



Notice: Council meetings are held in person at Town Hall. The public can attend meetings in person or view meetings through the Zoom livestream. Recordings of all meetings are available on the Town's website. To livestream this meeting starting at 6 pm, use this Zoom link: <https://us06web.zoom.us/j/88956545878>

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

3.1 September 26, 2023 Council Meeting Agenda

Draft motion: That Council approve the agenda for the September 26, 2023 meeting as presented.

4. APPROVAL OF MINUTES

4.1 September 12, 2023 Regular Meeting of Council Minutes

Draft motion: That Council approve the September 12, 2023 meeting minutes as presented.

5. PUBLIC INPUT AND QUESTIONS – 20 MINUTES

- Each person is limited to 3 minutes
- Each person must state their name
- Questions or comments are directed to the Chair

6. PRESENTATIONS

6.1 Capacity Building for the Sustainable and Inclusive Development of Nova Scotia's Offshore Wind Resource – Christie Chaplin, Net Zero Atlantic

7. CORRESPONDENCE

8. PUBLIC HEARINGS AND APPEALS

9. BUSINESS ARISING AND UNFINISHED BUSINESS

9.1 Occupational Health & Safety Policy Amendments – Decision

Draft motions: That Council repeal sub-policy 46 (A) Joint Occupational Health and Safety Policy and replace this policy with Terms of Reference to be approved by the Chief Administrative Officer.

That Council repeal the following Joint Occupational Health and Safety sub-policies:

- 46 (B) Tag and Lockout Procedural Policy
- 46 (C) Chain Fall Hoist Inspection Procedural Policy
- 46 (D) Material Safety Data Sheets Policy
- 46 (E) Table Saw Work Procedure for Use Without a Guard
- 46 (F) Confined Space Procedure
- 46 (G) Public Works Department General Safe Work Procedures

That Council amend the Joint Occupational Health and Safety Policy as presented.

10. NEW BUSINESS

10.1 LUB Amendment: Upper Hall Street Rezoning – 1st reading

Draft motion: That Council give first reading to the proposed amendments to the Land Use Bylaw, as presented in Attachment E, to allow for the rezoning of Upper Hall Street (PID 60726403) to Institutional (INS) Use Zone; and schedule a public hearing for a regular meeting of Council.

10.2 LUB Amendments: Provisions for Off-Site Signage – 1st reading

Draft motion: That Council give first reading to the proposed amendments to the Land Use Bylaw, as presented in Attachment D, to allow for the erection of off-site ground signage for landlocked businesses; and schedule a public hearing for a regular meeting of Council.

10.3 Community Development Permits – information report

11. NOTICES OF MOTION/INFORMATION REQUESTS

11.1 Community Grants for Lunenburg Students – Councillor Sanford, *notice of motion provided on Sept. 12, 2023*

Draft motion: That Council direct staff to amend the Community Grants Program Policy to include a criteria section specifically for students who live in the Town of Lunenburg who require additional funding for recreational or cultural opportunities at a provincial or national level and that \$2,000 from the total annual Community Grants Fund be used solely for student applicants who meet these criteria.

11.2 Lunenburg RV Park and Campground Financial Benefits – *notice of motion provided on Sept. 12, 2023*

Draft motion: That Council direct the CAO to request detailed financial statements from the Lunenburg Board of Trade regarding any data relating to the financial and community benefits that the Lunenburg RV Park and Campground provides to the community.

11.3 Blockhouse Hill Engagement Sessions – *information/discussion request*

12. IN CAMERA

12.1 Personnel Matter

Draft motion: Moved and seconded that Council move in camera at _____ to discuss

agenda item 12.1 Personnel Matter.

13. ADJOURNMENT

TOWN OF LUNENBURG
COUNCIL MEETING MINUTES

September 12, 2023 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



- Present** Mayor Jamie Myra, Deputy Mayor Peter Mosher, Councillors Jenni Birtles, Stephen Ernst, Ed Halverson, Melissa Duggan and Susan Sanford
- Also present** Jamie Doyle, CAO
Lisa Dagley, Director of Finance
Michael Best, Communications Manager
Tyson Joyce, Director of Public Works
Arthur MacDonald, Director of Community Development
Hilary Grant, Senior Planner/Heritage Officer
Lauren Isabelle, Planner Development Officer
Trevor Hume, Planner Development Officer
Kayla Byrne, Municipal Clerk
- Call to Order** The Mayor called the meeting to order at 6:05 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 September 12, 2023, meeting.
Motion carried unanimously
- Approval of Minutes** Moved and seconded that Council approve the August 8, 2023 meeting minutes as presented.
Motion carried unanimously
- Public input for Council meetings** Teresa Quilty, Duncan Kroll, Michael Higgins, Gregg Clause, and Sarah Romkey supported granting an appeal for an unsightly property order. Robin Jackson supported refusing the appeal for the unsightly property order, indicating that some compromise could be achieved. Alison Strachan congratulated Mayor Myra on winning the Town’s special election.

Rachel Martin inquired about deliberative dialogue and more public

engagement opportunities with respect to municipal matters, including the proposed development of Blockhouse Hill.

Towny Anderson inquired about various aspects of the draft Heritage Conservation District Plan and Bylaw.

Presentations	None.
Proposed Development of Blockhouse Hill	Council received a letter from a member of the public opposing the proposed development of Blockhouse Hill.
2023/24 REMO Budget Allocation	<p>Concerning a letter from the Municipality of the District of Lunenburg (MODL) about a 2023/24 REMO budget allocation, Council made the following motion:</p> <p>Moved and seconded that Council approve contributing any unspent REMO funds at the end of each fiscal year into a reserve for emergency spending.</p> <p style="text-align: right;">Motion carried unanimously</p>
Sustainability Summit Invitation	Council received an invitation to attend the South Shore Sustainability Summit.
Natural Gardens/Lawns	Council received four letters in support of allowing naturalized lawns within Town.
Appeal: Unsightly Property Order – 104 Maple Avenue	<p>The Director of Community Development summarized the report for an order appeal for an unsightly property. The property owner noted that they are intentionally not mowing their lawn as they are working towards a naturalized lawn for environmental purposes. Councillors discussed the importance of working with neighbours to solve problems such as disagreements over lawn maintenance.</p> <p>Councillors asked the property owner some clarifying questions about their process for naturalization.</p> <p>Council made the following motion with respect to the order appeal:</p> <p>Moved and seconded that Council defer making a decision on the appeal of the Dangerous and Unsightly Property Order issued on August 1, 2023, for 104 Maple Avenue and direct staff to draft a lawn</p>

and park naturalization policy to allow and encourage naturalization initiatives.

Motion carried unanimously

Recess

The Mayor called a recess from 7:15 p.m. to 7:22 p.m.

Appeal:
Encroachment
Licence Agreement –
7 McKenzie Street

The Director of Community Development summarized a report on an encroachment licence agreement appeal. The appellant reiterated their rationale for the appeal. Staff noted that encroachment agreements typically contain a clause about municipal access, structure maintenance, and repair.

Concerning the appeal, Council made the following motion:

That Council grant the appeal of the Encroachment Licence Agreement for 7 McKenzie Street with the condition that if the Town of Lunenburg ever requires access to the property for any Town purposes, any associated costs pertaining to repairs and replacement would be at the owner's expense.

Motion carried unanimously

Business Arising and
Unfinished Business

None.

Occupational Health
& Safety Policy
Amendments

Moved and seconded that Council give notice to repeal sub-policy 46 (A) Joint Occupational Health and Safety Policy and replace this policy with Terms of Reference to be approved by the Chief Administrative Officer; and

That Council give notice to repeal the following Joint Occupational Health and Safety sub-policies:

- 46 (B) Tag and Lockout Procedural Policy
- 46 (C) Chain Fall Hoist Inspection Procedural Policy
- 46 (D) Material Safety Data Sheets Policy
- 46 (E) Table Saw Work Procedure for Use Without a Guard
- 46 (F) Confined Space Procedure
- 46 (G) Public Works Department General Safe Work Procedures; and

That Council give notice to amend the Joint Occupational Health and Safety Policy as presented. **Motion carried unanimously**

Noise Bylaw
Exemption

Moved and seconded that Council approve an exemption to the Noise Bylaw for the September Classic fireworks display scheduled for September 23, 2023 at 9 p.m. on the Lunenburg Waterfront. **Motion carried unanimously**

Community Centre
Overnight Parking
Request

Moved and seconded that Council approve free overnight parking at the Lunenburg Community Centre/Arena parking lot for the South Shore Oktoberfest event attendees on October 7, 2023. **Motion carried unanimously**

Noise Bylaw
Exemption

Moved and seconded that Council approve an exemption to the Noise Bylaw for the Lunenburg Board of Trade's South Shore Oktoberfest scheduled for October 6, 2023 from 11 p.m. until 12 a.m. on the Lunenburg Waterfront. **Motion carried unanimously**

Community Grants

Before any discussion or decision on this item, the Mayor declared a conflict of interest and moved to the public gallery. The Director of Community Development summarized the Community Grant application.

Moved and seconded that Council approve a Community Grant of \$200 to Abbie Chisholm to attend U17AAA Soccer Nationals in New Brunswick in October 2023.

Motion carried unanimously

The Mayor resumed chairing responsibilities.

Proposed Divestiture
of Upper Hall Street

The Director of Community Development summarized a report on the proposed divestiture of the lands at Upper Hall Street. Councillors asked clarifying questions about timelines to best schedule a public information meeting.

Council made the following motions:

Moved and seconded that Council declare the lands of Upper Hall Street, known as PID 60726403, as surplus lands no longer required for Town purposes. **Motion carried unanimously**

Moved and seconded that Council direct staff to schedule a Public

Information Meeting (PIM) on the possible divestiture of Upper Hall Street, known as PID 6072640, for the possible relocation of Harbour View Haven.

Motion carried unanimously

Staff indicated it aims to hold the PIM meeting at the next Council meeting on September 26, 2023. However, if needed, the meeting may be held at a regular meeting in October. Staff also noted that the Planning Advisory Committee held a public participation meeting on the proposed rezoning related to this request on September 11, 2023.

Proposed Alteration to Municipal Heritage Property

The Senior Planner/Heritage Officer summarized a report on a proposed alteration to a municipal heritage property.

Moved and seconded that Council approve the proposed revised alterations to 17 Tannery Road (Old New Town School) and approve the issuance of a Heritage Permit.

Motion carried unanimously

Potable Water Quality Test Results

The Director of Public Works summarized a report on the potable water quality test results for April to June 2023, highlighting results, maintenance and complaints.

Wastewater Quality Test Results

The Director of Public Works summarized a report on the wastewater quality test results for April to June 2023, highlighting quarterly averages and testing results.

Lunenburg Academy Costs

Moved and seconded that Council direct staff to provide a full cost analysis, including an area rate, for the Lunenburg Academy and that this analysis be presented at a regular meeting of Council in October 2023.

Motion carried unanimously

Notice of Motion: Community Grants for Students

Councillor Sanford gave notice of motion to a request to consider reserving \$2,000 from the Community Grant Fund specifically for students from the Town of Lunenburg who require additional funding for recreational or cultural initiatives that exceed routine program costs. Staff will draft a motion to consider at the next Council meeting.

Notice of Motion: Lunenburg RV Park

Councillor Halverson gave notice of motion to direct the CAO to request detailed financial statements from the Lunenburg Board of

- and Campground
Financial Benefits
- Trade regarding any data relating to the benefits that the Lunenburg RV Park and Campground provides to the community. Staff will draft a motion to consider at the next Council meeting.
- In camera
- Moved and seconded that Council move in camera at 8:19 p.m. to discuss agenda item 12.1 Acquisition, sale, lease and security of municipal property, as per the Municipal Government Act.
Motion carried unanimously
- Recess
- Before discussing any in-camera items, the Mayor called a recess at 8:19 p.m.
- Revert to open
session: Dog Park
Lease
- Council reverted to open session at 8:35 p.m.
- Following a discussion in camera, Council made the following motion:
- Moved and seconded that Council amend the lease agreement between the Town of Lunenburg and the Lunenburg Dog Park Society as presented and that the Mayor and CAO are authorized to execute the Lease on behalf of the Town and affix the municipal seal.
Motion carried unanimously
- Adjournment
- There being no further business, the September 12, 2023 Council meeting adjourned at 8:36 p.m.

The minutes were read and approved.

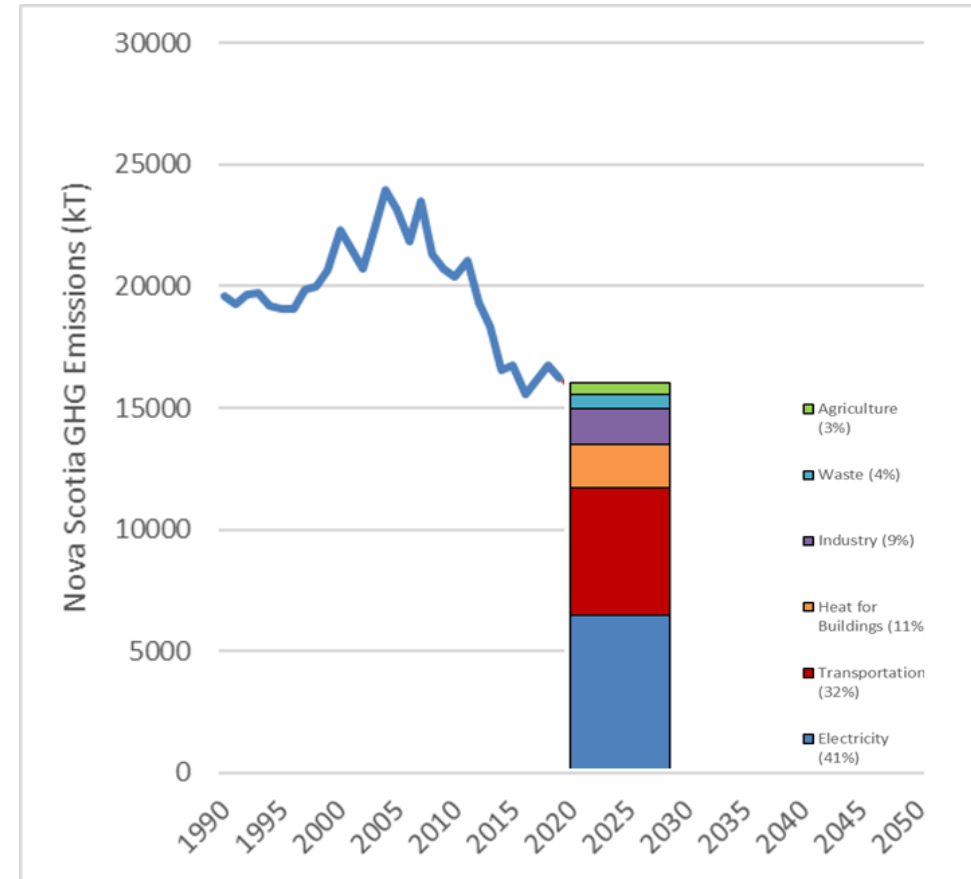
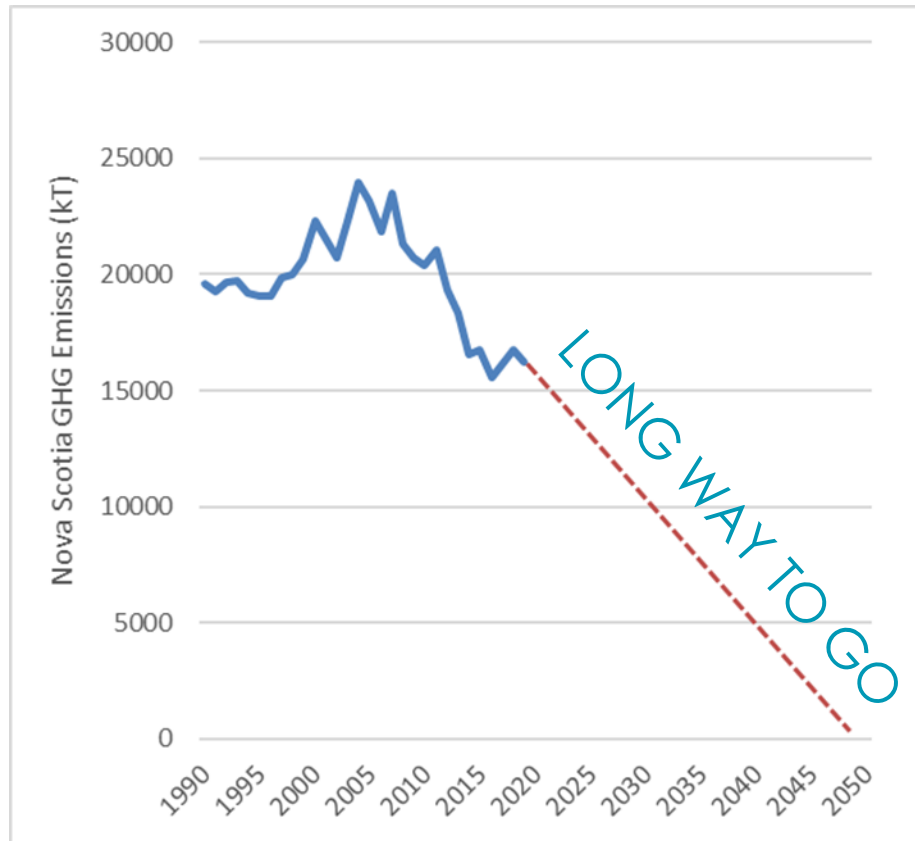


Capacity Building for the Sustainable and Inclusive Development of Nova Scotia's Offshore Wind Resource

Presentation to Lunenburg Town Council

September 12, 2023

Nova Scotia's Energy System



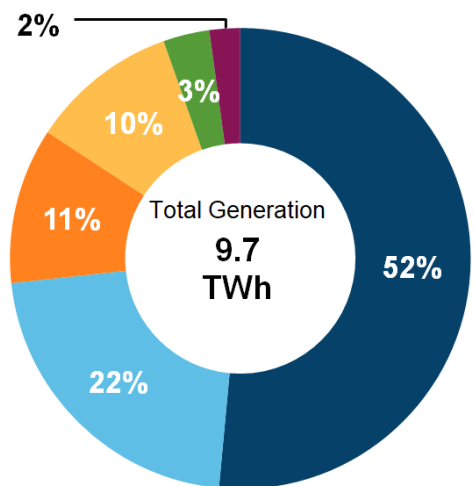
Nova Scotia's emissions in 2019 were approximately 16 Megatons

Large-scale emission reduction is necessary to reach net-zero emissions by 2050.

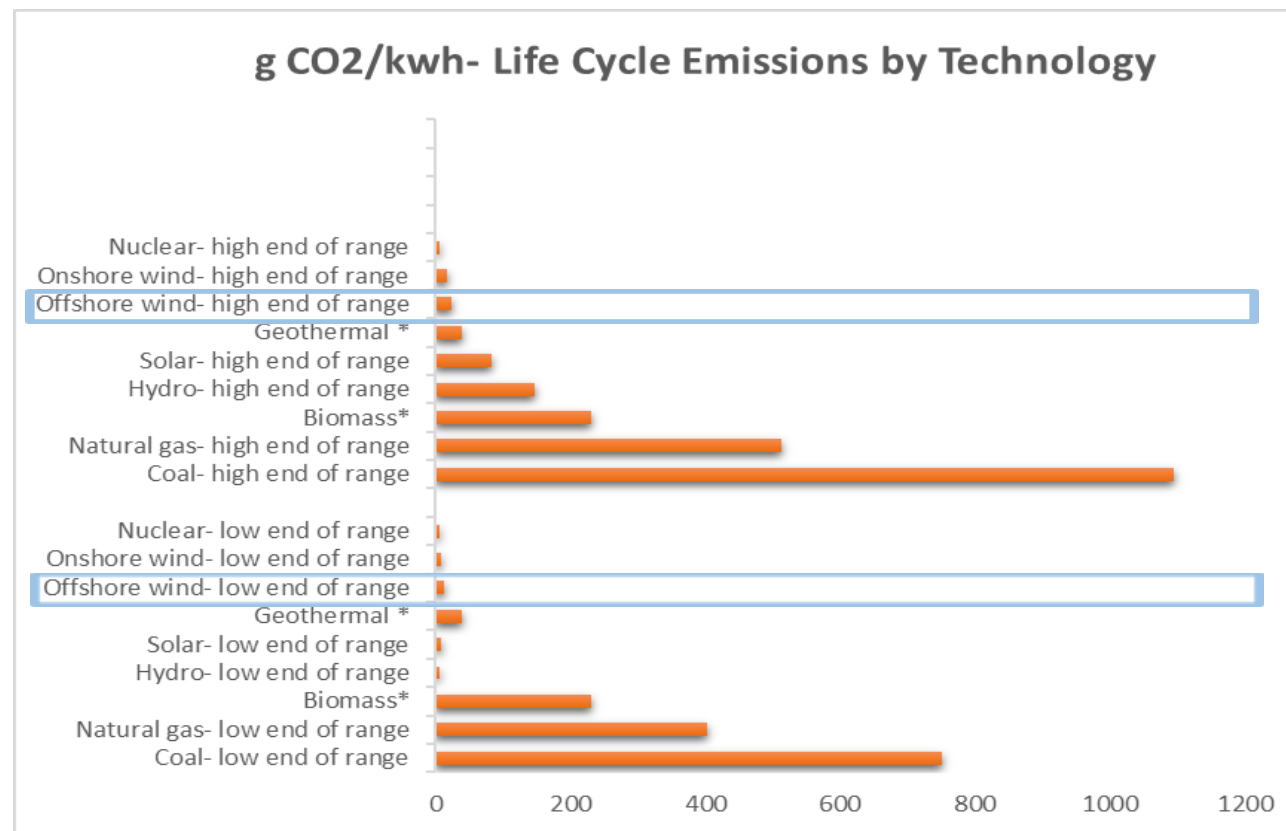
Processes that contribute to the release of GHG emissions vary across economic sectors.



Current Situation, Requirements and Options



- Coal & Coke
- Wind
- Biomass / Geothermal
- Natural Gas
- Hydro / Wave / Tidal
- Petroleum



Most electricity in Nova Scotia comes from combustible generation

Provincial legislation requires NS Power electricity generation to be 80% renewable by 2030

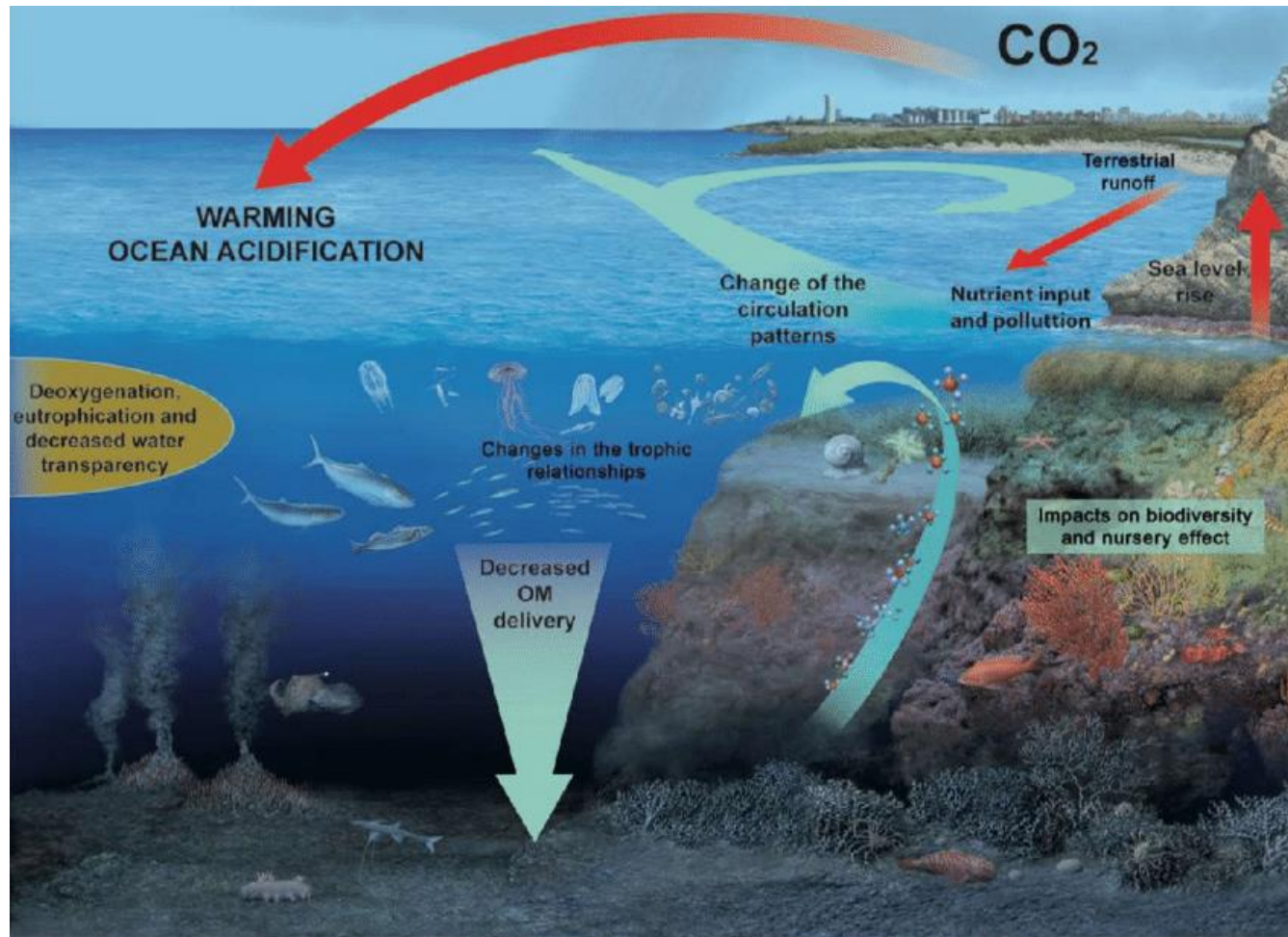
Federal legislation also requires phasing out unabated coal-fired electricity by 2030

Source: Canada Energy Regulator: Electricity generation by fuel type in NS in 2019

Sources: United Nations Economic Commission for Europe, "Life Cycle Assessment of Electricity Generation Options," Organisation des Nations Unies, Genève, 2021. <https://unece.org/sites/default/files/2021-10/LCA-2.pdf> (accessed July 18,, 2023)
 AND *Steffen Schlomer (ed.) 2014. Annex III: Technology-specific cost and performance parameters.



Emissions impacts on oceans



Heat and chemicals from greenhouse gas emissions (especially carbon dioxide) are absorbed most of all by the ocean.

Absorbed heat leads to ice-melting, sea-level rise and marine heatwaves.

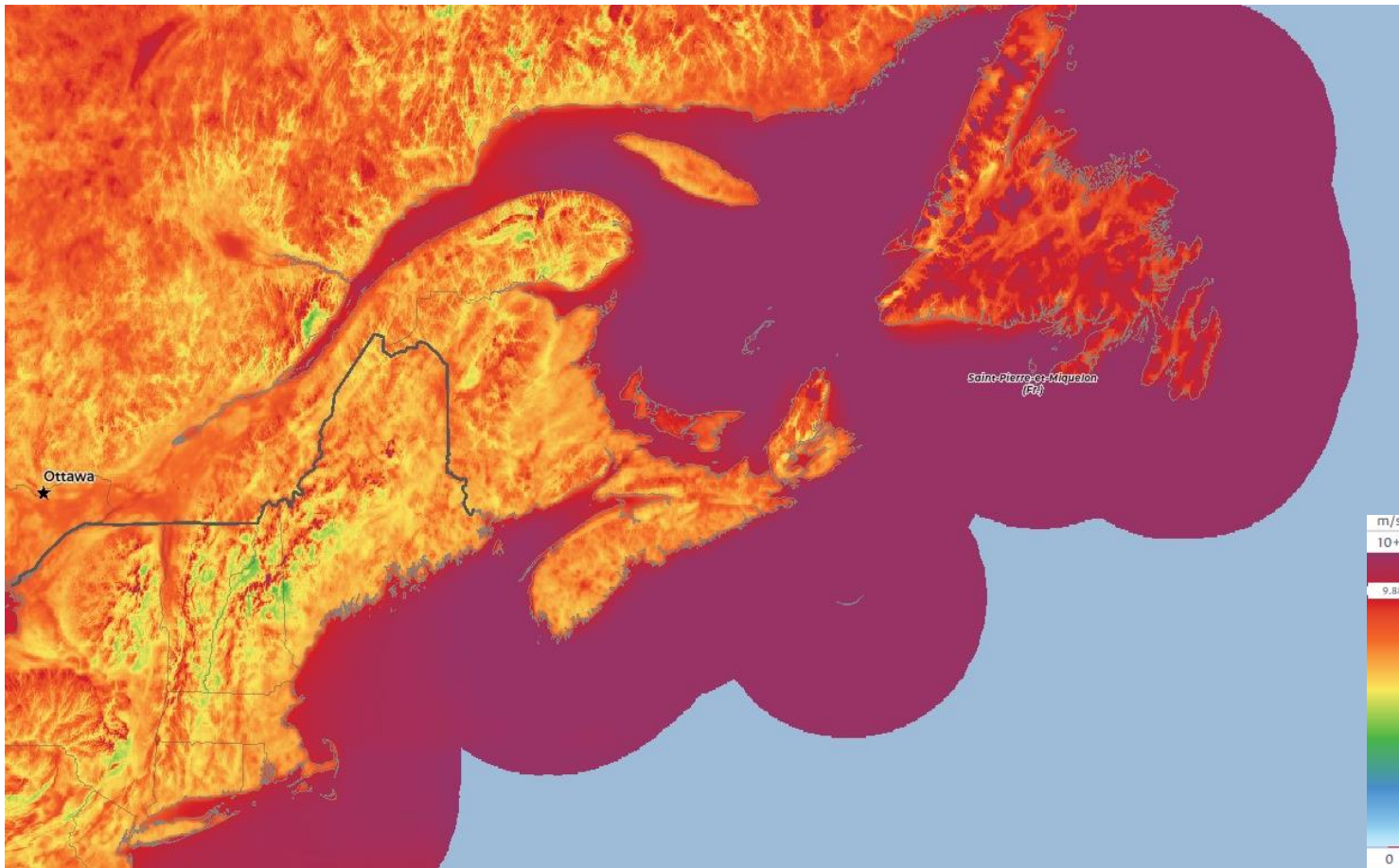
Absorbed carbon causes ocean acidification which harms marine life, most immediately shells and skeletons



Nova Scotia's Offshore Wind Resource

Ours is a world class resource with average wind speeds of over 10 meters per second

Nova Scotia's government has committed to leasing areas for 5 Gigawatts (GW) of offshore wind energy by 2030



For context, Nova Scotia Power has under 3 GW of generating capacity

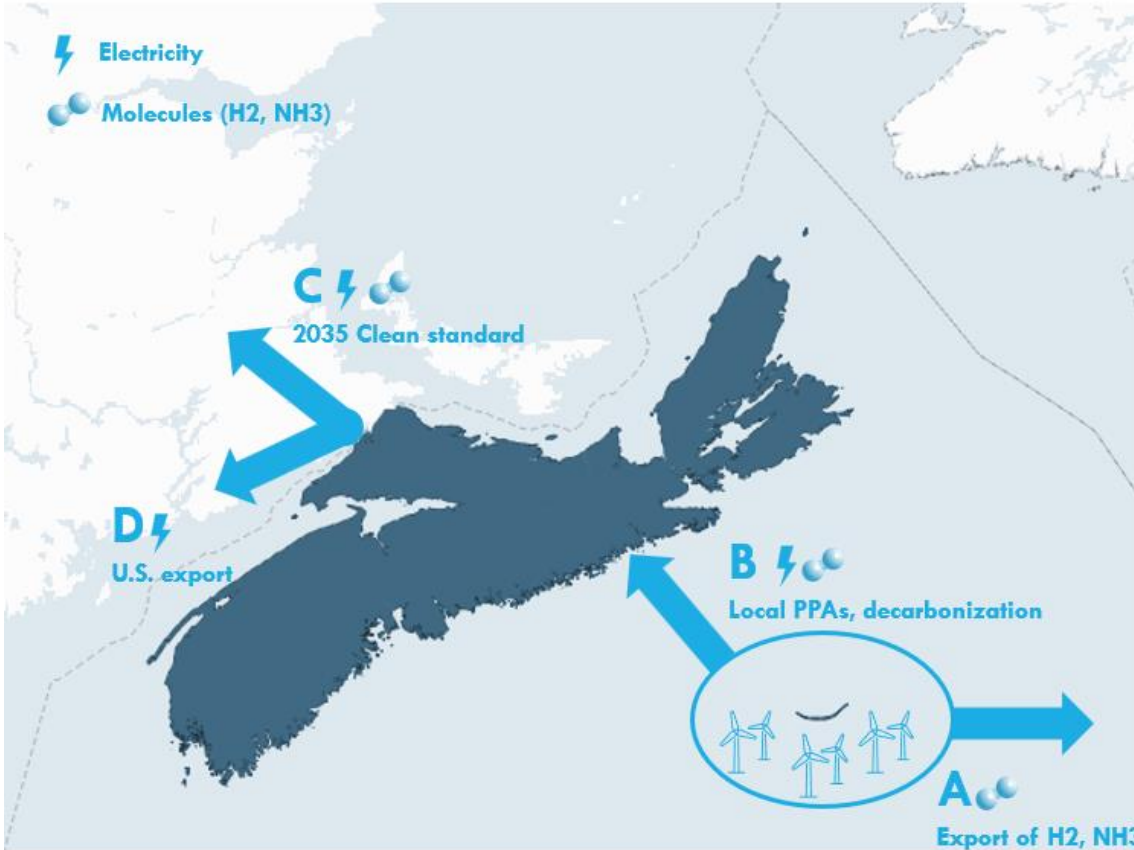


Images from: <https://globalwindatlas.info/en>

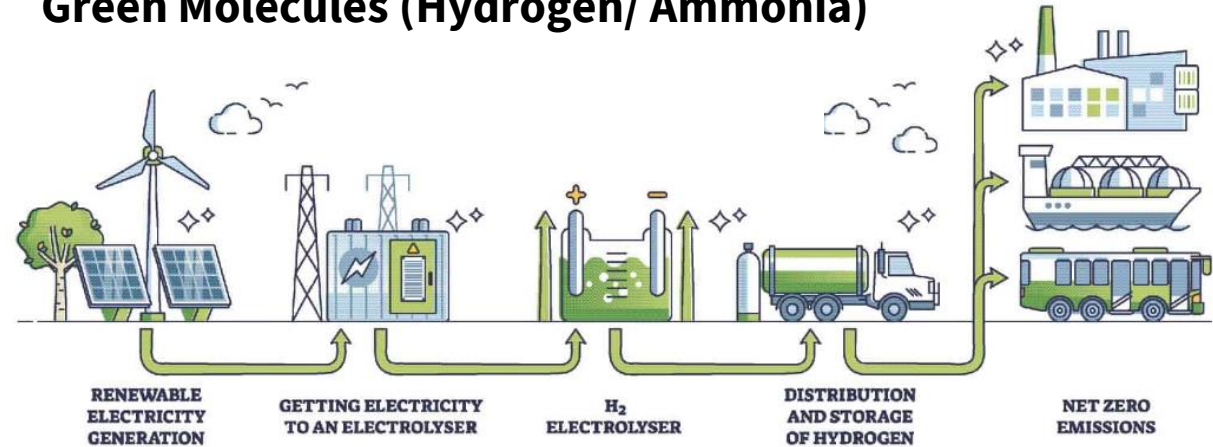


Market Possibilities

Green Electrons



Green Molecules (Hydrogen/ Ammonia)



Offshore Wind is being considered for two end use scenarios ‘electrons or molecules’:

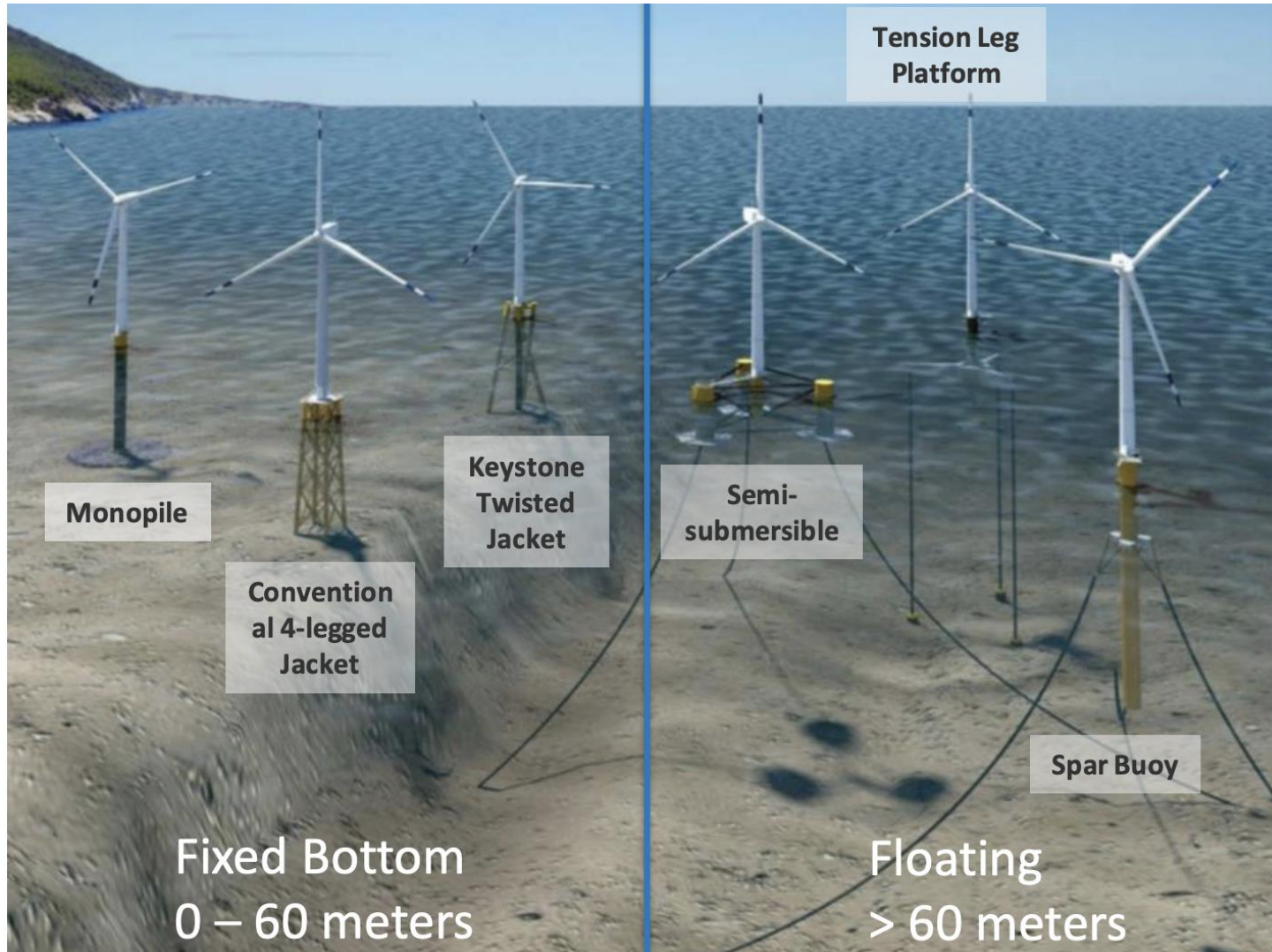
- A. International demand for green fuels (NH₃, H₂)
- B. Local electrical supply
- C. Regional/national need for clean electricity or green fuels
- D. United States electricity market

Image source:
Nova Scotia Department of Natural Resources and Renewables

Imaged source:
<https://technetics.com/hydrogen-production-the-challenges-and-practical-applications/>



Turbine scale and design



Source: WBFR NPR

Retrieved from: <https://www.wbfo.org/2023-01-25/report-advises-against-installing-wind-turbines-in-lake-erie-for-now>

Offshore wind turbines are typically larger and produce more power than Onshore turbines.

Depending on water depth and subsea geology, Offshore turbines are either fixed bottom or floating.



End of useful life/ waste management

Most wind turbine materials are readily recycled or reused. These include:

- Steel
- Copper wire
- Electronics
- Gearing can be recycled or reused.

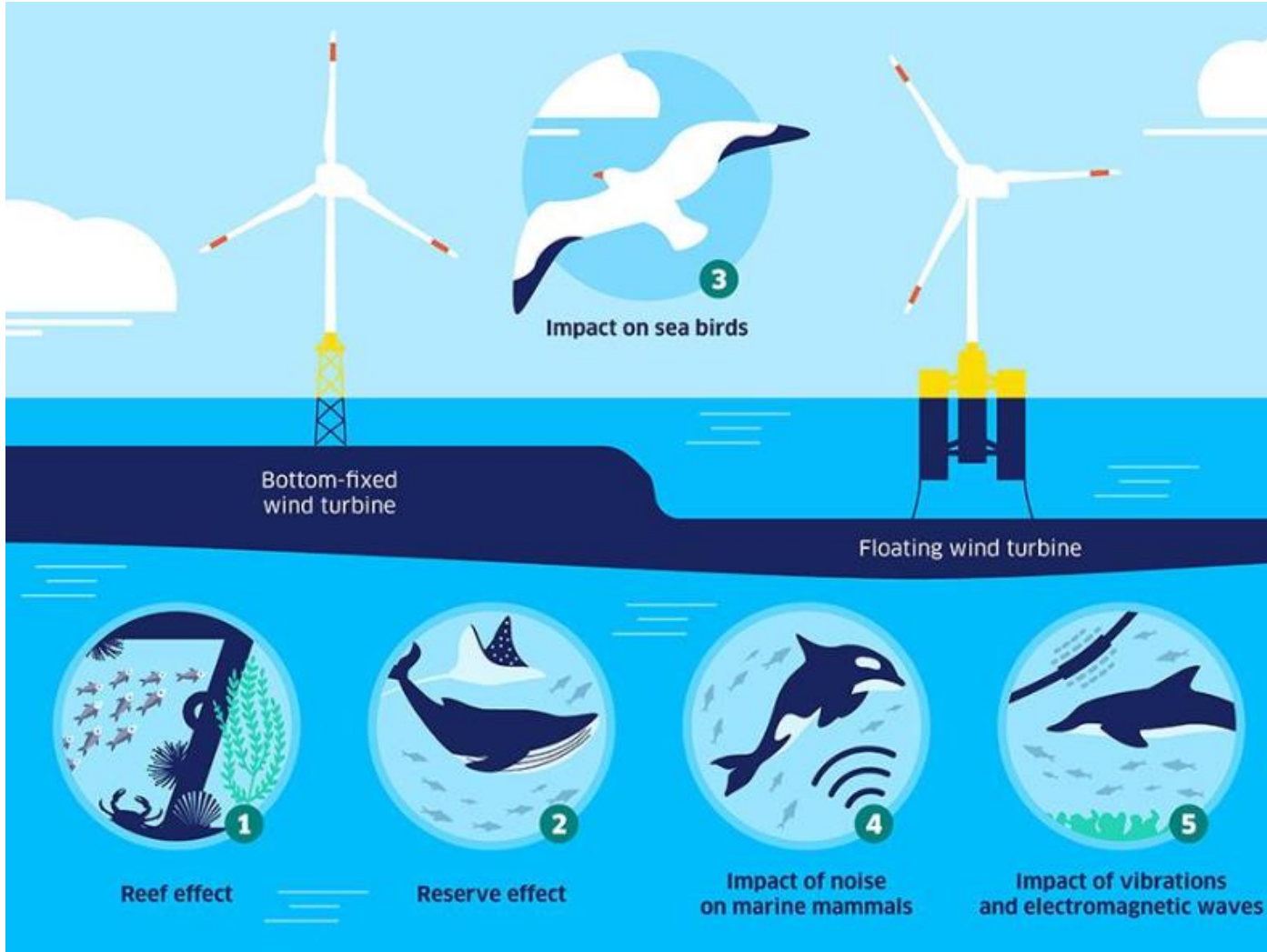
Blades have presented challenges, but these are being overcome with material innovations.



Source: Designboom Retrieved from:

<https://www.designboom.com/design/denmark-repurposing-wind-turbine-blades-bike-garages-09-27-2021/>

Offshore wind impact on biodiversity



Studies have yet to be completed in Canadian waters. Although we can lean on research done elsewhere, each situation is different.

Aspects of concern include:

- Underwater noise
- Bird/ Bat Interactions
- Disturbances from foundations, anchors, cables,
- Reef affect caused by new structures
- Vessel collisions
- Effects from Electromagnetic Fields

Potential economic impacts

Benefits:

- Marine sector business activity, for example:
 - Ship building
 - Hydraulics
 - Crew
- Property taxation
- Provincial/ federal revenue
 - Lease revenues
 - Royalties
 - From equity (ownership)

Governments may

- Guide community benefit agreements
- Establish community benefit rules

Risks:

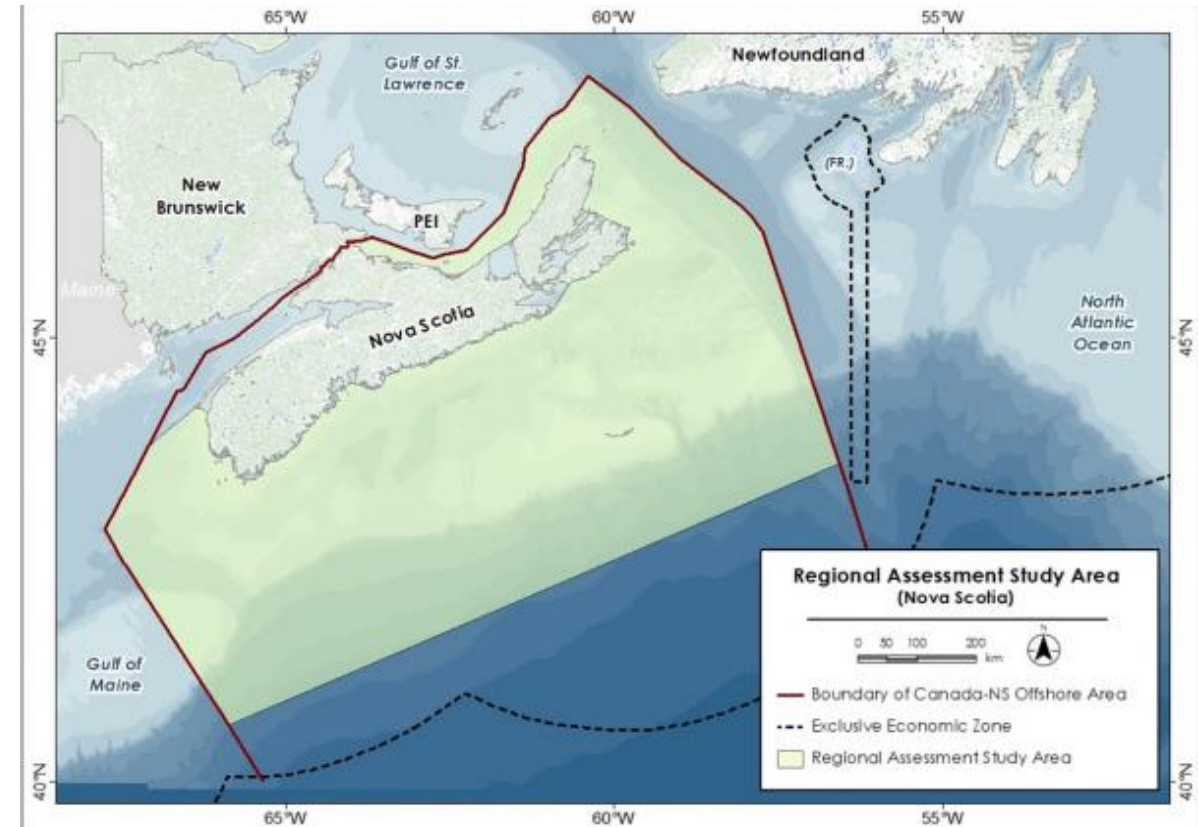
- Curtailment of existing marine activities
- Provincial/ federal Contracts for difference



Regulators of Offshore Wind

- Municipal Land Use Bylaws where energy is brought onshore
- Provincial within the “Jaws of Land”
- Federal beyond the “Jaws of Land” to the national offshore boundary
- Government proceeds from potential developments will be subject to federal/ provincial accord that establishes benefit sharing
- Development is expected to be controlled by the Canada-Nova Scotia Offshore Energy Regulator

Sources: Agreement to Conduct a Regional Assessment of Offshore Wind Development in Nova Scotia. 2023. Government of Canada and Province of Nova Scotia.



Summary of Other Current Initiatives:

NS Provincial Offshore Wind Roadmap

- Iterative

Offshore Energy Regulatory Board

- Transitioning from Offshore Oil and Gas

Marine Spatial Planning

- Department of Fisheries and Oceans-ongoing

Regional Assessment of Offshore Wind for Nova Scotia

- Impact Assessment Agency of Canada
- Completion by fall of 2024



Image source: Nova Scotia Offshore Wind Roadmap



Key messages, call to action!

Wind energy is low emitting and cost effective although energy storage solutions are essential to integration

Nova Scotia has a world class offshore wind resource, although the scale of a development would exceed our domestic energy needs and involve exports

Offshore wind development is a potential new industry for Canada that will require new regulations, and geopolitical events are accelerating interest

Therefore, THIS is the time for citizen input!

Dates and locations for Regional Assessment events will be available online.

Government of Canada
Regional Assessment of Offshore Wind Development in Nova Scotia

Search by keyword or reference number

Regional Assessment of Offshore Wind Development in Nova Scotia

There are now two regional assessments. For the Newfoundland and Labrador regional assessment, please visit [Regional Assessment of Offshore Wind Development in Newfoundland and Labrador](#).

The Regional Assessment will be conducted for areas offshore Nova Scotia. The Commission will engage Indigenous groups, federal and provincial authorities, non-government organizations and the public during the conduct of the Regional Assessment. The Regional Assessment will help inform future project-specific federal impact assessments and decisions for offshore wind projects in these areas.

Location: Offshore Area (Nova Scotia)
Name of Activity: Other, not otherwise specified
Assessment Status: In progress
Start Date: 2023-04-01
Project: Not applicable
Authority: Not applicable
Assessment Type: Regional Assessment
Reference Number: 822-11

Latest update
March 23, 2023 - The Governments of Canada and Nova Scotia have launched the start of the Regional Assessment of Offshore Wind Development in Nova Scotia. The Minister of Environment and Climate Change has released the [Reg. Agreement and Terms of Reference](#) and has appointed the [Commission](#).

Participate
Submit a Comment | View Comments
Training | Information Sessions
Participant Funding | All Records

Key documents

Reference	Document Title	Date
16	Final Agreement and Terms of Reference between the Governments of Canada and Nova Scotia	March 23, 2023
17	Reg. Agreement, Memorandum of Understanding and Terms of Reference for the Regional Assessment of Offshore Wind Development in Nova Scotia	March 23, 2023
18	Submission of Interest Areas (see Reference #16)	February 28, 2023
19	Provisional Call for Interest for Advisory Group Members	February 28, 2023
21	Submission of Interest Submissions and Business Replies to the Regional Assessment of Offshore Wind Development in Newfoundland and Labrador and Nova Scotia Submission Area	December 1, 2022
1	Regional Assessment of Offshore Wind Development in Nova Scotia	April 9, 2023

Contacts
Regional Assessment of Offshore Wind Development in Nova Scotia
Program Assessment Agency of Canada
200-800-4411-2222
1000, West Street 8th Floor
Halifax, Nova Scotia B3J 3R9
Telephone: 822-217-2511
Email: OffshoreWind@ca.gc.ca



Image source: Elements magazine by Evonik
Retrieved from: <https://elements.evonik.com/research-and-innovation/the-offshore-era/>

Image source: Impact Assessment Agency
Retrieved from: <https://iaac-aeic.gc.ca/050/evaluations/proj/83514>



Subject: Occupational Health & Safety Policy Amendments
From: Kayla Byrne, Municipal Clerk
Reviewed by: Joint Occupational Health & Safety Committee
Date: September 12, 2023 – notice
September 26, 2023 – decision



Recommendations:

- That Council repeal sub-policy 46 (A) Joint Occupational Health and Safety Policy and replace this policy with Terms of Reference to be approved by the Chief Administrative Officer.

- That Council repeal the following Joint Occupational Health and Safety sub-policies:
 - 46 (B) Tag and Lockout Procedural Policy
 - 46 (C) Chain Fall Hoist Inspection Procedural Policy
 - 46 (D) Material Safety Data Sheets Policy
 - 46 (E) Table Saw Work Procedure for Use Without a Guard
 - 46 (F) Confined Space Procedure
 - 46 (G) Public Works Department General Safe Work Procedures

- That Council amend the Joint Occupational Health and Safety Policy as presented.

Background

For the Town to keep its Certification of Recognition (COR) from Construction Safety Nova Scotia, Council must amend the current policy to include a section on health and safety recordkeeping. While considering this required amendment, staff reviewed and updated the policy to reflect current practices and new TOL policy formatting.

The Joint Occupational Health and Safety Committee (JOHSC) reviewed and approved these recommendations at its last meeting in July. The JOHSC has staff representatives from all Town departments and workplaces. The CAO also attends JOHSC meetings.

Discussion

Repealing sub-policy 46 (A) Joint Occupational Health and Safety Committee

This policy outlines the purpose and structures of the Town's internal JOHSC. As this is an internal staff committee, it is recommended this policy be converted into Terms of Reference approved by the CAO. This will allow the Committee to amend its structure and scope without a Council decision.

Repealing sub-policies 46 B through 46 G

Policies 46 (B) through (G) aren't policies for the whole organization but internal protocols for specific departments/workplaces. Repealing these policies does not mean they cannot or should not be used as internal protocols or practices that can be amended and reviewed as required by managers and the CAO.

Amending the Occupational Health & Safety Policy

The amended policy includes a section for statistics and records and clearly defines the roles and responsibilities of Council, the Town (as an employer), the CAO, managers, all staff and the JOHSC. Much of the intent of the current policy has been included in this updated policy.

As per the [Policy Development and Review Policy](#), Council approves policies while the CAO approves administrative procedures.

Strategic Plan Relevance

Internal Operations: Undertake a policy, procedure and bylaw review to enable implementation of CCP.

Relevant Legislation

- Occupational Health and Safety Act
- Municipal Government Act (MGA): As per the MGA, there must be seven days' notice before a policy is approved or amended.

Financial

There are no financial impacts related to amending this policy.

Communications

If approved, the updated policy will be polished on the Town's website, and staff and JOHSC will be notified.

Attachments

- [Current Policy](#)
- Proposed Policy



OCCUPATIONAL HEALTH AND SAFETY POLICY

DATE ADOPTED BY COUNCIL: TBD

1. POLICY STATEMENT

The Town of Lunenburg is committed to providing a healthy and safe workplace for its employees and believes that the safety of employees is essential for accomplishing organizational success and sustainability.

Occupational Health and Safety (OHS) is the direct responsibility of all employees to the extent of each person's authority and ability to act. Therefore, the Town is committed to working collaboratively with employees, their representatives, and the Joint Occupational Health and Safety Committee (JOHSC) to realize an effective Occupational Health and Safety Program (OHS Program).

2. PURPOSE

This policy is a commitment by the Town of Lunenburg to cooperate with its employees to provide a workplace where each employee's health and safety are of primary concern and importance. The objective of this commitment is to minimize the number of workplace injuries and illnesses through effective health and safety programs, policies and procedures.

3. APPLICABILITY

This policy applies to all Town of Lunenburg employees. This policy also applies to outside contractors and volunteers conducting work with or on behalf of the Town.

4. SCOPE

The Occupational Health and Safety Act, accompanying regulations of the Province of Nova Scotia, and acceptable occupational practices will describe the minimum standard expected for health and safety for Town employees. Where it is in the interest of occupational health and safety or program delivery, the Town may exceed the requirements prescribed by legislation.

5. RESPONSIBILITIES

Council will:

- Approve required health and safety policies.
- Approve funding to support the Town's health and safety needs.
- Will cooperate with the JOHSC and Town staff to help create a healthy and safe work environment.

The Town as an Employer will:

- Provide appropriate training, equipment and facilities to all employees to ensure they can work safely and identify all potential hazards in the workplace.
- Ensure that all employees at all levels of the organization understand the importance of internalizing safe work practices to protect themselves, their co-workers and the public at all times.
- Have conflict resolution practices in place.

Chief Administrative Officer (CAO) will:

- Designate roles to staff to help administer this policy and procedures.
- Establish and maintain the Town of Lunenburg's JOHSC.
- Approve the Terms of Reference for the JOHSC.
- Ensure systems are in place to monitor compliance with the terms of this policy and other OHS guidelines and procedures.
- Provide leadership to ensure all employees meet their health and safety obligations and responsibilities under the Occupational Health & Safety Act, other applicable regulations and this policy.
- Support health and safety education and initiatives.

6. STATISTICS AND RECORDS

The Town will maintain records and statistics relating to health and safety. At each JOHSC meeting, the Committee will review and record monthly safety statistics.

7. REVIEW

This policy will be reviewed annually.

8. SCHEDULES

The Terms of Reference of the JOHSC are attached as a schedule for reference. The CAO must approve the Terms of Reference and any future amendments.



ADMINISTRATIVE PROCEDURES

OCCUPATIONAL HEALTH AND SAFETY POLICY

Date approved by the CAO: **TBD**

1. STAFF ROLES

Directors, Managers and Supervisors will:

- Understand and implement this policy, any associated administrative procedures, guidelines, protocols and safe work practices.
- Ensure employees understand their health and safety obligations and responsibilities under the Occupational Health & Safety Act, other applicable regulations and this policy.
- Provide support in health and safety training to workers in their daily tasks.
- Ensure all new employees receive a safety orientation and safety manual.
- Cooperate with the JOHSC when required.

All Employees will:

- Follow this policy and all applicable acts and regulations.
- Report any hazardous conditions, injury, accident, or illness related to the workplace to their manager or director.
- Use safety equipment, clothing, devices and materials for personal protection when required.
- Play an active role in identifying hazards and offer suggestions or ideas to improve the health and safety practices of the Town.

Joint Occupational Health and Safety Committee (JOHSC) will:

- Conduct regular workplace inspections.
- Investigate accidents and incidents.
- Communicate any work process or environment changes that may impact worksite health and safety to management.
- Attend to worker concerns about worksite health and safety.
- Identify potential safety hazards.
- Inform management of corrections to potential hazards.
- Consult and liaise with workers and management on all workplace health and safety matters.
- Maintain records and minutes of Committee meetings.
- Create Terms of Reference for the Committee.

Town of Lunenburg
JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE
TERMS OF REFERENCE
APPROVED BY THE CAO:
Last updated:



1. Name of Joint Occupational Health and Safety Committee

This Committee is called the Town of Lunenburg Joint Occupational Health and Safety Committee (JOHSC).

2. Purpose of Committee

The purpose of the joint committee is to work cooperatively with the Town of Lunenburg, as an employer, in identifying and resolving safety and health issues in support of occupational safety and health procedures and to prevent occupational injuries in the workplace.

3. Duties and Responsibilities

The Committee's duties and functions include, but are not limited to:

- Identifying workplace hazards to health and safety and developing and implementing effective systems to address any hazards.
- Auditing compliance with health and safety requirements in the workplace.
- Receiving, investigating and promptly handling inquiries, questions and complaints regarding workplace health and safety.
- Participating in inspections and investigations concerning workplace health and safety and, when required, accompanying the Provincial Occupational Health and Safety Officer during workplace inspections.
- Advising on individual protective devices and equipment best suited to the needs of the employees.
- Making recommendations regarding the development and annual review of WHMIS, first aid and other relevant provincial regulations and standards.
- Advising the Town about policies, training, programs and other initiatives to improve health and safety in the workplace.

- Maintaining and distributing records and minutes of Committee meetings.
- Perform any other duties assigned to it by the Town or as established by policy, legislation or regulation.

4. Committee Membership

The Committee will consist of the following seven representatives:

- Two Public Works Department employees, one being an employee of the Town's Waste Water Treatment Plant or Water Treatment Plant.
- One Corporate Services employee.
- Two Community Development employees, one being someone who works in Recreation.
- The Fire Hall Superintendent (representing the Fire Department)
- One management employee representing the Town, either the Chief Administrative Officer (CAO) or a designate of the CAO.

Department Directors appoint Committee members from their departments.

Committee member appointments are for one-year terms. However, members may be considered for re-appointment by the Director of their department.

When a committee member cannot attend a Committee meeting, their Director may select an interim department representative with all Committee voting privileges and responsibilities during the regular Committee member's absence.

The department Director will select another Committee representative if a committee member cannot complete their term due to an extended absence.

Committee members will fill the Committee roles of co-chair and secretary.

All committee members are voting members, including the co-chairs and secretary.

5. Departmental Committee Representatives

Each departmental representative of the Committee must ensure that their department and/or workplace have specific health and safety protocols, practices, and guidelines. A physical copy of these workplace protocols must be accessible to all employees of that department or workplace.

Departmental protocols and guidelines will be reviewed by the Committee annually.

Departmental representatives will ensure new employees receive a copy of departmental workplace protocols and guidelines as a part of the new employee's onboarding.

Committee representatives will also ensure that all employees within the department are familiar with the Workplace Safety Incident Report Form and how to file a report.

6. Committee Co-Chairs

The Committee will elect two co-chairs at the beginning of the first committee meeting of each year.

The co-chairs will:

- Alternate meeting chairing responsibilities.
- Work with the secretary to prepare meeting agendas.
- Review and approve meeting agendas before being circulated.
- Prepare Committee meeting recommendation(s) and forward all recommendations to the employer for a response or action.
- Carry out any other chair-related duties as requested by the Committee.

7. Committee Secretary

The Committee will elect a Committee secretary at the beginning of the first Committee meeting of each year.

The Committee secretary will record meeting minutes and work with the co-chairs to prepare and circulate agendas and reports.

8. Committee Meetings

The Committee will meet bi-monthly on a regularly scheduled workday or more often as required.

Special Committee meetings, when required, may be called by the co-chairs or the CAO.

A Committee meeting quorum is a majority of committee members.

Committee meetings are open to all employees. However, only appointed Committee members may participate in decision-making during a meeting.

9. Decisions of the Committee

The Committee will attempt to reach a consensus on each decision it makes. A vote may be taken if the Committee cannot reach a consensus. The Committee will go with the majority vote when a vote is needed.

10. Committee agendas and meeting reports

Before any meeting, the Committee secretary will prepare and circulate a meeting agenda.

The Committee secretary will prepare draft meeting minutes within one week following a meeting. Draft minutes will be circulated to all Town employees.

Each departmental Committee representative will promptly post a copy of the most recent meeting minutes on the department's safety bulletin board, accessible to all department employees.

When a Committee member disputes the accuracy of the minutes of a meeting, the matter will be raised at the next meeting, and corrections can be noted in the minutes.

11. Committee meeting records

The Committee will keep accurate records of all matters that come before it. The Committee will maintain copies of its minutes for at least six years from the date of each meeting.

All committee records will be digitized and filed in the shared Safety Files folder on the Town's M365 platform. Employees who do not have access to computers may request copies of documents by contacting their departmental Committee representative, the co-chairs, or the Committee secretary.

12. Annual Department Occupational Health and Safety Hazard Identification Inspections

Committee members will annually complete and submit their departmental Workplace Safety Inspection Checklist to the Town's Safety Officer.

Inspection teams will be annually appointed per building or department by the Committee. Inspection teams will consist of three members:

- One employee from the department.
- One employee from another department.
- The Safety Officer.

Checklists may be completed more frequently if the committee directs.

Completed checklists must be returned to the Safety Officer, who will file electronic copies and log any reported deficiencies into the Safety Items and Concerns Master List spreadsheet in the shared Safety Files folder on the Town's M365 platform. Inspection sheets and the spreadsheet will be circulated to the Committee and relevant Directors for response back to the Committee to ensure any deficiencies are corrected.

13. Occupational Health and Safety Investigations

The Committee has the authority to investigate all Town safety matters as deemed necessary. The Committee may appoint an investigation team consisting of three committee members, as required. The investigation team will report to the Committee, which may make a report and recommendation to the relevant Director or CAO.

14. Occupational Health and Safety Complaints and Reports

All occupational health and safety complaints Town employees make must be documented through the Workplace Safety Incident Report Form. Without releasing the employee's name or any other confidential information, including medical information, the Committee will receive Workplace Safety Incident Report Forms for review. After the review, the Committee may determine whether a report and/or recommendation(s) to the relevant director and/or CAO is required.

15. Refusal of Work

When any employee refuses work because they believe it is likely to endanger their health or safety or the health or safety of another person, the Committee will investigate the work refusal. When possible, the refusing employee will accompany the Committee during a physical inspection related to the refusal. If all Committee members find the work safe and healthy, the Committee will advise the employee to return to work. A quorum of the entire Committee must make a unanimous decision to advise the employee to return to work.

If one or more Committee members find the work unsafe or unhealthy, the Committee will recommend that the employer fix the problem.

If the Committee cannot reach a unanimous decision on a recommendation to return to work, or if the problem is not resolved to the employee's satisfaction, the employee should contact a Department of Labour and Workforce Development Occupational Health and Safety Officer and indicate that they have refused to work.

16. Confidentiality

Committee members are permitted access to information required to fulfil committee duties. However, as per the Occupational Health and Safety Act, committee members are not allowed to disclose medical information, confidential trade, or confidential business information. Information can be disclosed where specifically allowed by the Act or as required by law.

17. Recommendations to the Employer

When the Committee or Committee members have identified any occupational health and safety recommendations for the employer, the Committee must reach a consensus or vote on the recommendation(s) before moving forward with the recommendation process.

Once the Committee has approved recommendations, the Committee must make all recommendations to the CAO in writing with a request for a response within 21 days of the day the recommendations were submitted. When the recommendation is solely for a specific department, the recommendations must also be sent to the relevant director.

The CAO and relevant Director (when required) must respond in writing by:

- Indicating acceptance of the recommendation; or
- Giving the employer's reasons for not accepting the recommendation.

If the CAO and/or relevant director cannot respond by the end of the 21 days, they must explain the delay and indicate when the response will be provided.

Should the CAO and/or relevant director not accept the Committee's recommendations, the co-chairs may report this to a Department of Labour and Workforce Development Occupational Health and Safety Officer.

Any recommendations made by the Committee and any follow-up documents will be included in the most relevant Committee meeting agenda package.

18. Educational Leave Entitlement

Each Committee member is entitled to an annual educational leave totalling eight hours, or a longer period if prescribed by regulation, to attend occupational health and safety training courses. The Town must provide the educational leave without loss of pay or other benefits and must pay for, or reimburse the worker for, the training course costs and the reasonable costs of attending the course.

19. Amendments to the Terms of Reference

Any Committee member at any meeting may suggest amendments to the Terms of Reference. Amendments will be agreed upon by consensus or a majority vote when required.

Amendments to the Terms of Reference must be approved by the CAO.

Subject: Rezoning Upper Hall Street from Industrial Use Zone to Institutional Use Zone

From: Arthur MacDonald, Director of Community Development

Reviewed by: Jamie Doyle, CAO

Date: September 26, 2023



Recommendation

That Council give first reading to the proposed amendments to the Land Use Bylaw, as presented in Attachment E, to allow for the rezoning of Upper Hall Street (PID 60726403) to Institutional (INS) Use Zone; and schedule a public hearing for a regular meeting of Council.

Alternatives

- That Council to refuse the rezoning.

Background

Harbour View Haven is looking for a new home. Having a long-term care facility in Lunenburg is considered a community asset and provides an opportunity for our aging population to continue living in familiar surroundings close to family members and their support networks. If they decide to move out-of-town it would be considered a loss of an important and long-standing facility in our community (Established April 25, 1971).

Harbour View Haven is interested in obtaining Upper Hall Street (PID 60726403) to undertake a new 144 room long term care facility. They have made an application to rezone the subject lands from Industrial (M) to Institutional (INS). Their application is provided in **Attachment A**.

In their submission they note: "Our proposed long term care facility aims to continue providing exceptional care, comfort, and support to seniors in Lunenburg and surrounding areas in a state-of-the-art facility. The facility will consist of 144 beds and will be designed to meet the unique needs of the ageing population. We envision an updated facility that emphasizes personalized care, promotes independence, epitomizes infection control and safety and fosters a warm and welcoming environment for residents."

On September 11, 2023 the Planning Advisory Committee (PAC) held a Public Participation Meeting (PPM) to receive public input. No written submissions were received. Verbal submissions are reflected in the minutes as outlined in **Attachment B**. Following the PPM, the PAC approved the following motion:

To recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve an application to rezone

Upper Hall Street (PID 60726403) from Industrial (M) Use Zone to Institutional (INS) Use Zone.

Discussion

The proposed rezoning does not require an amendment to the Municipal Planning Strategy (MPS). According to the Town’s Future Land Use Map, the lands are designated “Industrial”. Policy 4-2 (**Attachment C**) of the MPS enables the establishment of the Industrial Use (M) Zone; the Institutional Use (INS) Zone; and the Parks and Recreation Use (PR) Zone within the “Industrial” designation. Therefore, the proposed rezoning to Institutional (INS) is in compliance with the Town’s MPS.

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

Any amendment to the LUB should 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.	A proposed rezoning of the subject lands from Industrial (M) to Institutional (INS) will not affect Provincial Interest Statement 1. The quality of Dares Lake Watershed will not be affected by the proposal.
Statement 2: Flood Risk Areas	
GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.	The proposed rezoning and development will not have a direct impact on the Flood Risk Areas as identified on the Flood Risk Area Map, Schedule E, of the Land Use By-law and will not affect Provincial Interest Statement 2. The lands are located at the top of the hill and are not located within lands shown on the Flood Risk Area Map, Schedule E, of the Land Use By-law. However, there is a Flood Risk Area at the bottom of the hill near the Hall Street/Victoria Road intersection. The applicant has advised that surface run-off will be taken care of on-site and the flows down the driveways onto Hall Street and Knickle Road will be controlled to minimize any impacts on the Town’s storm sewers. Hall Street has a 600mm storm sewer main and

	<p>Knickle Road has a 450mm storm sewer main. The applicant has advised that they will install infrastructure to slowly release the run-off into these storm mains.</p> <p>The operations of the Long Term Care Facility and the safety of the residents may be affected and as such it is recommended that the Town consider the feasibility of providing a second means of access/egress via Knickle Road for emergencies so residences are not trapped during high rain events.</p>
Statement 3: Agricultural Land	
GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.	The lands are currently zoned Industrial (M) for industrial uses. The proposed rezoning of these lands to Institutional (INS) for the propose of establishing a Long-Term Care facility will not affect Provincial Interest Statement 3.
Statement 4: Infrastructure	
GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.	The Town has invested in a 200mm sewer line and a 250mm water line to the top of Hall Street. The services available are more than sufficient for the pending use. However, the upper end of Hall Street has a dead-end waterline that may need an on-site pressure booster to facilitate the fire flow needs of the development or, alternatively, looping Hall Street waterline to connect to the waterline in Knickle Road. The Town's wastewater facility currently has sufficient capacity to handle the anticipated additional flows. The proposed rezoning and development will not affect Provincial Interest Statement 4.
Statement 5: Housing	
GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.	The proposed rezoning and development of a 144-room long term care facility is in-keeping with the Provincial Interest Statement on Housing. The ability to retain Harbour View Haven as a local facility will benefit existing and future generations of the area.

Any amendment should also be evaluated pursuant to accessibility in keeping with the Lunenburg County Accessibility Plan. To this end staff has reviewed as outlined in the table below:

Review amendment through an accessible lens	
Review amendment with a focus on equity, diversity, and inclusion.	This amendment is a rezoning of the use of land from Industrial (M) to Institutional (INS) and will not negatively impact issues pertaining to equity, diversity, and inclusion.

Council should be aware that industrial lands in the Town are finite and any change that would reduce the Town’s available industrial lands would reduce the Town’s ability to develop new industrial uses in the future. The Comprehensive Community Plan notes in Section 6.5 (c) the following:

6.5 c) Provide for the future expansion of employment opportunities through the protection of industrial zoned land. (Supports objective ED1)

Objectives

ED1 Promote economic development that permits and encourages high-quality, resilient employment opportunities within the town.

From the staff’s perspective, the Municipal Planning Strategy (MPS) enables industrial, institutional and parks and recreational uses within the Industrial Future Land Use Designation. The proposal to rezone to Institutional (INS) is consistent with the intent of the MPS. No amendment to the MPS is required. Section 6.5(c) of the CCP speaks about the protection of industrial land for employment opportunities. However, a 144-room long-term care facility would create and protect employment opportunities in the health care sector over the long term and meets the Town’s objective ED1. Section 6.5(c) reminds Council of their strategic priority to protect industrial land for employment opportunities and should remain in place. Staff feels there is no need to amend the CCP. The Community Structure Tomorrow Map, Figure 2.2, page 20, of the CCP does not identify future intentions with regards to this site. The CCP is available at <https://townoflunenburg.ca/comprehensive-community-plan-ccp.html> .

There is an adequate storm sewer system in Hall Street as well as Knickle Road to accommodate any anticipated surface run-off. Though the development will ensure that no adjacent properties are affected by surface run-off (taken care of on-site), the surface run-off from the driveway as well as the emergency access/egress will be directed to the storm drainage system and will not be collected by the sanitary sewer. As such there will be no impact on the Town Wastewater Treatment facility.

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.
- Housing: Direction to support different types of housing development, tenant structures, and affordability.

Relevant Legislation

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

Financial

As outlined in this report, there will be costs associated with upgrades to the Electric Utility to ensure sufficient power to the proposed 144 room Long Term Care facility. These costs will not be known until a system impact study is complete. Please refer to **Attachment D**, 6-19 (c)i for further information.

Part of these discussions include the feasibility of developing an access/egress for emergency vehicles via Knickle Road. Council may wish to consider helping with the development of Knickle Road, under the Street Service Extension Policy, as it would help facilitate future developments down the road. The Town has a lot, PID 60500006, that will hopefully become developed in the future, and staff has been receiving several inquiries about the feasibility of developing PID 60052636 for a residential group dwelling style of development that may take advantage of Knickle Road if it becomes a public street.

The sewer and water laterals from Hall Street are sufficient for the proposed use. However, the waterline may need a pressure booster, supplied by the developer, to handle the fire flows required by the building. If Council wishes to connect the waterlines from Hall Street to Knickle Road, and cost share this development with the applicant, they may consider such a request under the Street Service Extension Policy.

Communications

If Council proceeds with First Reading, a Public Hearing will be advertised in the local newspaper and on the Town's website and social media.

Attachments

- A. Harbour View Haven's Application
- B. Minutes of PAC Meeting of September 11, 2023.
- C. Policy 4-2
- D. Evaluation of Policy 6-10, 6-11 and 6-19
- E. Amendments to LUB

Attachment A



Harbour View Haven "A Community For Quality Care"

Tel: 902-634-8836 ext. 225

Fax: 902-634-8792

Email: tmcauley@hvh.ca

June 16th, 2023

Town of Lunenburg
Department of Community Development
119 Cumberland Street
Lunenburg, NS B0J 2C0

Subject: Proposal for the Zoning Change of Upper Hall Street for the Replacement Harbour View Haven Facility

To whom it may concern,

We are writing to present a proposal for the zoning change of the Town of Lunenburg's property located on Upper Hall Street, PID 60726403. Harbour View Haven has been approved by the Province of Nova Scotia to replace our existing 144-bed long-term care facility. It is our goal to remain in our home, the beautiful town of Lunenburg. Recognizing the growing demand for quality elder care services in our community and Province, we believe that the addition of this facility will significantly enhance the healthcare infrastructure and positively impact the lives of our senior residents.

Harbour View Haven (HVVH) opened its doors for service on April 25, 1971. It is a non-profit organization, officially named "The Lunenburg Home for Special Care Corporation". Our home provides vital support to seniors. We have enjoyed the opportunity to write our history within Lunenburg for over 40 years, and hopefully, with your help look forward to many more here.

When it comes to advanced care for our seniors, Harbour View Haven is a leader in long term care in Nova Scotia. Our resident-centered long-term care home has been an active voice for the provision of quality care in local, provincial, and national arenas. From delivering learning to other homes on our leading practices in Alzheimer's Care, Dementia Strategies, Lift band Transfer Techniques, and more. We practice our belief that our residents are the core of our community, and they deserve our very best.

Executive Summary:

Our proposed long term care facility aims to continue providing exceptional care, comfort, and support to seniors in Lunenburg and surrounding areas in a state-of-the-art facility. The facility will consist of 144 beds and will be designed to meet the unique needs of the ageing population. We envision an updated facility that emphasizes personalized care, promotes independence, epitomizes infection control and safety, and fosters a warm and welcoming environment for residents.

Community Benefits:

Harbour View Haven has a proud tradition of being an active part of the local community. Our residents enjoy taking part in parades, community events, youth programming, and town governance. Many of our staff live and work in this quiet seaside town helping to provide a natural link to our residents and the community that they call home.

1. **Local Employment:** HVVH is one of the largest employers in the Town of Lunenburg employing over 200 partners in quality care.
2. **Economic Growth:** The long-term care facility will contribute to the economic growth of Lunenburg by attracting healthcare-related investments, generating revenue, and supporting local businesses such as the Pharmacy and local service providers.
3. **Enhanced Healthcare Access:** By offering comprehensive long-term care services, the facility will alleviate the burden on the local hospital hospitals and provide a dedicated resource for seniors requiring specialized care, thereby enhancing healthcare access for all residents.

Community Engagement and Collaboration:

We firmly believe in community engagement and collaboration. As we proceed with this project, we will actively seek input from local residents, community organizations, and town officials to ensure that the facility aligns with the needs and aspirations of the Lunenburg community.

"A Fully Accredited Facility"

Conclusion:

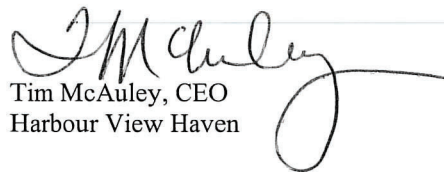
We are excited about the opportunity to establish our new 144-bed long-term care facility in Lunenburg and contribute to the well-being of our senior population. We kindly request your consideration and support for this proposal. We are available for a presentation or meeting to discuss this project further and address any questions or concerns you may have.

Please find attached the following supporting documentation:

- **Preliminary artist views and site placement**

Thank you for your time and attention. We look forward to the possibility of working together to ensure Harbour View Haven remains in our home in the Town of Lunenburg.

Sincerely,



Tim McAuley, CEO
Harbour View Haven



Harbour View Haven

“A Community For Quality Care”

Preliminary Artistic Views

15 June 2023

Preliminary Schematic Elevations



North Elevation



South Elevation

Preliminary Schematic 3D



South View

Harbourview Haven

schematic site placement



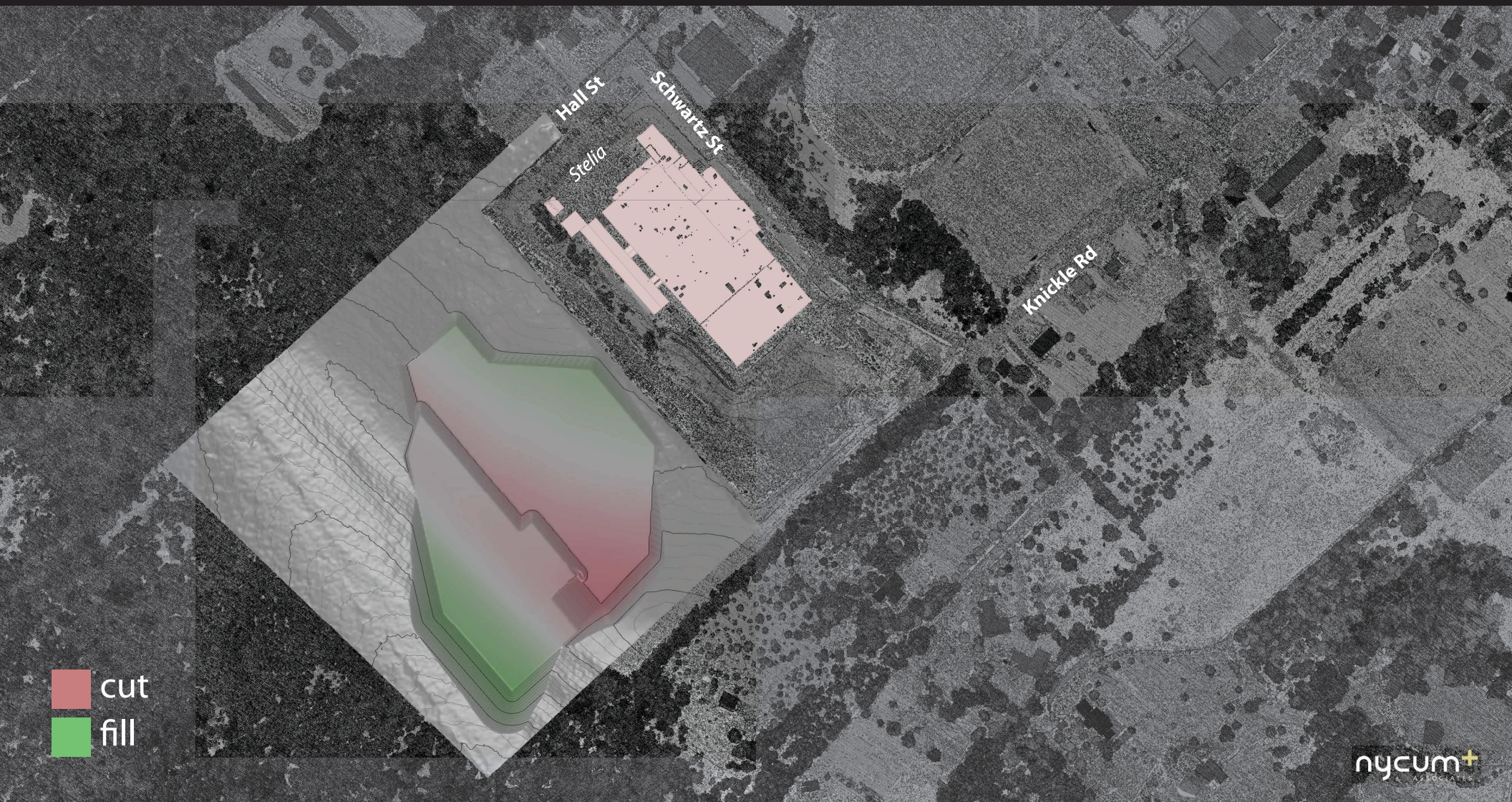
Harbourview Haven

schematic site plan



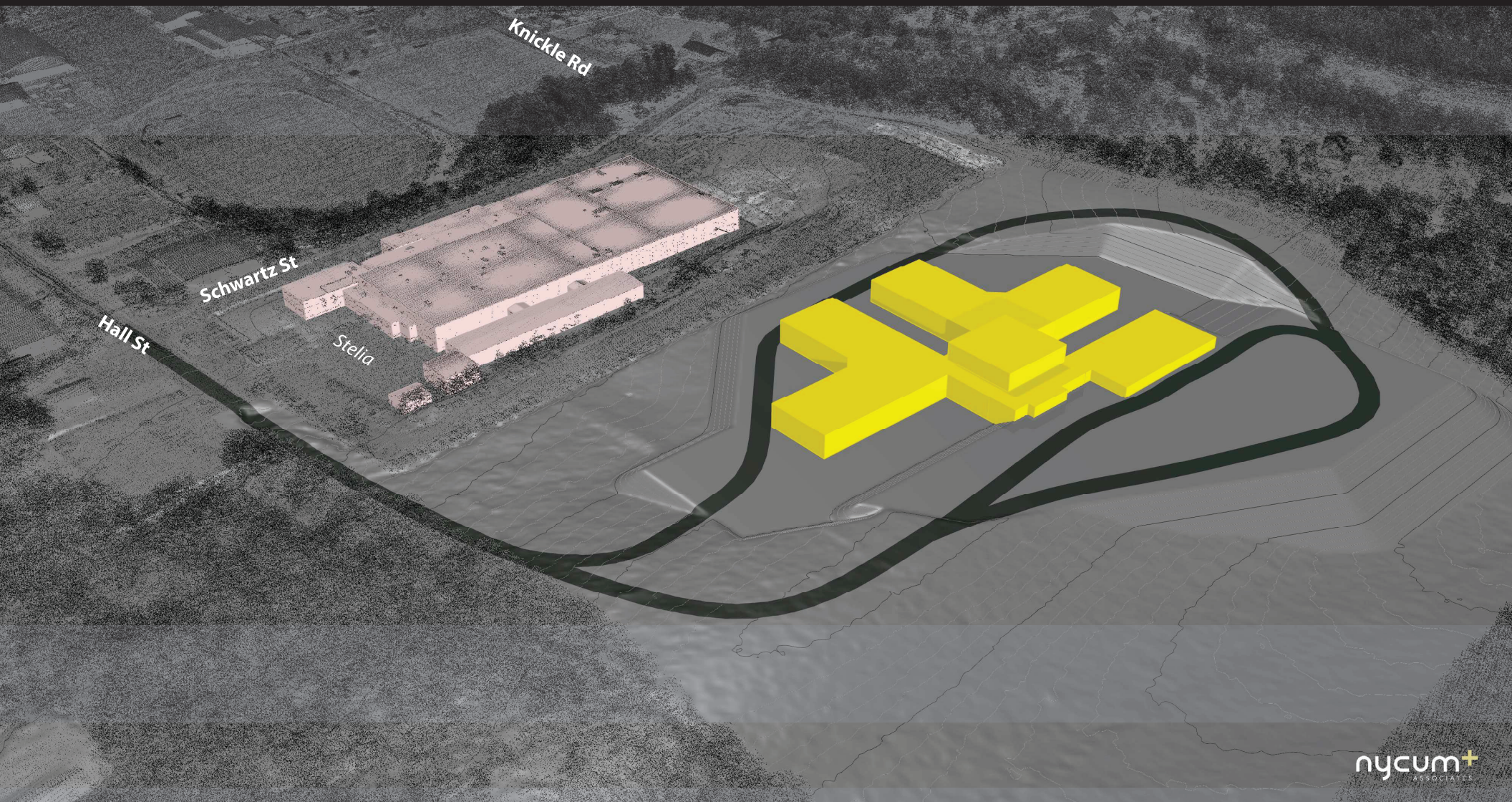
Harbourview Haven

cut and fill analysis



Harbourview Haven

view from west



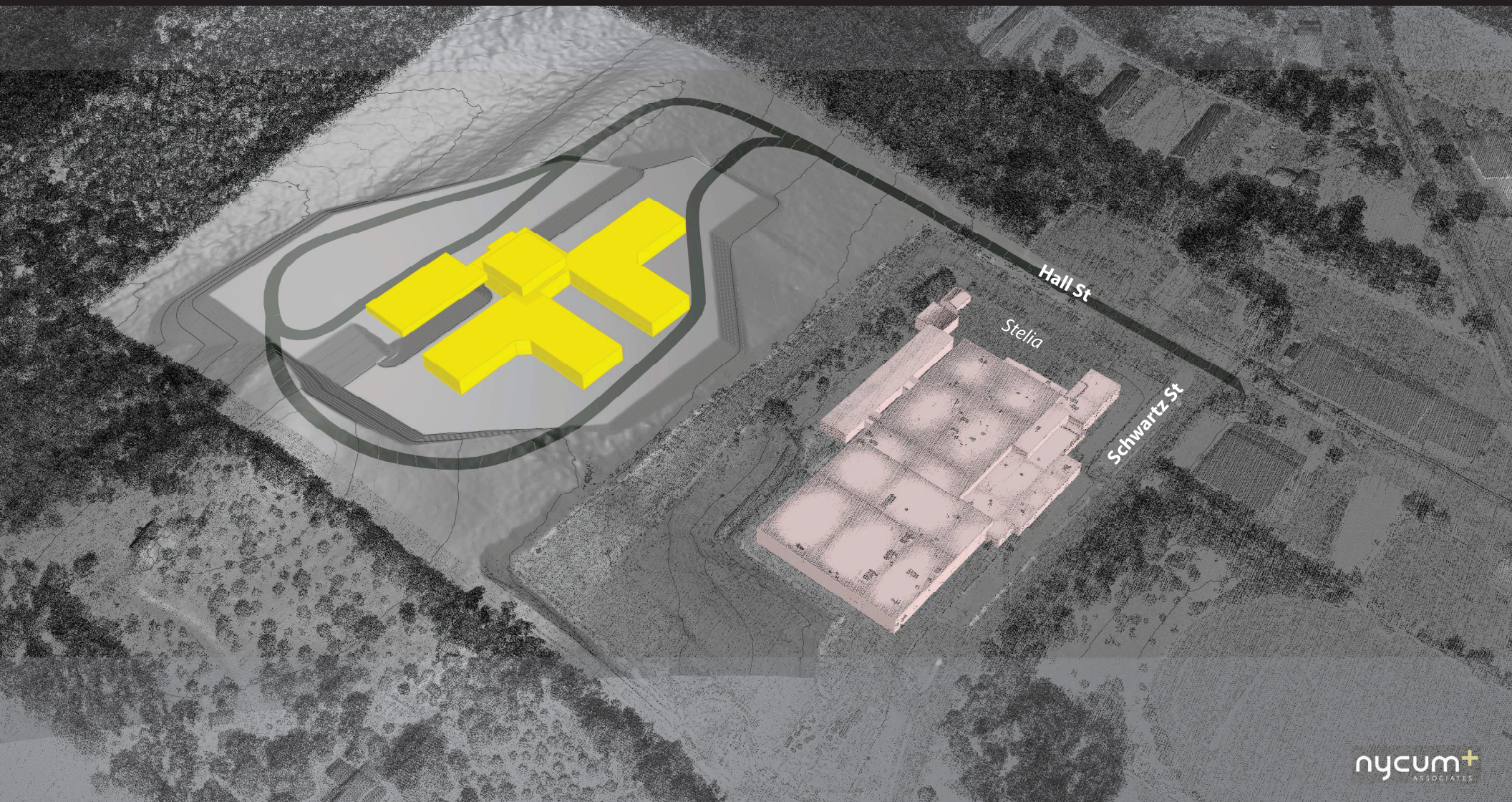
Harbourview Haven

view from north



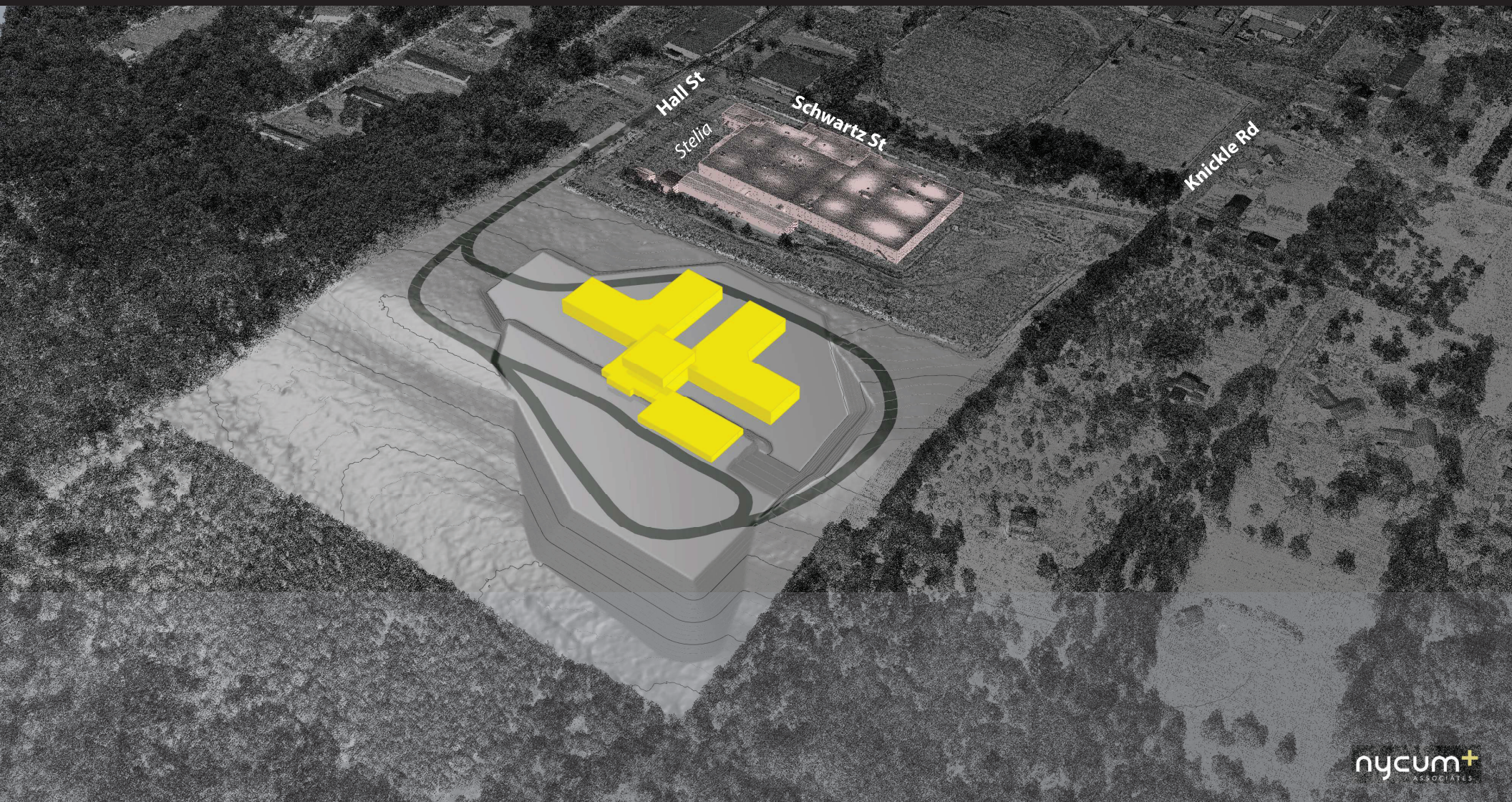
Harbourview Haven

view from east



Harbourview Haven

view from south



ATTACHMENT B

**PLANNING ADVISORY COMMITTEE
MEETING RECOMMENDATIONS**

Monday, September 11, 2023

To recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve an application to rezone Upper Hall Street (PID 60726403) from Industrial (M) Use Zone to Institutional (INS) Use Zone.

To recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve proposed signage amendments to the Land Use By-law (LUB) as outlined in the Planner's report.

DRAFT



PLANNING ADVISORY COMMITTEE MEETING MINUTES
TOWN OF LUNENBURG

Monday, September 11, 2023 at 6 p.m.

Council Chamber, 120 Townsend St. and Zoom Webinar/YouTube Live

- Present Councillor Susan Sanford (Chair)
 Councillor Stephen Ernst
 Councillor Ed Halverson (via Zoom)
 Colin Whitcomb (citizen rep)
- Also present Arthur MacDonald, Director of Community Development
 Ann Covey, Recording Secretary
 Trevor Hume, Planner/Development Officer
- Call to Order The Chair called the meeting to order at 6:00 p.m.
- Land
acknowledgment The Chair recognized Lunenburg’s location on the unceded territory of
 the Mi’kmaq people.
- Approval of Agenda Moved and seconded that the Committee approve the agenda for the
 September 11, 2023 meeting as presented.
 Motion carried unanimously
- Approval of
Minutes Moved and seconded that the Committee approve the minutes of the
 August 28, 2023 meeting as presented.
 Motion carried unanimously
- Upper Hall Street
Re-zoning 6:10 p.m. – The public participation meeting regarding Upper Hall
 Street re-zoning (PID 60726403) from Industrial (M) Use Zone to
 Institutional (INS) Use Zone was opened.
- No written submissions were received. Public input was invited from
 those in the gallery.
- Positive comments were received from two Town of Lunenburg
 residents about the importance of keeping Harbour View Haven within
 the Town and questioning whether a new facility should have more
 capacity. Concern was expressed about Hall Street being the only way
 in and out and the importance of having a second emergency exit road
 from the facility.
- Tim McAuley, CEO of Harbour View Haven, and Donna Hoar, Vice
 President, Senior Project Manager, Grey Cardinal Management,

provided background information on the project and answered questions from meeting participants and Committee members.

Highlights were:

- Based on studies, 144 beds is the Provincially recommended facility size for the Town of Lunenburg
- The proposed new facility will have more square footage than the existing one in order to accommodate 144 single rooms with private washrooms
- A Hall Street/Victoria Road area traffic study will be completed next week which will include the potential development of an emergency exit route via Knickle Road
- Grey Cardinal Management is working with the Town to ensure adequate water, wastewater and electric services are available
- They would like to break ground this year
- Future plans for the existing facility on Blockhouse Hill are yet to be determined

Moved and seconded to close the portion of the public participation meeting regarding Upper Hall Street re-zoning.

Motion carried unanimously

This part of the public participation meeting closed at 6:37 p.m.

LUB Amendment
Off-site Signage

6:38 p.m. – The public participation meeting regarding an amendment to the LUB provisions for off-site signage was opened.

No written submissions were received. Public input was invited from those in the gallery. There was none.

Moved and seconded to close the portion of the public participation meeting regarding an amendment to the LUB provisions for off-site signage.

Motion carried unanimously

This part of the public participation meeting closed at 6:43 p.m.

Upper Hall Street
Re-zoning

Moved and seconded to recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve an application to rezone Upper Hall Street (PID 60726403) from Industrial (M) Use Zone to Institutional (INS) Use Zone.

Motion carried unanimously

LUB Amendment Off-site Signage Moved and seconded to recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve proposed signage amendments to the Land Use By-law (LUB) as outlined in the Planner's report.
Motion carried unanimously

Next meeting TBA

Adjournment There being no further business, the September 11, 2023 Planning Advisory Committee meeting adjourned at 7:00 p.m.

Minutes were read and approved.

DRAFT

Attachment D
Evaluation of Policy 6-10, 6-11 and 6-19

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

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

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

Policy 6-9: 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.

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

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

Evaluation: The proposed map amendment is considered to be in compliance with the Town's MPS and item (a) condition is true – that the proposed Use Zone is enabled by this Plan for use within the same Future Land Use Map designation (the Industrial Designation pursuant to Policy 4-2).

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

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

Evaluation: The proposal is considered consistent with the description of the Use Zone in Policy 4-1 where it states that the Institutional Use (INS) Zone is intended to set aside lands specifically for institutional uses, such as hospitals, emergency services, religious institutions, and government uses. In addition, the proposed rezoning meets the general criteria for amending the Land Use By-law, set out in Policy 6-19 as reviewed below:

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

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

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

- (a) is consistent with the intent of this Municipal Planning Strategy;
The proposal to rezone the lands to Institutional (INS) Use Zone is considered to be consistent with the intent of the MPS, in particular Policy 4-2.
- (b) does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality;
The proposal does not knowingly conflict with any Town or Provincial programs, by-laws, or regulations in effect in the municipality. Section 6.5(c) of the CCP speaks about the protection of industrial land for employment opportunities. However, a 144-room long term care facility would create and protect employment opportunities in the health care sector over the long term. Section 6.5(c) reminds Council of their strategic priority to protect industrial land for employment opportunities and should remain in place. Staff feels there is no need to amend the CCP.

The proposal is in keeping with Objective ED1 of the CCP noted below:

Objectives

ED1 Promote economic development that permits and encourages high-quality, resilient employment opportunities within the town.

- (c) is not premature or inappropriate due to:
 - i. the ability of the Town to absorb public costs related to the proposal;

The proposal requires upgrades to the electrical utility infrastructure. The circuit that feeds this area is already above capacity according to NSP standards and would most likely require an upgrade. A system impact study to determine the loads and infrastructure upgrades will be required. There would be a customer contribution for the upgrades but at this point we cannot determine the costs until the system impact study is complete.

Though traffic circulation is directed up Hall Street and will be their only main access and egress point, it is recommended that the Town work with the proponent to develop an emergency access/egress via Knickle Road. The applicant, with the Town's permission, will enter into a Lease Agreement to enable the use of the upper end of Knickle Road. It is recommended that the applicant be responsible for upgrading these lands for an emergency exit to Knickle Road subject to the Town Engineer's approval.

As the Town will benefit from the upgrades of the electrical utility as well as the development of the emergency access/egress roadway (Knickle Road), the proposal is deemed not to be premature or inappropriate due to the ability of the Town to absorb public costs related to the proposal. It is Council's intent to experience a net fiscal gain from the sale of the property.

- 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. The land is serviceable with a 250mm watermain from Hall Street which is sufficient for the intended use and will not have any impact on adjacent private wells.
- 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. The lot will be serviced with central water and sewer services directly from Hall Street.
- iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
The 144-bed facility will require a significant number of staff and on-site parking facilities. The applicant intends to develop roughly 200 on-site parking spaces for staff and visitors. The applicant has advised that the shift work changes are spread out over time, in a similar fashion as they are now at the existing facility on Blockhouse Hill Road. The spreading out of the shift work changes will help to minimize potential impacts associated with vehicular traffic.

Hall Street presently serves HB Studios, Stelia, EHS, Francis Independent Grocer and the former Bicycle Lunch Box site. Though Hall Street can get quite busy during shift changes, it gets relatively dispersed upon entering Victoria Road. However, upon entering Victoria Road, there are several driveways serving businesses that can back-up traffic along Victoria Road such as the main entrance into the Independent and Tim Hortons. The Hall Street/Victoria Road intersection is one of the focus points intended to be reviewed pursuant to the Town's Traffic and Parking RFP. The applicant will also undertake a Traffic Impact Study to review traffic related issues. Investments may be needed to ensure that this intersection can adequately handle traffic and minimize potential traffic hazards or congestion on roads, cycling and pedestrian networks.

- v. the adequacy of fire protection services and equipment;
There is a 250mm water line available from Hall Street. A water line lateral will be extended to service the building and to provide sufficient fire flows to the building for the sprinkler system. The Town's services available to the lands are deemed adequate in this regard.
- vi. the adequacy and proximity of schools and other community facilities;
The proposed development is a long-term care facility and considered self-sufficient with internal recreational and educational facilities and programs. However, the Town's recreational facility is also nearby at the bottom of Hall Street. The adequacy and proximity of these facilities are deemed sufficient for the intended use.
- vii. impacts on UNESCO World Heritage Site statements of outstanding value;
The development is in New Town, a significant distance away from Old Town Lunenburg WHS. In this regard the development will not have, or impose, any impacts on the WHS or its Statements of Outstanding Universal Values (OUV's).
- viii. the creation of a new, or worsening of a known, pollution problem in the area, including, but not limited to, soil erosion and siltation of watercourses;
The proposed rezoning will not cause any new, or worsening of any known, pollution problems.
- ix. site-specific climate change risks;
The proposed rezoning will not cause or increase any known site-specific climate change risks. Surface run-off from the development will be handled on-site and the drainage from the driveways will be collected in the Hall Street and Knickle Road storm sewer systems.
- x. the potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas;
The proposed rezoning will not cause any known flooding or drainage issues. The development site is located near the top of a hill and not located on lands shown on the Flood Risk Area Map, Schedule E, of the Land Use By-law. Surface run-off from the development will be handled on-site and the drainage from the driveways will be collected in the Hall Street and Knickle Road storm sewer systems.
- xi. impacts on known habitat for species at risk;
The proposed rezoning will not have any impact on known habitat.
- xii. impacts on the navigability and environment of Lunenburg Harbour;
The proposed rezoning will not have any impact on navigation or have any impacts on Lunenburg's Harbour.
- xiii. the suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to rights-of-way; and

The developers have outlined in their submission details on grade alterations. The development is situated on the peak of the hill with natural grades to the north and south of the site. Surface run-off will be handled on-site and the driveway ditches leading to Hall Street and Knickle Road will be collected into existing storm sewers. The Town Engineer will work with the developer's consultants to minimize any potential impacts in this regard. There are no watercourses or wetlands associated with the site. The site is clear of any private rights-of-way. The site is deemed suitable with regards to this criterion.

xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.

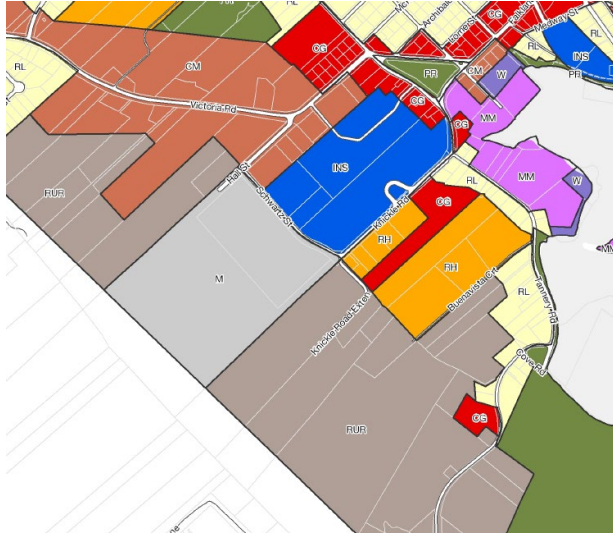
The proposed rezoning may lower the potential of land use conflicts by rezoning the lands from Industrial (M) (considered a high impact use) to Institutional (INS) (considered a lower impact use from the existing Industrial Use Zone). The biggest concern in this regard would be the increase in traffic, especially during shift work changes on the Hall Street/Victoria Road intersection. There is no question that the intersection of Hall Street with Victoria Road will see a rise in traffic due to the traffic generated by the development. However, the Town is in the process of issuing a Traffic and Parking Study RFP to consider upgrades to this intersection. Note that the applicant will be submitting a Traffic Impact Study for Council's consideration.

Attachment E

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

- 1) An amendment to the Land Use By-law, in particular the Use Zoning Map, Schedule “C”, thereby rezoning the lands located at Upper Hall Street known as PID 60726403 from Industrial (M) to Institutional (INS) as shown on the maps below:

Existing Use Zoning Map, Schedule “C”:



Proposed Use Zoning Map, Schedule “C”: Rezoning to Institutional (INS):



Subject: LUB Amendments: Provisions for Off-site Signage
From: Trevor Hume, Planner/Development Officer
Reviewed by: Jamie Doyle, CAO
Arthur MacDonald, Director of Community Development
Date: September 26, 2023



Recommendation

That Council give first reading to the proposed amendments to the Land Use Bylaw, as presented in Attachment D, to allow for the erection of off-site ground signage for landlocked businesses; and schedule a public hearing for a regular meeting of Council.

Alternatives

- Refuse the amendment.
- Approve the amendment with changes.

Background

The applicant, Saltbox (Lightship Brewing Co.), has applied to amend the Land Use By-law (LUB) to enable the erection of an off-site ground sign next to their driveway entrance located at 93 Tannery Road. The applicant's proposal is provided in **Attachment A**.

Several "landlocked" properties currently exist, served by a right-of-way easement from the public street. Some of these properties have businesses that would like to put up signage where their driveway meets the public road next to the public realm. Under the current LUB and Subdivision By-law, landlocked parcels can no longer be created. This issue is thus limited to only those existing landlocked properties served by rights-of-way.

Municipal Planning Strategy (MPS) Section 5.5 covers signage. It establishes Policy 5-7 and Policy 5-8, which enable the LUB to set out regulations for signs within the Town, including their placement, number, and size. It also empowers the LUB to define categories of signs and signs that will be prohibited. When the LUB was adopted on September 22, 2021, it included a provision under Section 7.8.4 which outlines the various types of prohibited signs. Section 7.8.4 (h) prohibits signs advertising a good or service unavailable at the sign location. The intent of this provision is to prohibit off-site signage, and for most properties, this is a reasonable and prudent limitation. In the case of a business such as Saltbox (Lightship Brewing Co.) located on a landlocked parcel, this provision excludes the ability to place signage at their driveway entrance next to the public thoroughfare.

The existing LUB provisions are outlined in **Attachment B**. The Evaluation Criteria, Implementation Policy, 6-19 are outlined in **Attachment C**.

This report proposes the introduction of a “notwithstanding clause” amendment as outlined in **Attachment D** to enable businesses on landlocked properties, served by a legal right-of-way easement, to erect ground signs adjacent to the public street.

On September 11, 2023 the Planning Advisory Committee (PAC) held a Public Participation Meeting (PPM) to receive public input. No written or oral submissions were received. Following the PPM, the PAC approved the following motion:

To recommend that Council proceed with First Reading and advertise for a Public Hearing in order to consider, and if deemed advisable, approve proposed signage amendments to the Land Use By-law (LUB) as outlined in the Planner’s report.

Discussion

The proposal involves the insertion of a "notwithstanding" clause to enable the erection of off-site signage for properties that are served by a legal right-of-way easement. The changes are needed to allow businesses located on properties that do not have street frontage to place a sign advertising their business on or near an easement that has been granted to them adjacent to the public street.

The Municipal Planning Strategy (MPS):

Policy 6-9 of the MPS enables Council to consider an amendment to the text of the LUB if the proposed amendment is consistent with this MPS and meets the general evaluation criteria for amending the LUB, as set out in Policy 6-19. Policy 6-19 is reviewed in **Attachment C** and the proposed amendment is considered to be consistent with the intent of the MPS.

Any amendment to the 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.	Allowing signage on or near an easement will not affect Provincial Interest Statement 1.
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.	Allowing signage on or near an easement will not affect Provincial Interest Statement 2.
Statement 3: Agricultural Land	Allowing signage on or near an easement will not affect Provincial Interest Statement 3.

GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.	
Statement 4: Infrastructure GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.	Allowing signage on or near an easement will not affect Provincial Interest Statement 4.
Statement 5: Housing GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.	Allowing signage on or near an easement will not affect Provincial Interest Statement 5.

Any amendment should also be evaluated pursuant to accessibility in keeping with the Lunenburg County Accessibility Plan. To this end staff has reviewed as outlined in the table below:

Review amendment through an accessible lens	
Review amendment with a focus on equity, diversity, and inclusion.	This amendment is to enable an off-site sign where rights-of-way easements serve landlocked properties and will not negatively impact issues pertaining to equity, diversity, and inclusion.

It should be noted that Staff met with the applicant on-site to ensure that the proposed location would be set-back a minimum of five (5) feet from the proposed new front lot line (as the front lot line will be pushed back to accommodate the proposed Tannery Road sidewalk), and that there would be no issues with regards to the electrical line easement.

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 (MGA) outlines the required process for amendments to planning documents.

Financial

Amending the LUB to allow signage on or near an easement will have no financial impact on the Town.

Communications

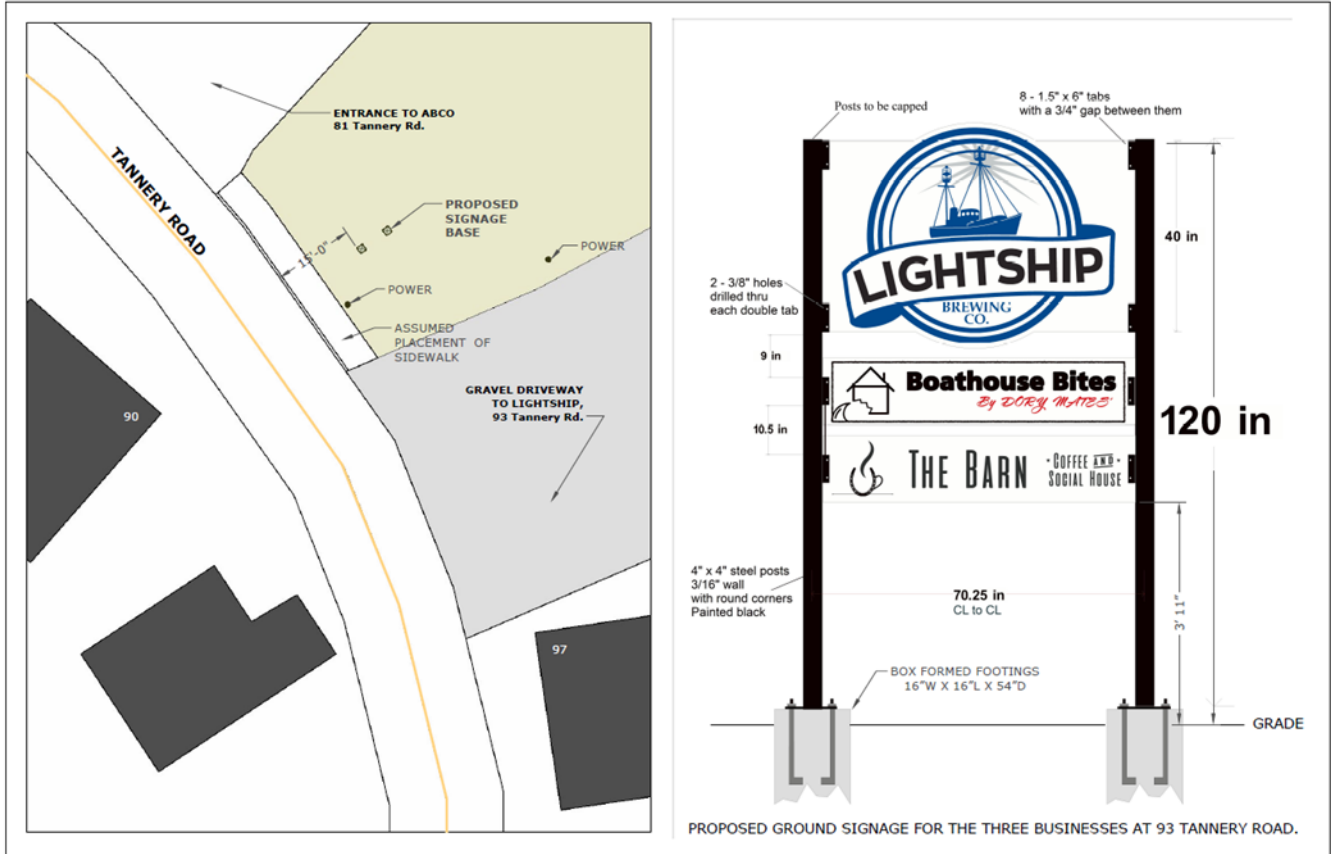
A Public Hearing will be advertised in the local newspaper and on the Town's website and social media.

Attachments

- A. Saltbox (Lightship Brewing Co.) Proposal
- B. Existing LUB Provisions
- C. Evaluation of Policy 6-19
- D. Amendment to Land Use By-law

Attachment A

Saltbox (Lightship Brewing Co.) Proposal



Attachment B
Existing LUB Provisions

Land Use By-law Provisions:

Permits Required for Signs

- 7.8.1 Except as specifically exempted in this part, the erection or placement of a sign requires a development permit.
- 7.8.2 Signs require a Certificate of Appropriateness prior to issuance of a development permit if the property is a registered municipal heritage property or if it is in the Heritage Conservation District, as identified on Schedule 'F', the Heritage Conservation District and Architectural Control Area Map

Prohibited Signs

- 7.8.4 The following signs shall be prohibited:
- (a) Signs that incorporate any flashing or moving illumination, except for menu board signs.
 - (b) Signs that incorporate illumination that varies in intensity or colour, including flashing lights, except for menu board signs.
 - (c) Roof signs.
 - (d) Signs that are a hazard to public health or safety.
 - (e) Signs that obstruct drivers' vision or any traffic sign or traffic control device.
 - (f) Signs that obstruct the use of a fire escape door, windows, or other required exit.
 - (g) Signs that make use of such words as "STOP", "LOOK", "ONE WAY", "DANGER", "YIELD", or any other similar words, phrases, or symbols so as to interfere with or confuse traffic.
 - (h) Signs that advertise a product, service, or business that is not available at that location.
 - (i) Signs on public property or public right-of-way, unless:
 - i. erected by a public authority;
 - ii. erected with the permission of the owner of the property; or
 - iii. the sign is a portable sign in compliance with this By-law.
 - (j) Signs painted upon, attached to, or supported by a tree, stone, cliff, or other natural object.

Ground Signs

- 7.8.7 In the Main Street and Industry Form Zones ground signs shall:
- (a) not exceed 10 square metres (107 square feet) in sign area; and
 - (b) not exceed 6 metres (19.6 feet) in height.
- 7.8.8 In all other form zones, ground signs shall:
- (a) not exceed 2.4 square metres (25.8 square feet) in sign area; and
 - (b) not exceed 3 metres (9.8 feet) in height.
- 7.8.9 Ground signs shall not extend into:
- (a) an adjacent property;
 - (b) a driveway;
 - (c) a parking space;
 - (d) a corner vision triangle; or
 - (e) a street or other public right-of-way.
- 7.8.10 There shall only be one ground sign on a property, except in the Main Street Form Zone where two shall be permitted.
- 7.8.11 Ground signs in the Main Street Form Zone and Community Form Zone may be digital, in whole or in part, subject to the following requirements:
- (a) The content of the digital sign shall not change more frequently than once every 30 seconds.
 - (b) The digital sign shall not cause glare on adjacent roadways or on other lots.
- 7.8.12 Ground signs may have an additional signage area of not more than 1.0 square metres (10.7 square feet) to denote the price of fuel.

Attachment C

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 to amend the LUB is consistent with the MPS Section 5.5, in particular Policy 5-7 and Policy 5-8.
- (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.
 - iv. the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
The proposal is not premature or inappropriate due to the creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal.
 - v. the adequacy of fire protection services and equipment;
The proposal does not seem to be premature or inappropriate due to the adequacy of fire protection services and equipment.
 - vi. the adequacy and proximity of schools and other community facilities;
It is difficult to assess this evaluation criterion as no specific site is being proposed.
 - vii. impacts on UNESCO World Heritage Site statements of outstanding value;
The proposal does not seem to be premature or inappropriate due to impacts on UNESCO World Heritage Site statements of outstanding value.
 - 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 criterion as no specific site is being proposed.
- xiv. land use conflicts that could place limits on existing operational procedures at existing businesses.
The amendment removes a limit on existing businesses.

Attachment D
Amendment to Land Use By-law

1) Amendment to the Land Use By-law by inserting a new provision as outlined below:

"Off-site Signage

7.8.30. Notwithstanding anything contained in Subsection 7.8.4(h), 7.8.7, 7.8.8, 7.8.9 and 7.8.10, a maximum of one (1) off-site ground sign in addition to the number of ground signs permitted on a lot by this By-law may be erected adjacent to a public street for landlocked properties that are served by a legal right-of-way easement from a public street to their property to advertise a product, service, or business use located on the property served by said easement, subject to the issuance of a municipal development permit and provided:

- (a) the off-site sign has a minimum setback of 1.5 metres (5.0 feet) from any public street;**
- (b) the off-site sign is wholly contained within the legal right-of-way easement or is otherwise wholly contained within a setback of 3 metres (9.8 feet) from the legal easement;**
- (c) the off-site sign does not exceed 5 square metres (53.8 square feet) in sign area;**
- (d) the off-site sign does not exceed 6 metres (19.6 feet) in height;**
- (e) written permission from the property owner is obtained; and**
- (f) the off-site sign does not extend into a corner vision triangle."**

Subject: Community Development Permits

Prepared by: Trevor Hume, Planner – Development Officer

Reviewed by: Arthur MacDonald, Director, Community Development

Date: September 26, 2023



Recommendation

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

Background

This report marks the first Permit Report that follows the recently established reporting schedule. This schedule is:

- March 1 - August 31: reported to Council in a September meeting.
- September 1 - February 28/29: reported to Council in a March meeting.

The current reporting period is March 1 - August 31, 2023, but as the previous reporting period ended December 2022, this would create a gap. Hence this report covers January 1 to August 31, 2023.

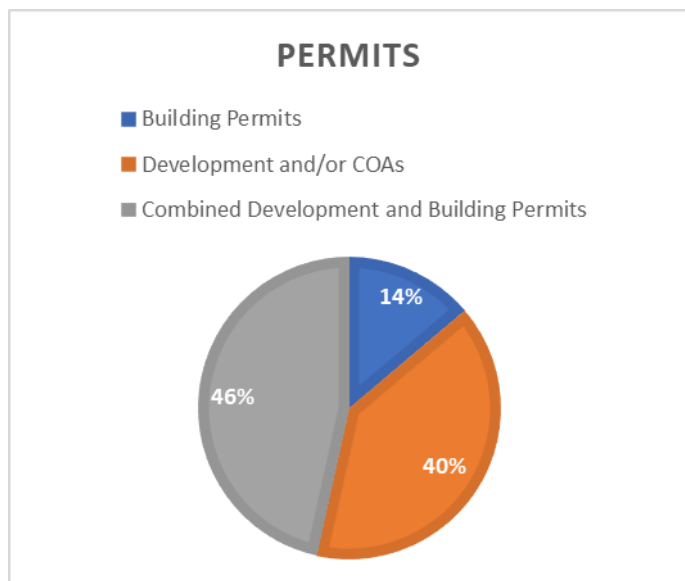
This report has been expanded from just Building Permits to include Certificates of Appropriateness (Heritage Permit) and Development Permits that have been issued by Community Development, with the intent to give Council a full picture of permit approvals.

Other types of permits (e.g., vending permits, special events permits, street encroachment licenses, and license agreements) have not been included in this report as the focus is on land development.

Chart 1 – Permits By Type

Key takeaways:

- We have issued **6 Permits** during the period of Jan – Feb 2023.
- We have issued **52 Permits** during this reporting period (Mar – Aug 2023)
- Building Inspection (MODL) were involved in 62% (36 of the 58) of Permits Issued and Community Development Staff were involved in 86% (50 of the 58) of Permits issued.



- Of the 58 permits issued, 20 (34%) required a COA from the Heritage Officer.
- New units permitted have declined during this reporting period compared to last year during the same period.

We have undertaken a comparative analysis of the units that have been permitted (Building Permits), as has been presented in previous permit reports to Council.

Table 1 – Building Permit Comparison for January 1 to February 28

Town of Lunenburg						
ACTIVITY REPORT			For Period 2023-01-01 to 2023-02-28			
Type	Jan 1 – Feb 28/2022			Jan 1 – Feb 28/2023		
	<i>Previous Period</i>			<i>Current Period</i>		
	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	8	2	100,003	4	0	3,521
Duplex/Semi	1	1	45,000	0	0	0
Apartments	2	10	810,000	0	0	0
Other Residential	1	0	1	0	0	0
Commercial	4	0	4	2	1	50,001
Industrial	0	0	0	0	0	0
Inst & Gov	0	0	0	0	0	0
Agriculture	0	0	0	0	0	0
Other	0	0	0	0	0	0
Total	16	13	955,008	6	1	53,522

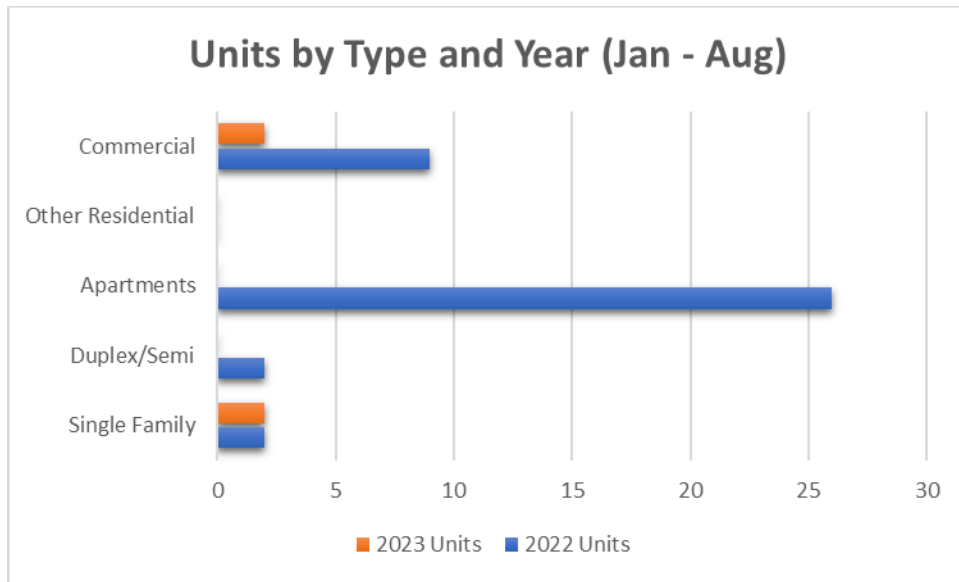
Table 2 - Building Permit Comparison for March 1 to August 31

Town of Lunenburg						
ACTIVITY REPORT						
Mar 1 – Aug 31/2022 <i>Previous Period</i>				Mar 1 – Aug 31/2023 <i>Current Period</i>		
Type	Permits	Units	Value of Construction	Permits	Units	Value of Construction
Single Family	22	0	240,419	28	2	293,733
Duplex/Semi	3	1	302,293	2	0	50,001
Apartments	3	16	700,001	0	0	0
Other Residential	5	0	35,702	3	0	18,001
Commercial	13	9	730,008	13	1	49,808
Industrial	0	0	0	1	0	2,500
Inst & Gov	0	0	0	3	0	73,644
Agriculture	0	0	0	0	0	0
Other	1	0	43,000	2	0	2
Total	47	26	2,051,423	52	3	487,689

The previous Tables 1 and 2 show Building Permits only for 2023 (January 1st – February 28th, 2023 and March 1st – August 31st, 2023), on the right, against the same period for 2022 on the left. Four dwelling units were approved during this reporting period. The two noted as commercial are dwelling units within commercial buildings.

Of the four (4) units permitted between January and August, the unit mix was evenly distributed between single-family dwellings and dwelling units in commercial buildings.

Chart 2



Strategic Plan Relevance

Reporting of the number of development and building permits issued within the Town of Lunenburg using “snapshot” of building activity is in keeping with the Town’s Comprehensive Community Plan, in particular:

Economic Development: Direction to support economic development.

Governance: Direction to enhance internal and external relations through policies, procedures, and resources.

Relevant Legislation

Permits issued and reported on are required by the *Town of Lunenburg Land Use By-law*, *Town of Lunenburg By-law #31 Building By-law*, the *Old Town Lunenburg Heritage Conservation District Plan and By-law*, the *Nova Scotia Building Code Regulations*, and the *Municipal Government Act, 1998, c. 18*.

Financial

There is no impact on the approved 2022-2023 Operating Budget.

Attachments

None.