direction to staff.

## Background

Municipalities across the south shore have experienced a number of racist and discriminatory incidents. Some communities have moved ahead with work to address this, but it is recognized that a regional approach would be beneficial and provide diverse representation and perspectives and allow us to share our experiences and knowledge. Municipal governments, as well as other levels of government in Canada, along with local and national organizations, share responsibility and have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens.

## Discussion

The role of the Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) would be to advise the respective administrations and elected bodies of the Town of Lunenburg, Municipality of the District of Lunenburg, Municipality of Chester, Town of Bridgewater and the Town of Mahone Bay to advance, strengthen, support, and unify the five municipal units in adopting and implementing Anti-Racism and Anti-Discrimination initiatives throughout the Region. The ARADAC would work with partners and communities to help lead and support anti-racism and anti-discrimination initiatives and promote equity, diversity and inclusion initiatives. They would work to identify and address systemic racism and inequity in government policy, legislation, programs and services. The work of the committee would be

supported by a shared position between the five municipal units. Currently the work that is being done in each municipal unit is supported by staff in each unit but there is no one person identified to champion the work.

It is proposed that Municipality of Chester (MOC) host the shared position and funding for the position would be based on uniform assessment. Initially, the position would be for a twenty-four-month period. Staff will prepare a MOU for a three-year term, although the position would be proposed for a two-year term. The three-year term recognizes that the approval of the position and hiring process will take a few months. A two-year MOU would not allow enough time for a two-year term position. MOC would develop a budget for the next two fiscal years, taking the regional work into account. Recommendation for future budgets would be made to the CAOs of the participating units who would then bring the recommendations forward to their respective councils.

Furthermore, staff recommend the dissolution of Town of Lunenburg’s Anti-Racism Special Committee as the regional committee will replace the work of the local committee.

### Strategic Plan Relevance

#### Governance

- Reform municipal committees to build a culture of inclusion.

#### Culture and Recreation

- Foster inclusivity in programming and leadership.
- Build relationships between the Town and Mi’kmaw residents and organizations, and the Town and Black residents and organizations in the area.
- Create a special committee or action group to promote anti-racism and decolonization, with particular emphasis on the lived experiences and aspirations for Black, Indigenous and people of colour in Lunenburg.

### Relevant Legislation

#98 Town of Lunenburg Procedural Policy – Committees of Council

Anti-Racism Special Committee Terms of Reference

### Financial

The funding formula and budget for 2023-24 is based on 23-24 uniform assessment as follows:

#### Annual Budget (to be proposed via Operational Budget)

Staff Member	
Salary	\$85,000
Benefits (CPP, WCB, EI, vacation)	\$15,300

Mileage	\$2,500
Training/PD certification	\$2,000
Admin & Overhead	\$10,480
<b>Total</b>	<b>\$115,280</b>
<b>Regional Support</b>	
Meeting pay • 6 members, \$55 per meeting, 8 meetings	\$2,640
Room Rental etc.	\$500
Mileage • 6 members, Estimated \$20 per meeting/event, 10 meetings	\$1,200
Committee Training & facilitation	\$5,000
Training for Staff & Council	\$10,000
<b>Total</b>	<b>\$19,340</b>
<b>Total</b>	<b>\$134,620</b>

	<b>23-24 Uniform Assessment</b>	<b>%</b>	<b>23-24 Total Contribution</b>
Town of Mahone Bay	\$145,777,562	2.52%	\$3,390
Town of Lunenburg	\$298,368,092	5.15%	\$6,939
Town of Bridgewater	\$715,142,664	12.35%	\$16,632
Municipality of the District of Chester	\$1,741,116,861	30.08%	\$40,493
Municipality of the District of Lunenburg	\$2,887,963,821	49.89%	\$67,165
<b>TOTAL</b>	<b>\$5,788,369,000</b>	<b>100.00%</b>	<b>\$134,620</b>

#### Attachments

- Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) Terms of Reference
- Regional Coordinator Job Description

# Terms of Reference

## The Lunenburg County Anti-Racism & Anti-Discrimination Committee

Municipality of Chester

Municipality of the District of Lunenburg

Town of Lunenburg

Town of Bridgewater

Town of Mahone Bay



## Section 1 - Purpose

The Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) is established to advise the respective administrations and elected bodies of the Town of Lunenburg, Municipality of the District of Lunenburg, Municipality of Chester, Town of Bridgewater and Town of Mahone Bay to advance, strengthen, support, and unify the five municipal units in adopting and implementing Anti-Racism and Anti-Discrimination initiatives throughout the Region.

The ARADAC works with partners and communities to help lead and support anti-racism and anti-discrimination initiatives and promote equity, diversity and inclusion initiatives. They would work to identify and address systemic racism and inequity in government policy, legislation, programs and services.

## Section 2 - Authority

The ARADAC shall be appointed by each Council upon recommendation of Mayors and Wardens by application process via the Regional Coordinator and advise the Councils, the Coordinator and Chief Administrative Officers (CAOs) for each respective organization.

The ARADAC is an advisory body and is an opportunity to provide valuable perspectives and recommendations for consideration of each respective Council. The ARADAC is supported by a Regional Coordinator who will directly report to the CAO of the host unit and will also be responsible to the CAOs of each of the five (5) Councils when working for each municipal unit.

ARADAC may submit proposed amendments or updates to the Terms of Reference to the Regional Coordinator for consideration by the five (5) Councils.

The ARADAC may be dissolved by way of resolution of majority of participating Councils.

## Section 3 - Responsibilities

*The ARADAC is responsible to:*

- Provide ongoing advice, education, information and recommendations to the five Municipal Councils and staff on internal and external projects, initiatives, or policy via the Regional Coordinator.
- Develop and recommend to municipalities a regional action plan which will provide regional-level guidance and coordinated approaches and strategies on actions to be taken by the municipalities.
- Support the Regional Coordinator for Anti-Racism and Anti-Discrimination initiatives.
- Develop and propose an annual budget to the Regional Coordinator, to be reviewed and proposed to the five (5) Municipal Councils for consideration.
- Provide advice, when requested, on projects and policies undertaken by municipalities including municipal plans, development, human resource policies and other projects.



- Remain apprised and connected to new municipal, provincial and federal directives, regulations and initiatives that impact or intersect with Anti-Racism and Anti-Discrimination or funding opportunities.
- Collaborate with the Lunenburg County Accessibility Advisory Committee and Regional Accessibility Coordinator.
- Liaise with community members through regular engagement, maintain transparency, and provide a framework and platform for reporting back to the community.
- Collaborate and build relationships with community members and organizations that address Anti-Racism and Anti-Discrimination through events, programming, training and other forms of support.
- The Regional Coordinator may speak on behalf of the ARADAC and provide updates to respective councils. During the first year of the initiative, the Committee shall report to Councils once per quarter and thereafter, at least twice per year.

*Municipalities are responsible to:*

- Recruit and retain a Regional Coordinator.
- Adopt a cost-sharing model to assign budgetary commitments to each participating organization based on proposed budget from the Regional Coordinator.
- Identify and prioritize requests and recommendations and provide timelines for implementation, where applicable.
- Support and invest in the work of the ARADAC through staff and political participation.
- Consider and potentially implement recommendations from the ARADAC.
- Contribute ongoing budget and resources to the work of the ARADRC, as described in this Terms of Reference.
- Upon annual budget approval via municipalities, each CAO will work with the Regional Coordinator to identify projects that will need to be reviewed or require input from the ARADRC.



## Section 4 - Membership

The ARADAC should reflect the diversity of the region, where possible, having first voice and diverse representation from youth, elders, Indigenous Mi'kmaq, African Nova Scotian, members of 2SLGBTQ+ community as well as Immigrants and Newcomers and others on the ARADRC.

With an emphasis on accessibility, it must include authentic strategic engagement – through public channels and known networks physically and digitally, via media, emails, engagements and social media and displayed on municipal websites.

The appointment process will consist of an intake document/questionnaire, to assess for alignment with the work.

The ARADAC will consist of up to thirteen (13) voting members.

- Five (5) Political Representation through appointment of one councillor from each municipality or community. Council/Commission appointments shall be for two-(2) year terms.
- Councils shall appoint each of six (6) community representatives' members, with a priority on members who live, work or are connected to the region. The appointments shall be made as follows:
  - Two (2) members to a three- (3) year term;
  - Two (2) members to a two-(2) year term; and
  - Two members to a one- (1) year term.
- Once a member has completed their term, all new terms will be for three (3) years. If a community member vacates the Committee for any reason at any time before that member's term would normally expire, the Councils shall promptly appoint a new member to the Committee to hold office for the unexpired term.
- If a Council/Commission member vacates the Committee for any reason at any time before that Council/Commission member's term would normally expire, the Council/Commission that the member represents shall promptly appoint a new member for the remainder of the term.
- The Committee will be supported by the Regional Equity, Diversity, and Inclusion Coordinator and the Regional Staff Accessibility Coordinator (Non-Voting)
- Two positions (voting) will also be designated for representation from Acadia and Sipekne'katik First Nation, and an invitation shall be extended to each Nation to appoint a member.

Applications will be received by the Regional Coordinator. The Regional Coordinator may request and hold interviews, after which they submit recommendations for committee members to Mayors and Wardens, or their designate, for Council consideration and appointment.

Membership to conduct annual check-in and review of status, capacity and intent to continue into the following year. This is to ensure there is enough lead time to recruit and promote for the seat to be filled.



### *ARADAC Chair*

The Committee will be chaired by one municipal councillor from one of the municipalities. Vice Chairs will be appointed through vote of the ARADAC at the inaugural meeting. The Chair will facilitate the meetings with support from the Regional Coordinator, who will organize logistics, take minutes and support agenda development.

### *Membership Changes*

- Members may resign at any time by giving written notice to the ARADRC Chair and the Regional Coordinator.
- Missing three consecutive meetings a year without prior discussion and approval from the ARADRC Chair is deemed equivalent to a resignation.
- Membership may be terminated by the ARADAC Chair for violating the terms of reference, if recommended by the Committee.
- Meetings will be held at a frequency that is necessary to conduct the business of the ARADAC (approximately once per month) until such time as the ARADAC is dissolved. A meeting schedule will be discussed by the Committee at the first meeting and subsequent meetings will be confirmed at each meeting. Advance notice will be provided as soon as possible. In addition to regular meetings, additional means of communication, such as email or phone calls will be necessary to conduct the business of the Committee.

### **Section 5 Committee Procedures**

- Committee meetings will be called by the Chair, as required, to fulfill the duties outlined.
- Subject to Section 22 of the Municipal Government Act, meetings of the committee are open to the public and advertised no less than one week in advance.
- A majority of the appointed voting members of the Committee constitutes a quorum.
- 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.
- The Committee may receive presentations from the public upon the approval of the Chair.
- The Committee may establish Working Groups to explore specific issues related to their workplan and/or other responsibilities. Members of a Working Group may consist of additional members of the community. A member of the ARADAC shall chair Working Groups. The Committee will be supported by municipal staff and consulting resources as required.

### *Membership Remuneration*

Recognizing that this is a first voice, lived experience committee membership, Members will be compensated, in accordance with the approved budgeted amount.

### *Policy Review*



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





# Municipality of the District of Chester

## Position Description

<b>Position Title:</b>	Diversity, Equity and Inclusion (DEI) Coordinator
<b>Salary:</b>	TBD
<b>Reports to:</b>	Deputy CAO (or the CAO or their Designate of the partner units)
<b>Status:</b>	24-month contract, Full Time
<b>Location:</b>	Various locations, flexible
<b>Hours:</b>	Normally 8:30 a.m. to 4:30 p.m., evening meetings and overtime may be required
<b>Updated:</b>	February 2023

---

### **SCOPE**

The DEI Coordinator will lead the development and implementation of proactive diversity, equity, inclusion, and belonging initiatives in support of 5 municipal units. The coordinator will work with the Lunenburg County Anti-Racism & Anti-Discrimination Committee (LCARADC) to develop and implement a strategic plan, to address racism and discrimination within our communities. By ensuring alignment across the five jurisdictions, addressing racism, discrimination, and the prevention, identification, and removal of barriers to access in opportunity, the Coordinator will create clear accountabilities, strengthening the ability to serve diverse communities. The position will work within teams to develop, support, implement and champion diversity and inclusion initiatives with the Region. The position will provide public outreach, support community events, workshops, and community conversations on anti-racism, anti-discrimination and diversity issues. The position will support efforts to promote volunteerism and civic engagement, facilitate community collaboration and partnerships, and support efforts to provide culturally competent community programs, observances, and services.

### **OBLIGATIONS AND RESPONSIBILITIES UNDER LEGISLATION**

- 1) The Municipality of the District of Chester is committed to workplace safety and all employees are expected to actively participate in the Municipality's Occupational Health and Safety Policy and Program and Occupational Health and Safety Legislation as well as Regulations of the Province of Nova Scotia.
- 2) The Municipality of the District of Chester complies with the Employment Legislation of Nova Scotia and all employees are also expected to act in accordance with the appropriate Legislation as well.

## **QUALIFICATIONS**

### **Education & Experience**

- 1) An undergraduate degree specializing in Diversity Management, Public Administration, Communications, Business, Human Resources, or a related field of study plus 1 – 3 years' related experience with preference given to candidates with diverse lived experience and those experienced in working collaboratively with Indigenous and/or Black/African Nova Scotian communities, or other unrepresented communities.
- 2) Experience & knowledge in more than one of the following: communications, adult education principles / practices, principles of diversity in the workplace, diversity training, research and analysis, and use of technology to increase participatory culture.
- 3) Demonstrated success implementing diversity initiatives in a workplace or community.

### **Skills/Knowledge/Competencies**

- 1) Strong communication skills (oral and written);
- 2) Ability to assess needs and develop and present educational programs and/or workshops;
- 3) Strong facilitation skills (small and large groups);
- 4) Good listening skills and the ability to relate to and connect with a wide range of people;
- 5) Open mindedness and patience;
- 6) A thorough understanding of the any relevant legislation.
- 7) A proactive, positive attitude and flexibility working in a fast-paced environment.
- 8) An ability to work with a team, as well as independently.
- 9) Excellent organizational skills and a high degree of efficiency.
- 10) Experience with Microsoft office suite.
- 11) An ability to find creative solutions to problems.
- 12) Professionalism, tact, and sensitivity.

### **Other Requirements**

- 1) Must be able to work after normal business hours occasionally to attend LCARADC meetings and public engagement events.
- 2) This position involves a combination of office and field work.
- 3) WHMIS, Emergency First Aid, Basic Fall Protection training and other safety related training as required by Provincial Regulation or Municipal Policy.

## **SUMMARY OF FUNCTION**

### **Regional Committee Support**

- 1) Coordinate and support the work of the Lunenburg County Anti Racism and Anti-Discrimination Committee (LCARADC) in the development and implementation of an Equity, Diversity, and Inclusion Action Plan.
- 2) Provide best practice research and advice on the interpretation and implementation of the Nova Scotia Act to Dismantle Racism and Hate and other relevant legislation and regulations.
- 3) Act as a liaison between the LCARADC and municipal units.
- 4) Liaise with the Lunenburg County Accessibility Advisory Committee, as necessary.
- 5) Review legislation, standards and best practices in equity diversity and inclusion, and determine their applicability to the LCARADC Action plan.

- 6) Evaluate and report to the LCARADC on the achievement of anti-racism and anti-discrimination goals.
- 7) Book meetings, prepare and distribute agendas and minutes, assist Chair in leading the meetings, manage recruitment for Committee when necessary.

### **Program/Policy Development & Support**

- 1) Develop, recommend, implement, monitor, and evaluate Anti-Racism & Discrimination as well as equity, diversity and inclusion (EDI) policies, procedures, and programs (i.e. EDI Action Plan).
- 2) Engage with citizens who face barriers voicing their opinions or who wish to participate in local government.
- 3) Develop and maintain relationships with organizations/service providers to diverse populations.
- 4) Provide leadership and coordination for training, development, and education initiatives;  
Support for Council and Staff
- 5) Promote diversity, equity, inclusion, anti-racism, and anti-discrimination in the workplace through skill building opportunities inclusive of various learning styles.
- 6) Serve as a support/resource to Council, management and staff on applying an EDI lens on the work of the Municipalities.

### **ACCOUNTABILITIES**

- 1) Remain current with Provincial legislation, guidelines, standards and funding programs regarding EDI, Anti-racism and anti-discrimination.
- 2) Use personal protective clothing and equipment as required by Safe Work Practices.
- 3) Daily use of a computer to input inspection data and to communicate with other staff and external clients, develop correspondence and reports.
- 4) Maintains clear and accurate digital and paper records.

### **CONTACTS**

- 1) Members of Council and Staff
- 2) LCARADC members
- 3) General Public
- 4) Provincial Officials
- 5) Designers, Architects, Engineers, etc.