



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 October 24, 2023 Council Meeting Agenda

Draft motion: That Council approve the agenda for the October 24, 2023 meeting as presented.

4. APPROVAL OF MINUTES

4.1 October 10, 2023 Regular Meeting of Council Minutes

Draft motion: That Council approve the October 10, 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

7. CORRESPONDENCE

8. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS AND APPEALS

Public hearings are typically held to discuss planning and development-related matters and new bylaws or changes to existing bylaws. Public Hearings are open for anyone to speak or submit written comments.

Public hearing process:

- Staff will provide an overview of the agenda item
- Staff will answer questions from Council
- The meeting be opened to the public for questions (in person and virtual attendees)
- Each person is limited to 5 minutes
- Each person must state their name

- Questions or comments are directed to the Chair
- Once the public hearing is closed, no further questions or comments on the matter will be received

8.1 Public Hearing and Second & Final Reading – LUB Amendment: Provisions for Off-site Signage

Draft motion: That Council give second and final consideration to the amendments to the Land Use Bylaw, as presented in Attachment D, to allow for the erection of off-site ground signage for landlocked businesses.

8.2 Public Hearing and Second & Final Reading – Rezoning Upper Hall Street from Industrial Use Zone to Institutional Use Zone

Draft motion: That Council give second and final consideration to the 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.

8.3 Public Information Meeting & Decision – Divestiture of Upper Hall Street

Draft motion: That Council direct staff to proceed with the divestiture of Upper Hall Street, known as PID 60726403, for the possible relocation of Harbour View Haven and authorize the CAO to enter into a Purchase and Sales Agreement and report back to Council.

9. BUSINESS ARISING AND UNFINISHED BUSINESS

9.1 Lunenburg Academy Cost Analysis – Information Report

9.2 Committees Policy: Repeal and Replace – Decision

Draft motion: That Council repeal the Committees of Council Policy and replace it with the new Committees Policy as presented.

9.3 Repeal of Policies – Decision

Draft motion: That Council repeal the following Town of Lunenburg policies:

1. Audit Procurement
2. Billings for the LDFD Non Fire Emergency Duties
3. Capital Contributions Electric Light
4. Cascade Systems Policy S C B A Air Refill
5. Development Agreements
6. Electric Light Utility Collection Procedure Policy
7. Emergency Spills Response
8. Fire Extinguisher Training
9. Information Technology Use
10. Loan of Town Equipment and Use of Town Labour by Outside Organizations
11. Motor Vehicle Evaluation and Replacement
12. Planning Applications

13. Public Works Department Risk Management
14. Recreation Dept Risk Management Strategy
15. Water Testing Procedure
16. Water Utility Collection Procedure Policy Statement
17. Complaints Process Policy
18. Installation and Verification of Water Electric Meters and Billing
19. Parking Meter Fees

10. NEW BUSINESS

10.1 Lunenburg County Accessibility Advisory Committee (LCAAC) Appointment

Draft motion: That Council appoint Scott Lutes to the Lunenburg County Accessibility Advisory Committee for a two-year term.

10.2 Anti-Racism and Anti-Discrimination Inter-Municipal Agreement

Draft motion: That Council approve executing the Inter-Municipal Regional Anti-Racism and Diversity Agreement with the other units within Lunenburg County to provide for coordinated Anti-Racism and Diversity services as outlined in the agreement and that the Municipality of the District of Chester will host the position providing office space and support.

10.3 Snow Removal Policy – Notice

Draft motion: That Council give notice to repeal Policy #41, the Snow Plowing/Salting/Hauling Snow from Street Policy, and replace it with the new Snow Removal Policy as presented.

10.4 Victoria Road Water and Resurfacing

Draft motions: That Council approve a revised 2023/24 Water Utility Capital Budget for the Victoria Road Watermain Renewal project in the amount of \$430,000 with funding from the Water Utility's Depreciation Funds.

That Council award the Victoria Road Resurfacing and Watermain Renewal Tender to Atlantic Road Construction and Paving for the amount of \$418,686 + HST.

10.5 Nova Scotia's Proposed Built Environment Accessibility Standard

Draft motion: That Council direct staff to send a letter to NS Accessibility Directorate outlining the Town's concerns with the NS Built Environment Standards as presented in Attachment A.

10.6 Dares Lake Watershed and MODL 2040 Zoning

Draft motion: That Council supports the Municipality of the District of Lunenburg (MODL)'s initiative to undertake and implement land use zoning provisions for the Dares Lake natural watershed area subject to MODL's consideration of the comments presented in Attachment A.

Draft motion: That Council direct staff to establish a source water protection advisory

committee and terms of reference and invite MODL Council to consider joining the committee and reviewing the proposed terms of reference.

11. NOTICES OF MOTION/INFORMATION REQUESTS

12. IN CAMERA

12.1 Acquisition, sale, lease and security of municipal property

Draft motion: Moved and seconded that Council move in camera at _____ to discuss agenda item 12.1 Acquisition, sale, lease and security of municipal property as per the Municipal Government Act.

13. ADJOURNMENT

TOWN OF LUNENBURG
COUNCIL MEETING MINUTES

October 10, 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 (via Zoom), Melissa Duggan and Susan Sanford |
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- | | |
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| Also present | Jamie Doyle, CAO
Lisa Dagley, Director of Finance
Tyson Joyce, Director of Public Works
Hilary Grant, Senior Planner/Heritage Officer
Michael Best, Communications Manager
Kayla Byrne, Municipal Clerk |
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| Call to Order | The Mayor called the meeting to order 6 at p.m. |
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| Land acknowledgment | The Mayor recognized Lunenburg’s location on the unceded territory of the Mi’kmaq people. |
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|--------------------|---|
| Approval of Agenda | Moved and seconded that Council approve the agenda for the October 10, 2023, meeting as presented.
<div style="text-align: right;">Motion carried unanimously</div> |
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- | | |
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| Approval of Minutes | Moved and seconded that Council approve the September 26, 2023 meeting minutes as presented.
<div style="text-align: right;">Motion carried unanimously</div> |
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- | | |
|-----------------------------------|--|
| Public input for Council meetings | <p>Sarah Cram noted concerns about buses on York Street and bus parking throughout Town.</p> <p>Mary Knickle noted the benefits of the Town’s UNESCO designation and inquired if alternative revenue options could be explored to support the Town’s heritage.</p> <p>Robert Young suggested Council send a letter in support of alternate revenue sources for the provincial Chignecto Dyke Project.</p> <p>Alison Strachan noted some benefits of the Lunenburg Visitor Information Centre and the Lunenburg RV Park and Campground.</p> |
|-----------------------------------|--|

The Mayor reminded the public to keep comments for this agenda item to three minutes or less.

Presentations	None.
Correspondence	None.
Public Hearings and Appeals	None.
Business Arising and Unfinished Business	None.
Noise Exemption Request	<p>Moved and seconded that Council approve a Noise Bylaw exemption to permit the use of fireworks on November 4, 2023 from 7:30 p.m. to 8 p.m. at the Lunenburg Fire Hall parking lot.</p> <p style="text-align: right;">Motion carried unanimously</p>
Town Hall Exterior Budget Increase	<p>Staff presented a report on a budget increase request to accommodate findings from recent deconstructive testing on Town Hall's exterior. Councillors asked clarifying questions about the scope of the project.</p> <p>Moved and seconded that Council approve increasing the Town Hall Exterior Restoration 2023/24 Capital Budget by \$10,000 (including net HST) for developing detailed specifications and masonry repair drawings to include in the project's Tender Package.</p> <p style="text-align: right;">Motion carried unanimously</p>
Public Works Capital Status Update	<p>Staff presented a Public Works capital project status update, highlighting general, road, wastewater utility, and water projects. Regarding questions about the Tannery Road sidewalk project, staff indicated work may start by the end of the year.</p>
Town General Operating and Capital Year-End	<p>Staff presented a report on the year-end financials for the Town General Operating and Capital Fund.</p> <p>Moved and seconded that Council approve allocating \$74,826.99 from the 2022/23 operating fund to the 2022/23 capital fund and that \$50,000 from the 2022/23 operating fund be allocated for an operating reserve transfer.</p> <p style="text-align: right;">Motion carried unanimously</p>

Moved and seconded that Council approve the capital financing for fiscal 2022/23 in the amount of \$2,546,697.54, as outlined in Schedule 2.

Motion carried unanimously

Electric Utility
Operating and
Capital Year-End

Staff presented a report on the year-end financials for the Electric Utility Operating and Capital Fund.

Moved and seconded that Council approve that, for the fiscal year ended March 31, 2023, the Electric Utility fund the Capital Expenditures of \$1,107,802 with \$393,319 in reserves, \$459,275 in depreciation funds and \$255,209 in customer contributions.

Motion carried unanimously

Water Utility
Operating and
Capital Year-End

Staff presented a report on the year-end financials for the Water Utility Operating and Capital Fund.

Moved and seconded that Council approve, for the fiscal year ended March 31, 2023, transferring \$38,500 from the Water Utility to the Water Utility Land Reserve.

Motion carried unanimously

Moved and seconded that Council approve, for the fiscal year ended March 31, 2023, the Water Utility provide a dividend of \$25,000 to the Town General fund.

Motion carried unanimously

Attendance update

Due to technical difficulties, Councillor Halverson virtually left the meeting at 6:55 p.m.

Revised Draft Old
Town Lunenburg
Heritage
Conservation District
Plan and By-law

Staff presented a report on the new Old Town Lunenburg Heritage Conservation District Plan and Bylaw.

Moved and seconded that Council approve first reading of the revised draft Old Town Lunenburg Heritage Conservation District Plan and By-law (Attachment A) and give notice for a November 28, 2023 Public Hearing.

Motion carried unanimously

Attendance update

Councillor Halverson virtually returned to the meeting.

Amendment to MPS

Staff presented a report on proposed amendments to the Municipal

- and LUB to Delete Architectural Control Areas
- Planning Strategy and Land-Use Bylaw to remove Architectural Control Areas from these documents.
- Moved and seconded that Council approve first reading of proposed amendments to the Municipal Planning Strategy and Land Use By-law to delete the Architectural Control Areas and Schedule “F” Heritage Conservation District and Architectural Control Area Map.
- Motion carried unanimously**
- Committees Policy: Repeal and Replace
- Moved and seconded that Council give notice to repeal the Committees of Council Policy and replace it with the new Committees Policy as presented.
- Motion carried unanimously**
- Repeal of Policies
- Moved and seconded that Council give notice to repeal the following Town of Lunenburg policies:
1. Audit Procurement
 2. Billings for the LDFD Non Fire Emergency Duties
 3. Capital Contributions Electric Light
 4. Cascade Systems Policy S C B A Air Refill
 5. Development Agreements
 6. Electric Light Utility Collection Procedure Policy
 7. Emergency Spills Response
 8. Fire Extinguisher Training
 9. Information Technology Use
 10. Loan of Town Equipment and Use of Town Labour by Outside Organizations
 11. Motor Vehicle Evaluation and Replacement
 12. Planning Applications
 13. Public Works Department Risk Management
 14. Recreation Dept Risk Management Strategy
 15. Water Testing Procedure
 16. Water Utility Collection Procedure Policy Statement
 17. Complaints Process Policy
 18. Installation and Verification of Water Electric Meters and Billing
 19. Parking Meter Fees
- Motion carried unanimously**
- Notice of Motion/Information
- The Mayor announced he will be hosting regular open houses at Town Hall.

Requests

Adjournment

There being no further business, the October 10, 2023 Council meeting adjourned at 7:01 p.m.

The minutes were read and approved.

Subject: LUB Amendment: Provisions for Off-site Signage
From: Arthur MacDonald, Director of Community Development
Reviewed by: Jamie Doyle, CAO
Date: September 26, 2023 – first reading
October 24, 2023 – second reading



Recommendation

That Council give second and final consideration to the amendments to the Land Use Bylaw, as presented in Attachment D, to allow for the erection of off-site ground signage for landlocked businesses.

Alternatives

- Refuse the amendment due to _____ (reason for refusal).
- 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 that advertise 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.) which is located on a landlocked parcel, this provision excludes the ability to place signage at their driveway entrance next to the public throughfare.

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.

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	Allowing signage on or near an easement will not affect Provincial Interest Statement 1.
Goal: To protect the quality of drinking water within municipal water supply watersheds.	
Statement 2: Flood Risk Areas	Allowing signage on or near an easement will not affect Provincial Interest Statement 2.
GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.	
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	Allowing signage on or near an easement will not affect Provincial Interest Statement 4.

GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.	
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.

On September 11, 2023 the Planning Advisory Committee (PAC) held a Public Participation Meeting (PPM) to receive public input. No written or verbal 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.

On September 26th, Council approved first reading of the proposed amendment.

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

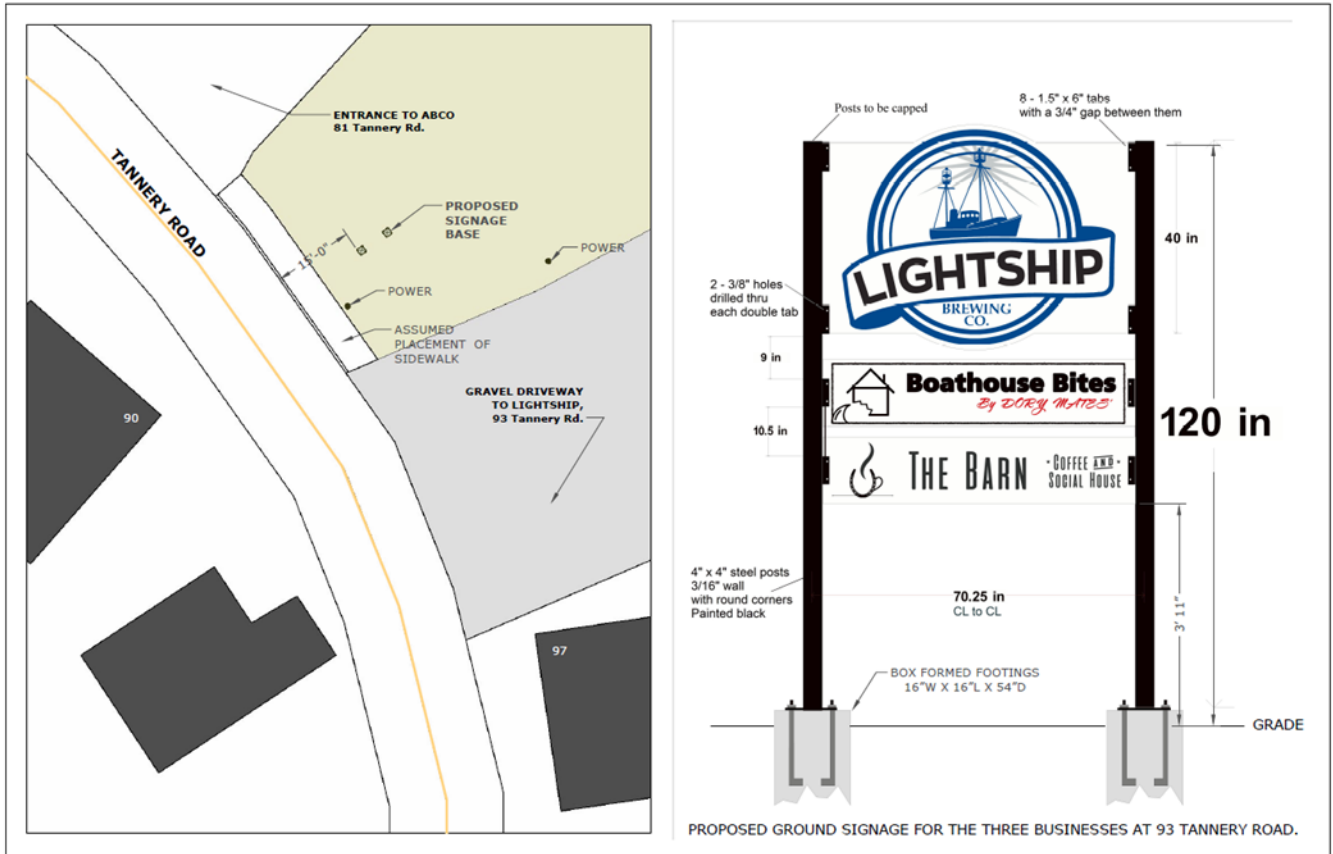
If Council approves the proposed amendment, and following provincial review, the amendment will become effective upon the final notice in the Progress Bulletin and the applicants will be notified.

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: 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: October 24, 2023



Recommendation

That Council give second and final consideration to the 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.

Alternatives

- That Council refuse the proposed rezoning due to _____ (reason for refusal).

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.

On September 26th, Council approved first reading of the proposed amendment.

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	
<p>Statement 1: Drinking Water</p> <p>Goal: To protect the quality of drinking water within municipal water supply watersheds.</p>	<p>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.</p>
<p>Statement 2: Flood Risk Areas</p> <p>GOAL: To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.</p>	<p>The proposed 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.</p> <p>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</p>

	<p>Street has a 600mm storm sewer main and 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>
<p>Statement 3: Agricultural Land</p> <p>GOAL: To protect agricultural land for the development of a viable and sustainable agriculture and food industry.</p>	<p>The 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.</p>
<p>Statement 4: Infrastructure</p> <p>GOAL: To make efficient use of municipal water supply and municipal wastewater disposal systems.</p>	<p>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.</p>
<p>Statement 5: Housing</p> <p>GOAL: To provide housing opportunities to meet the needs of all Nova Scotians.</p>	<p>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.</p>

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.

Staff have reviewed the Traffic Study undertaken by CBCL which notes that the development would have minimal impact on the Victoria Road and Hall Street intersection and the surrounding road network.

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 approves the proposed amendment, and following provincial review, the amendment will become effective upon the final notice in the Progress Bulletin.

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



Preliminary Artistic Views

15 June 2023

Preliminary Schematic Elevations



North Elevation



South Elevation

Preliminary Schematic 3D



South View

Harbourview Haven

schematic site placement



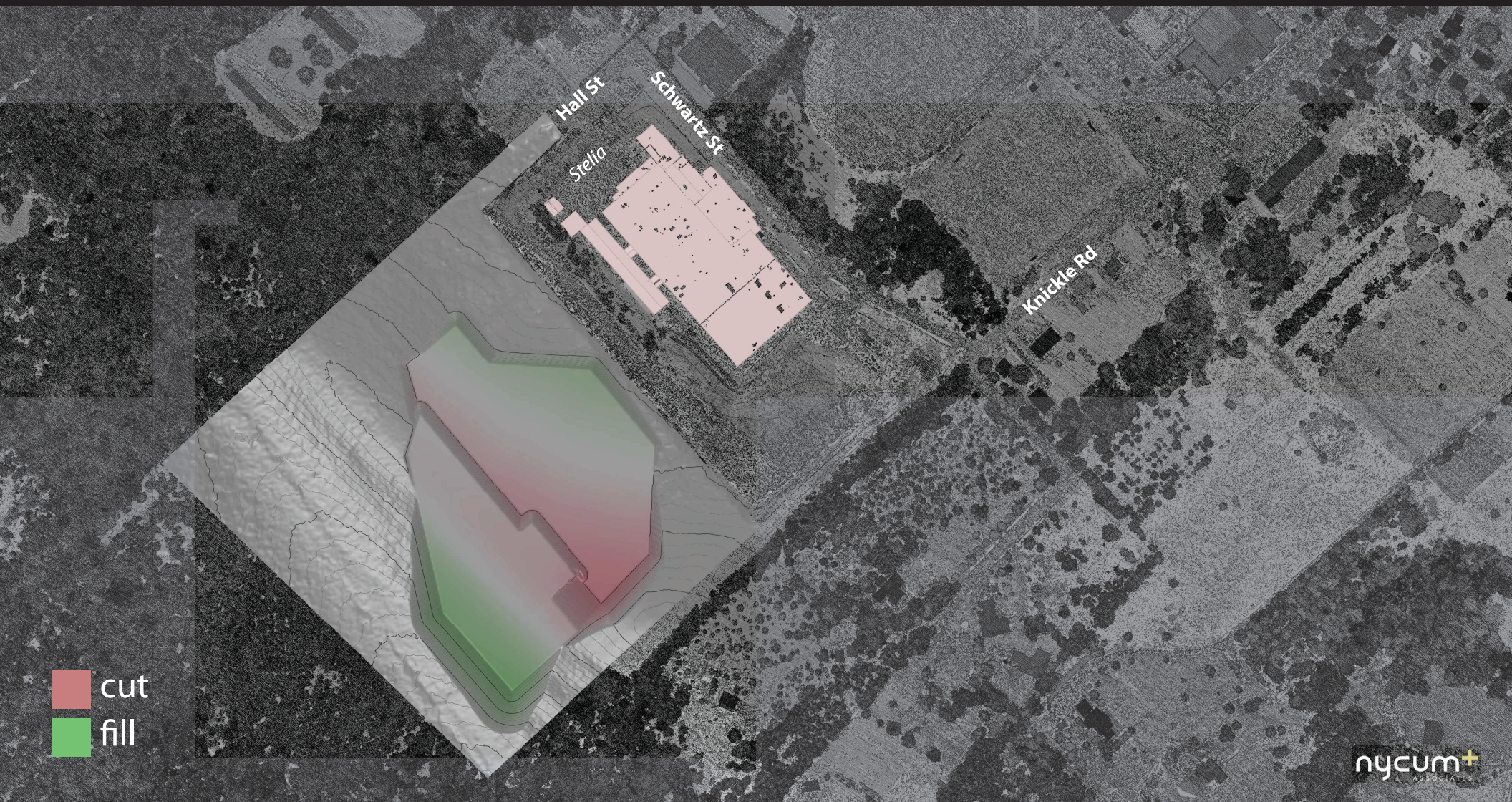
Harbourview Haven

schematic site plan



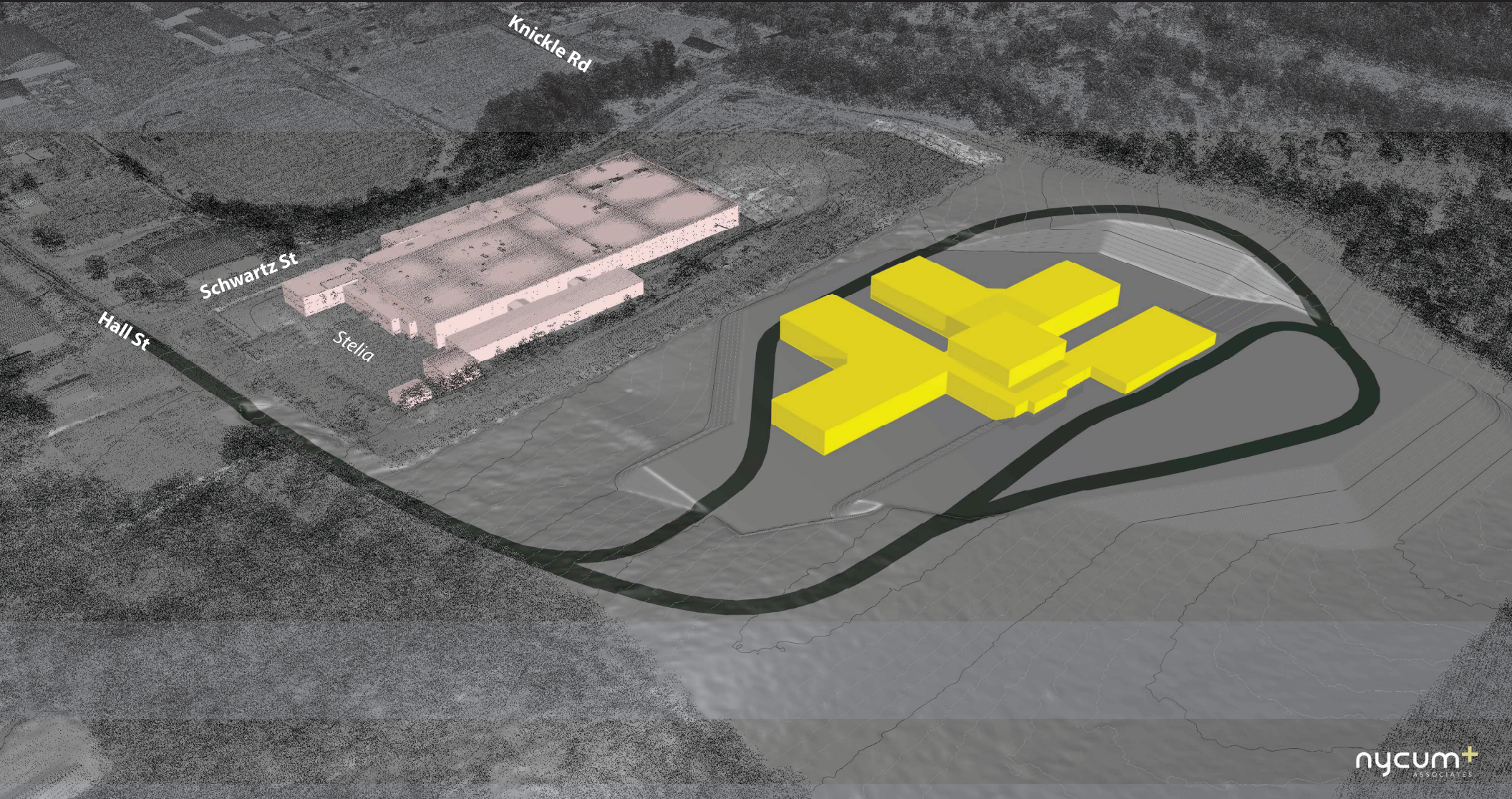
Harbourview Haven

cut and fill analysis



Harbourview Haven

view from west



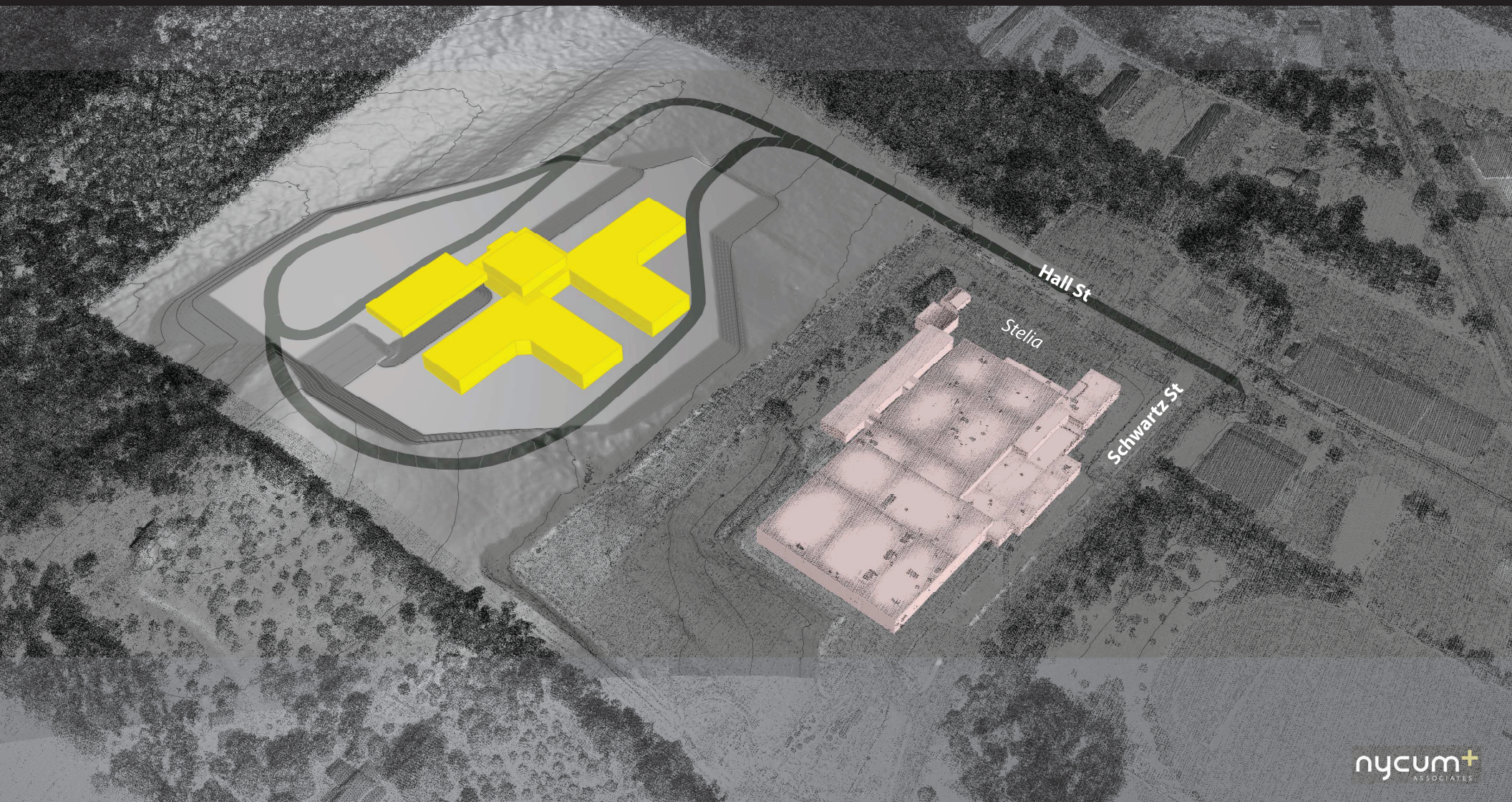
Harbourview Haven

view from north



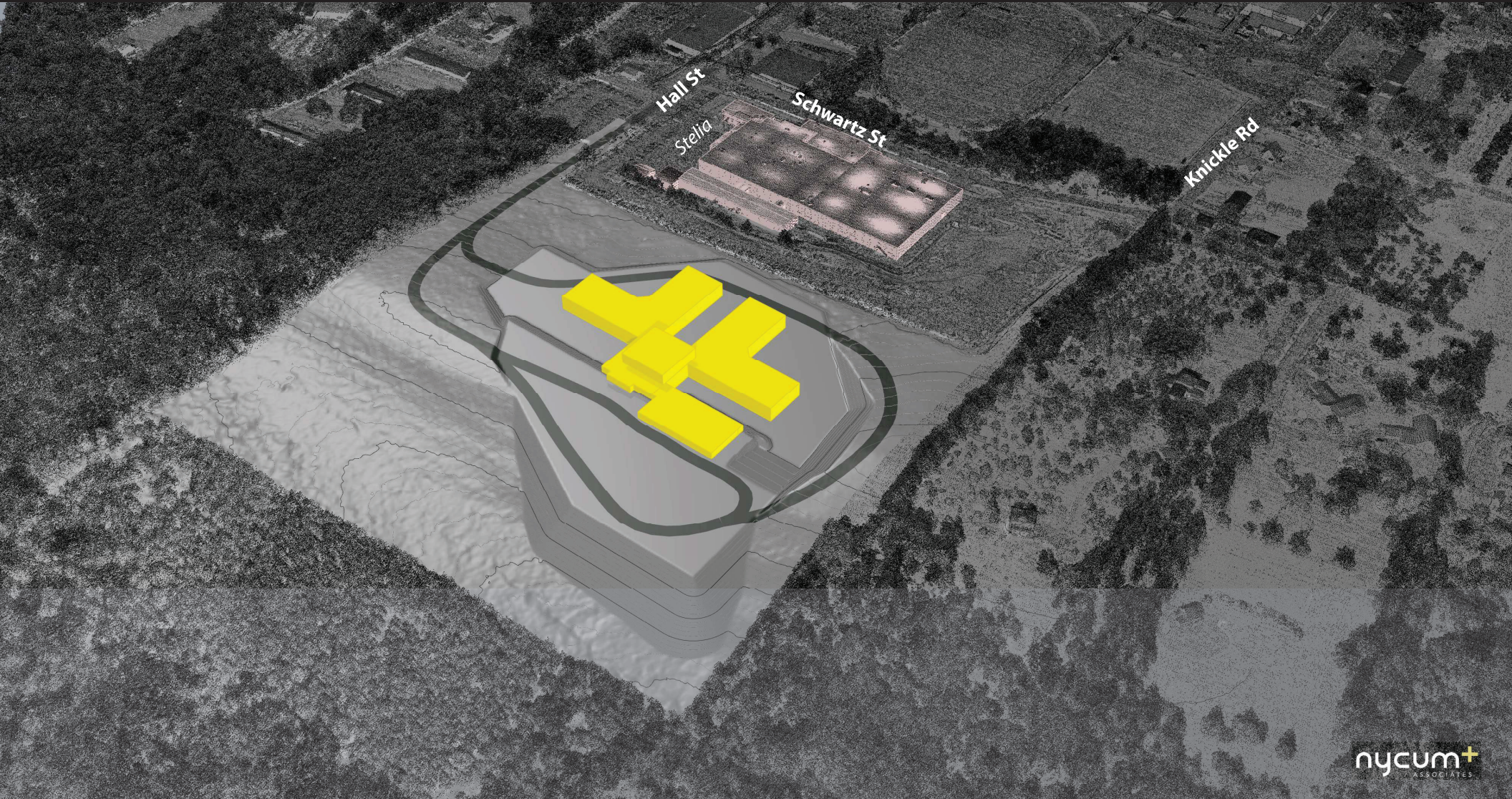
Harbourview Haven

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 C

Policy 4.2 of the Municipal Planning Strategy

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

- (a) The Residential Land Use Designation permits:
 - i. Lower Density Residential Use (RL) Zone
 - ii. Medium Density Residential Use (RM) Zone
 - iii. Higher Density Residential Use (RH) Zone
 - iv. Rural Use (RUR) Zone
 - v. Institutional Use (INS) Zone
 - vi. Parks and Recreation Use (PR) Zone
- (b) The Main Street Land Use Designation permits:
 - i. Commercial Mixed Use (CM) Zone
 - ii. Institutional Use (INS) Zone
 - iii. Parks and Recreation Use (PR) Zone
- (c) Downtown Commercial Land Use Designation permits:
 - i. General Commercial Use (CG) Zone
 - ii. Institutional Use (INS) Zone
 - iii. Parks and Recreation Use (PR) Zone
- (d) Waterfront Designation permits:
 - i. Waterfront Use (W) Zone
 - ii. Marine Industrial Use (MM) Zone
 - iii. Parks and Recreation Use (PR) Zone
- (e) Industrial Designation permits:**
 - i. Industrial Use (M) Zone**
 - ii. Institutional Use (INS) Zone**
 - iii. Parks and Recreation Use (PR) Zone**
- (f) Parks and Institutional Designation permits:
 - i. Institutional Use (INS) Zone
 - ii. Parks and Recreation Use (PR) Zone

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 staggering 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.

Staff have reviewed the Traffic Study undertaken by CBCL which notes that the development would have minimal impact on the Victoria Road and Hall Street intersection and the surrounding road network.

- 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.

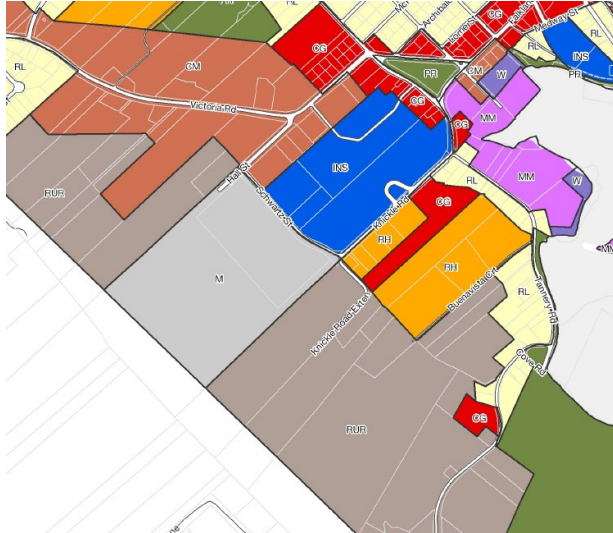
The proposed rezoning may lower the potential of land use conflicts by rezoning the lands from Industrial (M) (considered a high impact use) to Institutional (INS) (considered a lower impact use from the existing Industrial Use Zone). The biggest concern in this regard would be the increase in traffic, especially during shift work changes on the Hall Street/Victoria Road intersection. However, Harbourview Haven has advised that they stagger the shift work schedules, to reduce traffic impacts and minimize disruptions for their operations. Staff have reviewed the Traffic Study undertaken by CBCL which notes that the development would have minimal impact on the Victoria Road and Hall Street intersection and the surrounding road network.

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: Divestiture of Upper Hall Street

From: Arthur MacDonald, Director of Community Development

Reviewed by: Jamie Doyle, CAO

Date: October 24, 2023



Recommendation

That Council direct staff to proceed with the divestiture of Upper Hall Street, known as PID 60726403, for the possible relocation of Harbour View Haven and authorize the CAO to enter into a Purchase and Sales Agreement and report back to Council.

Alternatives

- Not proceed with the divestiture of Upper Hall Street (PID 60726403).

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 applied to rezone the subject lands from Industrial (M) to Institutional (INS). However, if the Town is unwilling to consider divesting the lands to Harbour View Haven, their application would be moot.

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."

During the Council meeting of September 12, 2023 the following motions were approved:

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

Discussion

Pursuant to the Town's Land Divestiture Policy (**Attachment A**), Section 8.2.3 requires the review of the land profile evaluation criteria. The Land Profile Evaluation Tool is attached in **Attachment B** for your review. The survey plan is attached in **Attachment C**. The land consists of 18.94 acres. The lands are currently zoned Industrial (M) according to the Use Zoning Map, Schedule "C", of the Land Use By-law. Harbour View Haven has made application to rezone the lands Institutional (INS) in order to develop a new 144 room long-term care facility.

The intent of the Public Information Meeting (PIM) is to advise the public and to seek public comments prior to Council making a final decision on the possible divestiture of these lands.

Strategic Plan Relevance

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): Section 50
The Town's Land Divestiture Policy

Financial

Harbour View Haven is currently assessed as "residential" for taxation purposes. The current residential tax rate is \$1.376 per \$100.00 of assessment. The proposal would affect the Town's ability to gain industrial assessments from the lands. The current tax rate for "commercial" is \$3.358 per \$100.00 of assessment. Potentially, there may be a loss in revenues. However, we do not know when, or if, an industrial development will occur and whether it would have an assessed value similar to that which this new facility may provide.

Communications

Harbour View Haven will be notified of Council's decision.

Attachments

- A – Land Profile Evaluation Tool
- B – Survey Plan

Attachment A
Land Profile Evaluation Tool

1. Specify the location and area of the land (i.e. civic address, PID #, survey).
The location is Upper Hall Street (PID 60726403). A survey of the lands has been undertaken and is attached in Attachment C. The lands consist of 18.94 acres
2. Specify the monetary value of the land (assessed/appraised value).
The land consists of 18.94 acres. According to PVSC the assessed value is \$103,500. Harbour View Haven is currently undertaking an "Institutional" appraisal of the lands.
3. What form of access is there to the property? (public road, private road, easement).
The land is accessible via a public road, Hall Street. Sewer and water services are available at or near the upper end of Hall Street.
4. Does the property have any known contamination/environmental concerns based on the previous environmental studies, if any, or does an environmental assessment need to be conducted?
There are no known contamination/environmental concerns, nor does there appear to be a need for an environmental assessment.
5. Does the property have any architectural, historical, or recreational value?
The lands do not have any known architectural, historical, or recreational value. The lands are vacant and are currently zoned for Industrial Uses.
6. Does the property have any ecological/conservation value?
It appears that the property does not have any ecological/conservation value.
7. Has fair Market Value for the land been determined?
Young and Associates provided an "Industrial Use" appraisal at \$10,125 per acre. The land consists of 18.94 acres with an appraised value of \$191,767.50. Harbour View Haven is currently undertaking an "Institutional" Appraisal of the lands.
8. Is the land adjacent or nearby water (river, lake, ocean)?
No, the lands are not adjacent or nearby water (river, lake, ocean).
9. Is the land already in use? Is there a lease agreement in place?
The land is currently vacant. There is no lease agreement in place regarding this property.
10. Are there any known public concerns relating to the divestiture of the property?
There are no known public concerns relating to the divestiture of the property.
11. Is there possible future liability/gain (i.e. useful site in future, or site features such as erosion that suggest any divestiture would result in a liability)?
There are no known future liability or gains associated with the divestitures.

12. Has an electrical scoping evaluation taken place?

No. The Lunenburg Utility does have concerns. 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 facility 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.

13. Do stakeholders such as nearby landowners, community associations, and/or members of the public need to be consulted?

The recommendation is to proceed with a Public Information Meeting to discuss the possibility of divesting this land. Stakeholders will have an opportunity to express any issues or concerns prior to Council making a final decision.

Subject: Lunenburg Academy Cost Analysis

From: Lisa Dagley, Finance Director

Reviewed by: Jamie Doyle, CAO

Date: October 24, 2023



Recommendation

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

Background

At the September 12, 2023 Council meeting the following motion was approved:

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.

Discussion

Staff have prepared Projected Operating & Capital Budgets for the next five years for the Lunenburg Academy facility (Schedule A).

Using 2023 assessment information a potential Lunenburg Academy area rate has been calculated. The potential rate varies from \$0.187 in Year 1 to \$0.192 in Year 5. The area rate uses the assumption that all future capital will be funded via tax rates with no future capital borrowings.

Summary of impact to average taxpayer.

	Residential \$270,000 Assessment	Commercial \$305,000 Assessment
Year 1 – 2024/25	\$504.90	\$570.35
Year 2 – 2025/26	\$515.70	\$582.55
Year 3 – 2026/27	\$521.10	\$588.65
Year 4 – 2027/28	\$534.60	\$603.90
Year 5 – 2028/29	\$518.40	\$585.60

Financial

As per above.

Attachments

Schedule A

Lunenburg Academy Facility

	Budget 2023/24	Year 1 2024/25	Year 2 2025/26	Year 3 2026/27	Year 4 2027/28	Year 5 2028/29
Rental Revenue	\$ 261,000	\$ 269,900	\$ 279,300	\$ 289,100	\$ 299,200	\$ 309,700
Expenses						
Custodial Contract	12,000	12,500	13,000	13,500	14,000	14,600
Telephone/Alarm	2,000	2,100	2,200	2,300	2,400	2,500
Advertising	500	500	500	500	500	500
Fuel	80,000	83,200	86,500	90,000	93,600	97,300
Insurance	39,400	41,000	42,600	44,300	46,100	47,900
Electricity	13,400	13,900	14,500	15,100	15,700	16,300
Water	2,800	2,900	3,000	3,100	3,200	3,300
Sewer	7,400	7,700	8,000	8,300	8,600	8,900
Property Taxes	27,600	28,700	29,800	31,000	32,200	33,500
Mun. Engineer	9,600	10,000	10,400	10,800	11,200	11,600
Repairs to Building	30,000	31,200	32,400	33,700	35,000	36,400
Janitorial Supplies	2,000	2,100	2,200	2,300	2,400	2,500
Elevator Maintenance	3,000	3,100	3,200	3,300	3,400	3,500
Interest on Capital Loan	10,300	8,400	6,900	5,400	4,100	3,000
	\$ 240,000	\$ 247,300	\$ 255,200	\$ 263,600	\$ 272,400	\$ 281,800
Surplus/Deficit before Debt & Capital	\$ 21,000	\$ 22,600	\$ 24,100	\$ 25,500	\$ 26,800	\$ 27,900
Principal Debt Payment	\$ 59,900	\$ 59,900	\$ 59,900	\$ 52,500	\$ 52,500	\$ 16,100
Capital Repairs - Interior & Exterior	-	260,000	260,000	260,000	260,000	260,000
Capital - Major Projects	-	406,000	422,200	439,100	456,700	475,000
	\$ -	\$ 666,000	\$ 682,200	\$ 699,100	\$ 716,700	\$ 735,000
	\$ 38,900	\$ 703,300	\$ 718,000	\$ 726,100	\$ 742,400	\$ 723,200
Potential Lun Academy Area Rate	\$ 0.010	\$ 0.187	\$ 0.191	\$ 0.193	\$ 0.198	\$ 0.192
<i>Revenue Sources</i>						
Residential 67%	\$ 26,063	\$ 471,211	\$ 481,060	\$ 486,487	\$ 497,408	\$ 484,544
Commercial 33%	\$ 12,837	\$ 232,089	\$ 236,940	\$ 239,613	\$ 244,992	\$ 238,656
	\$ 38,900	\$ 703,300	\$ 718,000	\$ 726,100	\$ 742,400	\$ 723,200
<i>Impact to Average Taxpayer</i>						
Residential Assessment \$270,000	\$ 27.00	\$ 504.90	\$ 515.70	\$ 521.10	\$ 534.60	\$ 518.40
Commercial Assessment \$305,000	\$ 30.50	\$ 570.35	\$ 582.55	\$ 588.65	\$ 603.90	\$ 585.60

Subject: Committees Policy – Repeal and Replace
From: Kayla Byrne, Municipal Clerk
Reviewed by: Jamie Doyle, CAO
Date: October 10, 2023 – notice
October 24, 2023 – decision



Recommendations:

- That Council repeal the Committees of Council Policy and replace it with the new Committees Policy as presented.

Background

Staff are conducting a review of all Town policies and bylaws. As the Committees Policy is referenced annually for appointing citizens and councillors to committees and reviewing committee appointments, it was deemed a priority for review.

Discussion

The current [Committees of Council Policy](#) provides some guidance on the appointments to committees; however, the bulk of the policy is terms of reference for Council's advisory committees. The proposed policy does not include committees' terms of reference. However, this policy states that Council must approve new terms of reference and amendments to terms of reference. The intent is that terms of reference are separate from a Council policy. If the existing policy is repealed, the terms of reference will still be valid. If the new policy is approved, committees will be asked to review respective terms of reference, and staff will present any proposed amendments at a future Council meeting.

The proposed policy also aims to provide clear direction on the following:

- Creation of Council Committees
- Dissolution of Council Committees
- Councillor appointments to Council Committees and external committees
- Councillors in a personal capacity as volunteers or citizen representatives
- Citizen appointments to Council Committees
- Use of Town resources; and
- Clearly defined roles and responsibilities of Council, the CAO and staff

As the policy is currently written, most of the bullet points noted above have little guidance.

Strategic Plan Relevance

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

Relevant Legislation

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 repealing and replacing this policy. Both the existing policy and the proposed policy have a clause stating that citizens appointed to a Council Committee may receive an annual honorarium as allocated in the Town's annual operating budget.

Communications

The updated policy will be published on the Town's website if approved.

Attachments

- Proposed Policy

Committees Policy

Date adopted by Council: **TBD**



1. POLICY STATEMENT

The Town of Lunenburg recognizes the importance of fostering strong relationships with residents, regional partners and neighbouring municipalities through participation on committees, which can help address and advise on shared challenges, leverage opportunities, and promote regional cooperation.

2. PURPOSE

The purpose of the Committees Policy is to establish a framework that governs the creation, operation, and oversight of committees formed by Council. This policy also directs Council participation and representation on partner, inter-municipal or external committees and boards not led by the Town of Lunenburg.

3. APPLICABILITY

This policy applies to all Town of Lunenburg Council Committees. This policy also applies to councillor appointments to partner, inter-municipal or external committees and boards.

4. COMMITTEE DESCRIPTIONS

Council Committees are typically composed of Town of Lunenburg residents and councillors and are responsible for conducting research, making recommendations, and advising on matters within their designated scope to be brought forward to Council.

Inter-municipal committees are specialized committees established through formal agreements, such as inter-municipal service agreements, regional bylaws or other contractual arrangements where Council members from different municipalities, and possibly other stakeholders, come together to address specific matters of regional or shared interest.

Partner committees are committees where Council collaborates with municipal partners or other stakeholders by invitation, formal agreements, or other service agreements.

External committees are independent committees or organizations outside the direct jurisdiction of Council. Council may choose to participate in these committees upon request.

Task force is a temporary and specialized group convened by Council to address a specific, complex issue within a defined timeframe. Task forces typically comprise subject matter experts, relevant stakeholders, staff and Council members. They aim to conduct in-depth research, analysis, and collaborative problem-solving to generate recommendations or solutions for Council's consideration. Once the task force's objectives are met, it is disbanded.

5. COUNCIL COMMITTEES

Current Council Committees are outlined in Appendix A. Appendix A may be modified through a motion of Council and does not require an amendment to this policy.

6. CREATION OF COUNCIL COMMITTEES

New Council Committees may be created by a motion of Council. A notice of motion is required before Council votes on creating a committee.

The following factors may trigger the creation of a new committee:

- Public issues or trends;
- Legislative requirement;
- Council request; or
- Staff request.

Council may appoint special Task Force committees from time to time to undertake the review of a specific issue or short-term project and to remain in place only if there is a continuing need for the work of that task force as determined by Council. In appointing a Task Force committee, Council and the Chief Administrative Officer will create clear terms of reference, a schedule for the Task Force committee to report, and the procedure to select a Task Force chair.

7. DISSOLUTION OF COUNCIL COMMITTEES

Council Committees may be dissolved by a motion of Council. A notice of motion is required before Council votes on dissolving a committee.

The following issues may trigger the dissolution or completion of a committee:

- Completion of mandate;
- Resolution of issues;
- Merger with another committee;
- Annual review process;
- Council request; or
- Staff request.

8. COUNCILLOR APPOINTMENTS

The Mayor and the Chief Administrative Officer will recommend and review councillor appointments to committees annually in October. Recommendations will be based on Council member interests, committee needs, and Council member scheduling conflicts, along with other considerations that may be relevant (such as family and work commitments). The Mayor and the Chief Administrative Officer will strive to bring forward equitable and fair recommendations to all Council members and distribute the workload amongst all Council

members.

During the annual review, councillors do not need to be reappointed to existing appointments if there are no recommended changes.

Once appointed to committees, Council members are expected to attend and be fully committed to each committee they are appointed to.

The Mayor is an ex-officio voting member on all Committees of Council. However, the Mayor may only vote at these meetings if the Committee lacks quorum.

Council's current appointments are outlined in Appendix A. Appendix A may be modified through a motion of Council and does not require an amendment to this policy.

9. COUNCIL APPOINTMENTS TO PARTNER, INTER-MUNICIPAL OR EXTERNAL COMMITTEES AND BOARDS

Council may participate or be required to participate on committees with municipal partners or other partners via request or through inter-municipal service agreements, other service agreements, regional bylaws, or similar documents.

Council may choose to participate in external committees upon request. When considering a request to sit on an external committee, Council will consider the potential value to the Town and the requesting committee's alignment with Council's interests and priorities.

Any invitation to participate in a partner, inter-municipal or external committee will be considered at a Council meeting.

Council will not appoint any members to any committee with a potential conflict of interest or a perceived conflict of interest between the community group or organization and Council.

Councillors appointed to partner, inter-municipal or external committees will report any updates or recommendations that may require Council's consideration.

10. VOLUNTEER PARTICIPATION BY COUNCILLORS

Council members may volunteer their time to serve on external committees not directly affiliated with Council or the Town of Lunenburg. In such cases, they will do so in a personal capacity as volunteers or citizen representatives, independent of their roles as Council members. This volunteer participation is subject to the following conditions:

- Council members must disclose their intent to participate as volunteers to Council, including details of their involvement, before joining the external committee;
- Council members participating as volunteers or citizen representatives must avoid any actions or decisions that create a perceived conflict of interest or compromise their impartiality as Council members; and
- While serving as volunteer or citizen representatives, Council members must clearly state that they do not represent Council's official position or make decisions on its behalf.

11. CITIZEN APPOINTMENTS TO COMMITTEES OF COUNCIL

Citizen committee members must be residents of the Town of Lunenburg. Exceptions can be made by Council if there are insufficient Town resident applicants. In the case of insufficient Town resident applicants, Council may consider applicants from Lunenburg County.

No citizen shall serve concurrently on more than one Council Committee to encourage a broad degree of citizen involvement. Exceptions can be made by Council if there are insufficient applicants.

Citizen members must be at least 18 years old unless Council or the Committee is seeking a youth representative.

Citizen member appoints will be for two-year terms unless otherwise specified in a committee's terms of reference.

Citizen members may serve for up to two consecutive terms. Citizens who have served two consecutive terms are ineligible for reappointment for one calendar year after their most recent term expires unless there are no other qualified applicants. In this case, the citizen may be reappointed three months after their most recent term expires.

Without written approval from the Committee, any member absent from three consecutive committee meetings will cease to be a member.

Town of Lunenburg employees (full or part-time) are not eligible to serve as a member of a Committee of Council.

12. COUNCIL COMMITTEE HONORARIUM

Citizens appointed to a Council Committee may receive an annual honorarium as allocated in the Town's annual operating budget.

13. GENERAL REGULATIONS

Terms of reference for Council Committees and any amendments to a Committee's terms of reference must be approved by a motion of Council.

All committees will meet in accordance with its terms of reference.

When necessary or applicable, following a Council Committee meeting, an appointed councillor will provide a meeting update at the next regularly scheduled Council meeting.

Council Committees will be chaired by an appointed Councillor unless otherwise legislated or voted on by the respective Committee.

Committee meetings, minutes and records are open to the public.

The role of all committees is limited to advising Council. No committee has the power to commit the Town to either spend money or take any particular action.

No committee member will give specific directions to any staff member at any committee meeting. The responsibility for giving specific directions to staff will reside with Council through direction to the Chief Administrative Officer.

14. TOWN RESOURCES

For committee purposes, Council Committees may utilize the following Town resources unless the Chief Administrative Officer determines that there are insufficient resources:

- Town's facilities and supplies for meetings, photocopying, postage and other administrative needs reasonably necessary and budgeted;
- External services or expenses reasonably necessary and budgeted;
- Town staff advice and support; and
- Other resources reasonably necessary and budgeted.

15. COUNCIL'S ROLES AND RESPONSIBILITIES

Council will:

- Appoint citizen members to committees of Council.
- Annually review Council member appointments to all committees.
- Review requests for Council representation on partner, inter-municipal and external committees.
- Approve Terms of Reference for each Committee of Council.
- Provide relevant committee updates at regular Council meetings.

16. CHIEF ADMINISTRATIVE OFFICER (CAO)'S ROLES AND RESPONSIBILITIES

The CAO will:

- Appoint a staff member or members as a liaison/resource member to all committees.
- Review all Council Committees minutes and highlight any items that require Council's attention.
- Help or delegate staff to help develop Terms of Reference for new Council Committees or task forces.
- Designates roles for staff to help administer this policy and administrative procedures.

ADMINISTRATIVE PROCEDURES

Committees Policy

Date approved by CAO: **TBD**



1. STAFF ROLES AND RESPONSIBILITIES

The Municipal Clerk or designate will:

- Publicly advertise vacancies on Committees of Council.
- Keep track of applications and membership terms.
- Maintain application forms.
- Strive to have all committee agendas circulated to committee members and posted for the public one week before a meeting.
- Work with all departments to ensure a recording secretary is available for all committee meetings.
- Ensure that the minutes of each meeting are forwarded to all committee members.
- Maintain all records of Council Committees.
- Provide advice on Committee procedural matters.



Internal Town Committees

- Audit Committee
- Committee of the Whole
- Heritage Advisory Committee
- Planning Advisory Committee
- Protective Services Committee

Inter-Municipal Committees

- Lunenburg County Accessibility Advisory Committee
- Region 6 Solid Waste Management Committee
- REMO Advisory Committee
- South Shore Regional Public Library Board

Partner Committees

- Trustees of Lunenburg Common Lands
- Lunenburg County Seniors Safety Advisory Partnership

External Committees

- Cultural Implementation Group
- Lunenburg Fishermen's Memorial Society
- Harbour View Haven
- Lunenburg Waterfront Association
- South Shore Housing Action Coalition Committee

Subject: Repealing of Policies
From: Kayla Byrne, Municipal Clerk
Reviewed by: Jamie Doyle, CAO
Date: October 10, 2023 – notice
October 24, 2023 – decision



Recommendations:

That Council repeal the following Town of Lunenburg policies:

1. Audit Procurement
2. Billings for the LDFD Non Fire Emergency Duties
3. Capital Contributions Electric Light
4. Cascade Systems Policy S C B A Air Refill
5. Development Agreements
6. Electric Light Utility Collection Procedure Policy
7. Emergency Spills Response
8. Fire Extinguisher Training
9. Information Technology Use
10. Loan of Town Equipment and Use of Town Labour by Outside Organizations
11. Motor Vehicle Evaluation and Replacement
12. Planning Applications
13. Public Works Department Risk Management
14. Recreation Dept Risk Management Strategy
15. Water Testing Procedure
16. Water Utility Collection Procedure Policy Statement
17. Complaints Process Policy
18. Installation and Verification of Water Electric Meters and Billing
19. Parking Meter Fees

Background

Staff are conducting a review of all Town policies and bylaws. In reviewing policies, staff have found that many of the Town's policies are procedural– they are internal staff procedures and not necessarily high-level policies of Council. A policy is what Council aspires to do, while administrative procedures are how staff carry out daily work duties or how policies are operationalized. Many of the Town's existing policies are not aspirational but just procedures.

Discussion

Staff identified the following 19 policies as ones that should be repealed because they are outdated or standard operating procedures and not high-level policies of Council. All policies

being proposed to be repealed have been reviewed and agreed upon by the CAO and department directors.

Policy	Rationale
Audit Procurement	The MGA requires that municipalities appoint a registered auditor for the municipality. Outside of the rules of the Procurement Policy, the procurement of an external auditor is a staff procedure and does not require a Council policy.
Billings for the LDFD Non Fire Emergency Duties	This is outdated and is no longer used. Any possible non-emergency service requests may be considered case-by-case with the Lunenburg and District Fire Department.
Capital Contributions Electric Light	These procedures are outlined in the electric utility regulations and do not require a Council policy.
Cascade Systems Policy S C B A Air Refill	These are staff procedures for restocking equipment at the Lunenburg and District Fire Department. This does not require a Council policy.
Development Agreements	This is an internal staff procedure and does not require a Council policy.
Electric Light Utility Collection Procedure Policy Statement	These procedures are outlined in the electric utility regulations and do not require a Council policy.
Emergency Spills Response	This is outdated and does not require a Council policy. Town management will ensure emergencies are handled safely and efficiently using staff and third-party resources when required. Health and safety protocols are internal procedures.
Fire Extinguisher Training	This training is not widely offered, and any related request would be handled directly by the Lunenburg & District Fire Department.
Information Technology Use	This procedure and agreement can be used internally when staff are hired and new council members are elected. However, this does not need to be a Council policy.
Loan of Town Equipment and Use of Town Labour by Outside Organizations	This policy was created in 1993 and is similar to the Town Equipment Loan and Use Policy (2019). The 2019 policy should have replaced this policy.
Motor Vehicle Evaluation and Replacement	This is an internal staff procedure and does not require a Council policy.
Planning Applications	This is an internal staff procedure and does not require a Council policy.
Public Works Department Risk Management	This is an internal staff procedure and does not require a Council policy. Each department will still have its risk management protocols and adhere to best practices, however, this does not require a Council policy.

<u>Recreation Dept Risk Management Strategy</u>	This is an internal staff procedure and does not require a Council policy. Each department will still have its risk management protocol and adhere to best practices, however, this does not require a Council policy.
<u>Water Testing Procedure</u>	Public Works adheres to all forms of required testing. The Town does not need a policy to dictate how required testing will take place. This is an internal procedure.
<u>Water Utility Collection Procedure Policy Statement</u>	These procedures are outlined in the electric utility regulations and do not require a Council policy.
<u>Complaints Process Policy</u>	How complaints are handled may be specific to each situation and is at the discretion of the employee's supervisor and, when necessary, the department director and CAO. This is an internal staff procedure and does not require a Council policy
<u>Installation and Verification of Water Electric Meters and Billing</u>	Ensuring that electric and water utility meters are correctly installed and read is an internal staff procedure and does not require a Council policy.
<u>Parking Meter Fees</u>	This is a motion of Council, not a policy. Repealing this policy will not void Council's motion.

Strategic Plan Relevance

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

Relevant Legislation

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

Financial

There are no financial impacts related to repealing these policies.

Communications

If approved the repealed policies will be removed from the Town's website and update will take place within internal records management processes.



Lunenburg County Accessibility Advisory Committee (LCAAC)

October 11, 2023

Municipal Councils of:

Town of Mahone Bay

Town of Bridgewater

Town of Lunenburg

Municipality of the District of Chester

Municipality of the District of Lunenburg

RE: Appointment of Lunenburg County Accessibility Advisory Committee Community Member

Dear Members of Council,

The Lunenburg County Accessibility Advisory Committee (LCAAC) currently has one vacancy for a community member as one of the appointees has resigned.

On October 11, 2023, the Lunenburg County Accessibility Nominating Committee comprised of the Mayors and Wardens of the five Lunenburg County municipalities (or their designates) reviewed the applications received from the public call for volunteers and makes the following recommendation to the five Municipal Councils in Lunenburg County:

To appoint Scott Lutes to the Lunenburg County Accessibility Advisory Committee for a term of two years.

With regards,

Ellen Johnson, MSc(OT), OT Reg(NS)

Regional Accessibility Coordinator

ejohnson@chester.ca

902-277-0456

AN INTER-MUNICIPAL REGIONAL ANTI-RACISM AND DIVERSITY AGREEMENT

THIS AGREEMENT is made in five copies this on (DATE)_____.

AMONG:

The **Municipality of the District of Lunenburg**, a municipal body corporate pursuant to the *Municipal Government Act*;

-and-

The **Municipality of the District of Chester**, a municipal body corporate pursuant to the *Municipal Government Act*;

- and -

The **Town of Bridgewater**, a municipal body corporate pursuant to the *Municipal Government Act*;

-and-

The **Town of Mahone Bay**, a municipal body corporate pursuant to the *Municipal Government Act*.

-and-

The **Town of Lunenburg**, a municipal body corporate pursuant to the *Municipal Government Act*.

WHEREAS the parties wish to jointly support and advance anti-racism and anti-discrimination initiatives and promote equity, diversity and inclusion initiatives to identify and address systemic racism and inequity in government policy, legislation, programs and services in Lunenburg County.

NOW THEREFORE witness in consider of the mutual promises and covenants contained herein the parties hereto agree as follows:

General

1. The Purpose of this inter-municipal services agreement, hereafter called (Agreement), is to provide for coordinated Anti-Racism and Diversity services referred to in this Agreement as the (region).

Host Municipality

2. The Municipality of the District of Chester is hereafter called the Host Municipality, and as such, will provide office space and support.
3. The Host Municipality will be responsible for all administrative functions including financial, record keeping, minute taking and reporting on behalf of the Lunenburg County Anti-Racism & Anti-

Discrimination Advisory Committee.

4. The Host Municipality will include the Anti-Racism and Diversity Coordinator, assets, and activities on their Municipality's liability insurance policy.

| Anti-Racism & Anti-Discrimination Committee

5. A Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) has been established and Terms of Reference agreed upon by all parties.
6. As per the TOR:
 - a. The Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) is established to advise the respective administrations and elected bodies of the Town of Lunenburg, Municipality of the District of Lunenburg, Municipality of Chester, Town of Bridgewater and Town of Mahone Bay to advance, strengthen, support, and unify the five municipal units in adopting and implementing Anti-Racism and Anti-Discrimination initiatives throughout the Region.
 - b. The ARADAC works with partners and communities to help lead and support anti-racism and anti-discrimination initiatives and promote equity, diversity and inclusion initiatives. They would work to identify and address systemic racism and inequity in government policy, legislation, programs and services.
 - c. The Committee has the following responsibilities:
 - i. Provide ongoing advice, education, information and recommendations to the five Municipal Councils and staff on internal and external projects, initiatives, or policy via the Anti-Racism and Diversity Coordinator.
 - ii. Develop and recommend to municipalities a regional action plan which will provide regional-level guidance and coordinated approaches and strategies on actions to be taken by the municipalities.
 - iii. Support the Regional Coordinator for Anti-Racism and Anti-Discrimination initiatives.
 - iv. Develop and propose an annual budget to the Anti-Racism and Diversity Coordinator, to be reviewed and proposed to the five (5) Municipal Councils for consideration.
 - v. Provide advice, when requested, on projects and policies undertaken by municipalities including municipal plans, development, human resource policies and other projects.
 - vi. Remain apprised and connected to new municipal, provincial and federal directives, regulations and initiatives that impact or intersect with Anti-Racism and Anti-Discrimination or funding opportunities.
 - vii. Collaborate with the Lunenburg County Accessibility Advisory Committee and Regional Accessibility Coordinator.
 - viii. Liaise with community members through regular engagement, maintain transparency, and provide a framework and platform for reporting back to the community.
 - ix. Collaborate and build relationships with community members and organizations that address Anti-Racism and Anti-Discrimination through events, programming,

training and other forms of support.

Anti-Racism and Diversity Coordinator

1. All parties agree that an Anti-Racism and Diversity Coordinator shall be hired for a term ending March 31, 2026.
2. All parties agree that the Anti-Racism and Diversity Coordinator shall be a contractor of the Municipality of the District of Chester and shall serve as the coordinator and administrative support for the Lunenburg County Anti-Racism & Anti-Discrimination Advisory Committee (ARADAC) and shall provide support for the development of local anti-racism and diversity plans to each Municipal Unit based on additional hours purchased by each unit.
3. The Anti-Racism and Diversity Coordinator will provide anti-racism and diversity expertise and inform municipal administrators of their professional responsibilities to ensure inclusive practices at each municipal unit.
4. The Anti-Racism and Diversity Coordinator may speak on behalf of the ARADAC and provide updates to respective councils. During the first year of the initiative, the Committee shall report to Councils once per quarter and thereafter, at least twice per year.
5. Not less than quarterly, the Anti-Racism and Diversity Coordinator shall meet with the CAO, or designate, of each municipal unit to assess overall service delivery in the preceding quarter and to plan for the anticipated needs of the upcoming quarter.
6. The Host Municipality is empowered to acquire or contract for the use of equipment, facilities, and personnel necessary or advisable to carry out the responsibilities assigned to the Anti-Racism and Diversity Coordinator by this Agreement.
7. Should the position of the Anti-Racism and Diversity Coordinator become vacant, it will be the responsibility of the CAO of the Municipality of the District of Chester to fill the vacancy in accordance with the hiring policies of the Municipality of the District of Chester. The selection committee shall be determined by the CAOs of the participating municipalities.
8. The parties shall share the cost of operations of the Anti-Racism and Diversity Coordinator based on an annual budget.
 - a. The cost sharing formula will be based on the Uniform Assessment of the previous year and will be adjusted annually. For 2023-24 budget year the following formula applies:

	22-23 Uniform Assessment	%
Town of Mahone Bay	\$145,777,562	2.52%
Town of Lunenburg	\$298,368,092	5.15%
Town of Bridgewater	\$715,142,664	12.35%
Municipality of the District of Chester	\$1,741,116,861	30.08%

Municipality of the District of Lunenburg	\$2,887,963,821	49.89%
TOTAL	\$5,788,369,000	100.00%

- b. The CAOs of the participating units shall recommend to the parties of this Agreement an Operating and Capital Budget by February 1 of the fiscal year prior to the fiscal year of the recommended budget. The approving parties must represent more than half of the approved budget.
 - c. Actual dollar contribution of the Municipalities shall be based on the annual budget of the Anti-Racism and Diversity Coordinator and Lunenburg County Anti-Racism and Anti-Discrimination Committee.
 - d. The Host Municipality will invoice the other contributing Municipality(s) for their portion of the actual costs that are additional to their annual contribution. Actual expenditures will be reviewed yearly and surplus funds, if any, will be credited against the participating units' following year's contribution, based on the cost sharing formula referenced to in this section herein.
 - e. In the event Anti-Racism and Diversity Coordinator requires additional money for capital or operating purposes, any such increase shall require the approval of all parties to the agreement.
9. The fiscal year of the Anti-Racism and Diversity Coordinator shall be from April 1 to March 31 of the following year.

Termination of Agreement

- 10. This Agreement has effect commencing August 1, 2023, and ending April 1, 2026.
- 11. By motion of each Council, the term of the agreement may be extended by mutual agreement.

Indemnification

- 12. Each party shall indemnify its representatives from any liability that may arise as a result of that member.

Dispute Resolution

- 13. If any disagreement arises among the parties as to the proper interpretation of this agreement that cannot be resolved, the parties shall submit the area of disagreement to an arbitrator as provided by the *Arbitration Act*.
- 14. The parties acknowledge and agree that all headings are inserted for convenience only and do not form part of the agreement.
- 15. This Agreement is governed by the laws of Nova Scotia.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by the hands of their duly authorized officers and the affixing of their respective seals the day and year first above written (15)

Dated this ____ day of _____, _____ A.D.

Signed, sealed and delivered in the presence of;

Per: _____

Municipality of the District of Lunenburg

Per _____

Witness

Carolyn Bolivar-Getson, Mayor

Per: _____

, Deputy Mayor

Per: _____

Municipality of the District of Chester

Per _____

Witness

Allen Webber, Warden

Per: _____

Floyd Shatford, Deputy Warden

Per: _____

The Town of Bridgewater

Per _____

Witness

David Mitchell, Mayor

Per: _____

Francis Kangata, Deputy Mayor

Per: _____

The Town of Mahone Bay

Per _____

Witness

David Devenne, Mayor

Per: _____

, Deputy Mayor

Per: _____

The Town of Lunenburg

Witness

Per _____

, Mayor

Per: _____

, Deputy Mayor

Subject: Snow Removal Policy – Repeal and Replace

From: Lisa Kendall, Municipal Engineer
Kayla Byrne, Municipal Clerk

Reviewed by: Tyson Joyce, Director of Public Works
Jamie Doyle, CAO

Date: October 24, 2023 – notice
November 14, 2023 – decision



Recommendation

That Council give notice to repeal Policy #41, the Snow Plowing/Salting/Hauling Snow from Street Policy, and replace it with the new Snow Removal Policy as presented.

Background

Staff are conducting a review of all Town policies and bylaws. As the [Snow Plowing/Salting/Hauling Snow from Street Policy](#) is referenced annually for snow removal operations, it was deemed a priority for review.

Discussion

The current policy mostly reads as internal staff procedures and not necessarily a high-level policy of Council. A policy is what Council aspires to do, while administrative procedures or standard operating procedures are how staff carry out daily work duties or how policies are operationalized. The current policy also has outdated sections, referencing positions that no longer exist or practices that no longer occur.

By removing operational procedures from Council's policy, staff can more easily and quickly amend daily operational practices as required.

The current policy states that Lunenburg RCMP may enforce parking regulations, including moving or having vehicles towed if the vehicle obstructs snow removal operations on a street. While the RCMP may still enforce this as per their operating procedures, the proposed policy allows Town staff to have vehicles towed if the vehicle obstructs snow removal operations on a street. The proposed policy notes that Public Works Department staff will reasonably try to find the vehicle's owner and instruct them to move it before having the vehicle towed.

The proposed policy also aims to provide clear direction on the following:

- Setting priorities and standards
- Authorities and expenditures
- Communications of snow removal practices
- Claims for possible damage to private property caused by the Town during snow removal operations

- Responsibilities related to private driveways
- Roles and responsibilities

The proposed policy also notes that the Public Works Department will determine and approve the day-to-day snow removal operations (the operational procedures).

Strategic Plan Relevance

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

Relevant Legislation

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 repealing and replacing this policy. Any reference to expenditures within the proposed policy is aligned with the annual budget and procurement processes.

Communications

The updated policy will be published on the Town's website if approved.

Attachments

- Proposed Policy

Snow Removal Policy

Date adopted by Council: **TBD**



1. POLICY STATEMENT

The Town of Lunenburg will provide snow clearing services for all municipal streets, sidewalks, and Town-owned or Town-managed parking lots. This policy helps ensure the safety, accessibility, and mobility of residents and visitors during winter weather conditions.

2. PURPOSE

This policy aims to define the responsibilities and objectives of the Town in the clearing of snow in the Town of Lunenburg.

3. APPLICABILITY

This policy applies to snow removal for streets, sidewalks and Town-owned or managed parking lots within the Town of Lunenburg.

4. GENERAL

Snow clearing operations are influenced by numerous variables that impact the practical implementation of any policies associated with them. These variables include, but are not limited to, the rate and volume of snowfall, temperature, wind speed, time of day, and staffing. Considering these variables, there will be times when the priorities or standards set by the Public Works Department related to this Policy will have to be adjusted by the management staff of the Public Works Department.

5. PRIORITIES AND STANDARDS

Through Operational Procedures approved by the Public Works Department, the Town will set priorities for the resources of the Public Works Department in clearing snow.

The Public Works Department will consider the following when setting priorities:

- The highest priority will be given to matters that affect the safety and security of the public and Town staff.
- Priority will be given to high-use areas over low-use areas within Town.

Through Operational Procedures approved by the Public Works Department, the Town will assign a priority level for all Town streets for snow clearing. In assigning these priority levels, the Public Works Department will assign higher priority to streets that:

- Have high use.
- Provide access and egress for emergency services.
- Provide access to critical institutional uses.

Through Operational Procedures approved by the Public Works Department, the Town will set standards for providing snow clearing. In setting these standards, the Public Works Department will ensure that the standards provide for reasonable safety and security of the public and staff.

6. AUTHORITIES AND EXPENDITURES

Any vehicle parked on a street that interferes with or obstructs snow removal or winter maintenance operations may be towed at the owner's expense, as directed by the Public Works Department. Public Works Department staff will reasonably try to find the vehicle's owner and instruct them to move it before having the vehicle towed.

When deemed necessary by the Public Works Department, per the Motor Vehicle Act, the Town's Traffic Authority may enforce temporary parking bans between November 15 and April 15 of each year.

Expenditures for snow clearing are under the authority of the Director of Public Works, who will endeavour to ensure expenditures are within approved budgets. In extreme conditions and when the safety of the public and staff requires it, the Director may make expenditures that will exceed the approved budgets. The Director will notify the Chief Administrative Officer immediately of any such expenditure.

7. COMMUNICATIONS

The Town will use various communication channels, including the Town's website and social media platforms, to share timely information regarding snow removal operations. Temporary street signage may be placed in affected areas, indicating the date and time of snow removal operations.

8. DAMAGE TO PRIVATE PROPERTY

At the discretion of the Director of Public Works, the Town will repair or cause to be repaired any damage to private property, which can be demonstrated to be a result of the Town's clearing of snow from streets and sidewalks. Claims for damaged property must be submitted in writing, addressed to the attention of the Director of Public Works, no later than June 30 for damage sustained during the preceding winter.

9. PRIVATE DRIVEWAYS

In clearing snow from streets and sidewalks by the Town, private driveways may be filled with snow due to plowing before or after the property owner/occupant has cleared their driveway. The Town does not take responsibility for removing snow from private driveways or walkways when this occurs.

10. ROLES AND RESPONSIBILITIES

Council: Council will approve an annual budget to clear snow and ice from the streets, sidewalks and public places within the Town of Lunenburg.

Chief Administrative Officer (CAO): The CAO will designate roles for staff to administer this policy and administrative or operational procedures.

Subject: Victoria Road Resurfacing and Watermain Renewal – Tender Award

From: Tyson Joyce, Director of Public Works

Reviewed by: Jamie Doyle, CAO

Date: October 16, 2023



Recommendation

That Council approve a revised 2023/24 Water Utility Capital Budget for the Victoria Road Watermain Renewal project in the amount of \$430,000 with funding from the Water Utility's Depreciation Funds.

That Council award the Victoria Road Resurfacing and Watermain Renewal Tender to Atlantic Road Construction and Paving for the amount of \$418,686 + HST.

Alternatives

- Not approve the revision to the 2023/24 Water Utility Capital Budget for the Victoria Road Watermain Renewal Project and instruct Staff to proceed only with the Road Resurfacing portion of the Project. With the value of this portion of the Tender less than \$100,000 (\$64,467 + HST), this would not require Council to award the Tender to proceed this way.
- Not approve the 2023/24 Water Utility Capital Budget revision for the Victoria Road Watermain Renewal Project, reject all the Tenders and defer the Watermain Renewal and Road Resurfacing Project to a later time.

Background

This Project is intended to enhance Victoria Road by improving the existing roadway and also replacing a section of the Town's existing water system that has previously been an operational issue. The details are as follows:

- Replace approximately 95m of existing 8" watermain with 10" watermain (approximately from Green Street to past Pajo's Bowling Alley) and associated fittings;
- Removal of 1,410m² of the existing top 50mm of asphalt along Victoria Road, and then re-paving it to match existing grades (from Green St to past the Community Centre entrance).

The amount approved in the 2023/24 Water Utility Capital Budget for the Victoria Road Watermain Renewal is \$300,000, including net HST. The amount approved in the 2023/24 Town Capital Budget for the Victoria Road Resurfacing is \$230,000, including net HST. Both these budgets include engineering and civil work. The intent of combining the Water and Road work scopes within the Project is to gain overall efficiencies for the work with items like mobilization, supervision, management, etc.

Discussion

The Tender for the civil work associated with the Victoria Road Resurfacing and Watermain Renewal closed on October 12.

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

Company	Tender Price (excluding HST)
Atlantic Road Construction and Paving	\$418,686
Dexter Construction	\$585,450

The resurfacing portion of the Project provides the opportunity to significantly improve the driving surface in a high volume section of the Town for traffic. Attached to this Report are some photos of the existing Summer conditions.

The work with the renewal of the watermain aims to achieve several goals:

- Replace a section of watermain that has required many repairs over the years;
- Re-align the watermain trench away from the Electrical Utility infrastructure that makes repairs a potential safety issue;
- Upsize this section of watermain along Victoria Road from 8” to 10” diameter pipe to increase the capacity of our system and better serve for planned future development along this corridor.

The breakdown of cost of the major components of Atlantic Road Construction and Paving’s bid (\$418,686 + HST) is as follows:

- Watermain Renewal: \$354,219.00 + HST
- Road Resurfacing: \$64,467.00 + HST

The composition of the Tender wording allows the Town to apply quantity variations to the Units based on funding requirements. The intention of the combined scope of the resurfacing and the watermain was to improve the main infrastructure issue (watermain) facing the Town beneath the road prior to performing the street resurfacing, but the option exists to alter the scope (due to the Budget) if required. Having said that, it wouldn’t be possible to separate out individual components of the watermain renewal to decrease this part of the scope of works where it needs to work as a complete system.

Strategic Plan Relevance

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

Financial

The amount approved in the 2023/24 Water Utility Capital Budget for the Victoria Road Water Renewal is \$300,000 with funding from the Water Utility Depreciation Reserves. The amount approved in the 2023/24 Capital Budget for Victoria Road Resurfacing is \$230,000, with the funding from Debt.

The revised Budget based on the Civil Work Tendering received is as follows:

Item	Cost including Net HST and Contingency
Watermain Replacement	\$430,000
Road Resurfacing	\$230,000
Budget	\$660,000

If this Project proceeds, it will require further budget funding of \$130,000 (including net HST) for the Watermain Renewal component. This additional funding could be sourced from the Water Utility’s Depreciation Funds.

The Road Resurfacing portion of the Project came in under the amount included in the 2023/24 Town Capital Budget. Notwithstanding this, Staff’s recommendation is that the budgeted amount remain at the level that was previously set. Through the Tendered Unit Rates, there remains the option to perform an additional quantity of resurfacing along Victoria Road to further improve its surface condition and still operate within the original budget limitations.

Attachments

Photographs of the existing condition of road surface on Victoria Road (October 16)



Subject: Nova Scotia's Proposed Built Environment Accessibility Standard

Prepared by: Lauren Isabelle, Planner & Development Officer

Reviewed by: Arthur MacDonald, Director of Community Development

Date: October 24, 2023



Recommendation

That Council direct staff to forward comments, as outlined in Attachment A, to the Accessibility Directorate for their review and consideration.

Alternatives

That Council does not provide any comments to the Accessibility Directorate.

That Council amend the proposed comments outlined in Attachment A and forward to the Accessibility Directorate for their review and consideration.

Background

The Government of Nova Scotia's Accessibility Directorate is responsible for administering the *Accessibility Act* and advancing disability issues that impact the 30% of Nova Scotians with disabilities and many others. They work collaboratively with persons with disabilities, municipalities, businesses, and others to achieve the goal of an accessible Nova Scotia by 2030. To reach this objective will require changes to the status quo. Therefore, the Accessibility Directorate has released the province's proposed Built Environment Accessibility Standard work for public review. The public review is open for 60 days and will run until October 30, 2023. The Built Environment Standard addresses barriers to accessibility in buildings and outdoor spaces. It was informed by recommendations from the Accessibility Advisory Board and developed by a working group with the involvement of nine government departments and offices.

The Town of Lunenburg adopted the Lunenburg County Accessibility Plan (2021) in compliance with the *Accessibility Act*. This plan outlines the Town's commitment to accessibility in the Built Environment through the commitment that, "Municipal buildings and outdoor spaces within the municipalities provide meaningful and equitable access for users with disabilities (p. 10).

What is the built environment?

The built environment means human-made spaces in which people live, work, learn, and play. This includes inside and outside of buildings as well as outdoor spaces such as trails, parks, and beaches.

This public review will ensure Nova Scotians have opportunities to share feedback on the proposed standard work. The *Accessibility Act* requires the involvement of persons with disabilities, the public and private sectors, and other community members in the development of accessibility standards in six areas, including the Built Environment. The feedback from the

public review will be provided to the Minister of Justice and the Accessibility Advisory Board for consideration before the standard work is finalized.

Discussion

The proposed Built Environment Accessibility Standards will impact the Town of Lunenburg both administratively as well as financially.

The proposed Built Environment Standards have five components (ways of making change).

1. Built Environment Accessibility Standard Regulations are laws that outline rights and create duties, obligations, and responsibilities for the organizations that are affected by them, such as the Town. Regulations relating to matters outside of the scope of the Building Code will be found in the Built Environment Accessibility Standard Regulations under the Accessibility Act. The Town will be required to comply with the regulations for any new construction or redevelopment beginning April 1, 2026.
2. Guidelines [p. 23] are non-mandatory guidance for organizations to make the built environment accessible. The Town will not be required to follow these guidelines, but it will likely be reasonable to do so in many cases. The Town can begin to incorporate these guidelines into projects at any time.
3. Building Code Amendments [p. 27] are changes to the Nova Scotia Building Code Regulations.” This is the main vehicle used to make change. The next update to the NS Building Code Regulations is scheduled for January 2024, but may be delayed. Regardless of the timeline, the use of the Building Code means that the changes required will be for new buildings and renovations, not retrofits to existing buildings that do not trigger the requirement for a Building Permit. The Nova Scotia Building Code Regulations have their own regulatory process and will come into force independent of the Built Environment Regulations.
4. Fire Code Amendments [p. 67] are amendments to the Nova Scotia Fire Safety Regulations. As with the building code amendments, the fire code amendments follow a regulatory process independent of the Built Environment Regulations.
5. Government Actions [p. 68] are actions Government will take to advance accessibility in the built environment.” These apply to the province. One of note is related to heritage buildings: “Government of Nova Scotia is to explore best practices for adapting buildings with a designated heritage status.

A review of the draft regulations is provided below:

- 1) Site Selection for any new building or outdoor space will require the consideration of specific accessibility criteria. (S. 3 of the Regulations)

- 2) Accessible entrances and their path leading to the entrance must provide an average light level of 50 lux. It is anticipated that this will require additional funding in future budgets. (S. 4 of the Regulations)
- 3) Where an accessible entrance is provided the Town must prepare a plan to ensure the entrance remains free from any physical obstruction and make this plan available to the public upon request. (S. 5 of the Regulations)
- 4) The development of exterior stairs, not associated with a building, that are connected to a barrier free path of travel will have design standards. These will require a complete set of building plans to enable an assessment for compliance, increasing the costs associated. (S. 6 of the Regulations)
- 5) The development of parking areas, not associated with a building, will have design standards. These will require a complete set of building plans to enable an assessment for compliance, increasing the costs associated. (S. 7 of the Regulations)
- 6) Parking Areas, whether attached to a building or not, must have a regular maintenance plan. This plan must be available to the public upon request. (S. 8 of the Regulations)
- 7) The development of accessible on-street parking will require consultation with persons with disabilities. Also, requirement that these accessible on-street parking spaces have curb ramps with colour contrast and tactile walking surface indicators and a barrier free path of travel to the sidewalk. (S. 9 of the Regulations)
- 8) New sidewalks will be required to meet design standards. This should be a major concern for Council and Public Works as many of the Town's streets simply cannot meet these standards. We would need an alternative regulation to enable compliance. Additional costs are anticipated with regards to pre-design and the development of structural plans. Recommend that Council request the Accessibility Directorate to provide alternative methods for compliance. The proposed regulations will require the Town to comply with the Geometric Design Guide for Canadian Roads (TAC) and the CSA B651 standard section 8.3.5. respecting "Alignment of pedestrian crossing components". (S. 10 of the Regulations)
- 9) Temporary sidewalks will be required to meet design standards. This should be a major concern for Council and Public Works as many of the Town's streets simply cannot meet these standards. The Street Encroachment By-law enables sidewalk cafes and accessibility ramps where the path of travel remaining is 4 feet (1200mm). The proposed regulations will require 5.25 feet (1600mm). We would need an alternative regulation to enable compliance. This will severely impact the Town's ability to have restaurants in Old Town and new sidewalk café's will simply be not enabled. Recommend that Council request the Accessibility Directorate to provide alternative methods for compliance. (S. 11 of the Regulations)
- 10) Clear accessible path of travel requires objects to be cane detectable. (S. 12 of the Regulations)
- 11) Accessible Pedestrian Signals must be included where pedestrian signals are installed. (S. 13 of the Regulations)
- 12) The Town must make their snow and ice control standards for pedestrian facilities publicly available. (S. 14 of the Regulations)
- 13) All buildings not required under the Nova Scotia Fire Code to have a Fire Safety Plan must have an Emergency Evacuation Plan that is annually reviewed. (S. 15 of the Regulations)

- 14) There are new regulations respecting the placement of defibrillators. (S. 16 of the Regulations)
- 15) Recreational Centre must have accessible lockers in compliance with new regulations. (S. 17 of the Regulations)
- 16) Requirements to include either a pool lift or sloped entry to shallow end of pool and colour contrast and tactile indications of the pool edge. (S. 17 of the Regulations)
- 17) Several specific requirements for types and percentages of seating and benches for outdoor spaces. (S. 19 and 20 of the Regulations)
- 18) Specific requirements for outdoor play spaces such as Town playgrounds shall consider both children and caregivers' accessibility. (S. 23 of the Regulations)

Strategic Plan Relevance

- 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.
- Mobility: Direction for multi-modal transportation and demand management.
- Heritage: Direction to protect and enhance existing heritage assets and to support a wider cultural narrative.
- Urban Design: Direction to enhance residents' and visitors' experience of the built environment.
- Governance: Direction to enhance internal and external relations through policies, procedures and resources.

Relevant Legislation

Nova Scotia *Accessibility Act*

Nova Scotia *Building Code Regulations*

Nova Scotia *Fire Safety Regulations*

Financial

There will be financial implications for the Town to be in compliance with the NS Built Environment Accessibility Standards.

Communications

The proposed Built Environment Standard public review period is open until October 30, 2023. A feedback questionnaire is available online: <https://accessibility-engagement.ca/built-environment-public-review>

Attachments

Attachment A – Comments to the Accessibility Directorate

Attachment B – [Proposed Built Environment Accessibility Standard \(hyperlink\)](#)

Attachment C – [Lunenburg County Accessibility Plan](#)

Attachment A

Comments to the Accessibility Directorate

It is recommended that the Town forward a letter to the NS Accessibility Directorate outlining their concerns with the NS Built Environment Standards with regards to the following:

- 1)** New sidewalks will be required to meet design standards. This should be a major concern for Council and Public Works as many of the Town's streets simply cannot meet these standards. We would need an alternative regulation to enable compliance. Additional costs are anticipated with regards to pre-design and the development of structural plans. Recommend that Council request the Accessibility Directorate to provide alternative methods for compliance. The proposed regulations will require the Town to comply with the Geometric Design Guide for Canadian Roads (TAC) and the CSA B651 standard section 8.3.5. respecting "Alignment of pedestrian crossing components". Maintaining Lunenburg's Town grid is crucial for Lunenburg to retain its World Heritage Status. (S. 10 of the Regulations)
- 2)** Temporary sidewalks will be required to meet design standards. This should be a major concern for Council and Public Works as many of the Town's streets simply cannot meet these standards. The Street Encroachment By-law enables sidewalk cafes and accessibility ramps where the path of travel remaining is 4 feet (1200mm). The proposed regulations will require 5.25 feet (1600mm). We would need an alternative regulation to enable compliance. This will severely impact the Town's ability to have restaurants in Old Town and new sidewalk café's will simply be not enabled. Recommend that Council request the Accessibility Directorate to provide alternative methods for compliance. Maintaining Lunenburg's Town grid is crucial for Lunenburg to retain its World Heritage Status. (S. 11 of the Regulations)
- 3)** Altering historic structures to meet accessibility standards will disproportionately affect Lunenburg - the Town, its residents and businesses - relative to other Nova Scotian communities because of Lunenburg's high concentration of heritage buildings. Balancing accessibility and heritage conservation can be difficult, and often requires expert design advice. For example, retrofitting buildings with accessible entrances without substantially altering them can be extremely challenging. Unsympathetic alterations to vernacular structures may jeopardize the Town's UNESCO status. Recommend that

Council request the Accessibility Directorate to provide alternative methods for compliance for heritage sites.



Subject: Dares Lake Watershed and MODL 2040 Zoning

From: Arthur MacDonald, Director of Community Development

Reviewed by: Tyson Joyce, Director of Public Works

Date: October 24, 2023

Recommendations

That Council supports the Municipality of the District of Lunenburg (MODL)'s initiative to undertake and implement land use zoning provisions for the Dares Lake natural watershed area subject to MODL's consideration of the comments presented in Attachment A.

That Council direct staff to establish an advisory committee and terms of reference, which will also be forwarded to MODL Council for its consideration.

Alternatives

- Not provide MODL support to undertake and implement land use zoning provisions for the Dares Lake natural watershed area as presented.
- To provide MODL with alternatives to their proposal to undertake and implement land use zoning provisions for the Dares Lake natural watershed.
- Not proceed with the development of a Dares Lake Watershed Advisory Committee at this time.

Background

The Town's potable water supply comes from the Dares Lake Prescribed Watershed located within the Municipality of the District of Lunenburg (MODL). The Prescribed Watershed was created in 1972 when roughly 900 acres of land surrounding and including Dares Lake was designated as a protected water area under the Nova Scotia Water Act (known today as the Environment Act). Provincial regulations were approved to protect the water supply against potentially harmful activities such as animal pasturing, fishing, boating etc. The current Dares Lake prescribed watershed designation is attached in **Attachment B** and the Dares Lake Regulations are provided in **Attachment C**.

The Town used to have a "Source Water Protection Advisory Committee" (est. 2005) which developed the current Source Water Protection Management Plan which was recently reviewed by Town staff in 2020 which is available at [Plans and Studies - Town of Lunenburg](#). Staff is recommending that the Town establish a new "Source Water Protection Advisory Committee" with a new "Terms of Reference" as outlined in **Attachment D**. The intent of the new Committee will be to review the natural watershed for possible inclusion into the Designated Prescribed Watershed Area under the Environment Act

(include both the PWA-1 and PWA-3 Use Zones) and consider the development of new Prescribed Watershed Area Regulations under the Environment Act.

Discussion

MODL presented to Council an outlined of their planning approach for the Dares Lake Watershed on July 11, 2023. A copy of their PowerPoint presentation is attached in **Attachment E**.

MODL intends to take a two-tier zone approach for the protection of the natural watershed area. PWA-1 will be the most restricted zone and match the existing Prescribed Dares Lake Watershed. PWA-3 will be less restricted and cover the remaining areas of the Dares Lake natural watershed. The uses permitted in each zone are outlined below:

Zone:	Uses:	Setbacks:
PWA-1	<ul style="list-style-type: none"> • municipal water operations and treatment facilities; • open space; • conservation; • existing residential use; • associated accessory uses. 	<ul style="list-style-type: none"> • 75m setback and vegetative buffer from all watercourses.
PWA-3	<ul style="list-style-type: none"> • residential use; • commercial use; • agricultural use; • renewable energy; • open space. 	<ul style="list-style-type: none"> • 35m vegetative buffer from all watercourses. • 100m livestock setback from all watercourses.

Erosion and sedimentation mitigation plans adhering to erosion control standards will apply to all developments in the PWA-1. The 35m vegetated buffer and the 100m livestock buffer are deemed adequate to protect Dares Lake from associated impacts due to erosion and sedimentation from developments in the PWA-3 zone. It should be noted that the MGA does not enable Land Use By-laws to regulate the alteration to land levels that are not associated with a development.

Subdivisions approval will be limited to 2 acre lots and developments will be restricted to 10% lot coverage in the PWA-1. The creation of lots within the PWA-3 zone will be administered under the Environment Act for on-site systems in a similar fashion to other zones throughout the municipality.

MODL’s development of land use provisions for Dares Lake Watershed are a huge step forward. They have reached out to the Town to provide comments and/or concerns and staff have developed a response as outlined in **Attachment A** for Council’s consideration. It is recommended that Council provide their comments and/or concerns to MODL to help them finalize their proposed land Use By-law provisions for Dares Lake.

Strategic Plan Relevance

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

Servicing and Facilities: Direction to ensure efficient infrastructure, and that municipal facilities are properly managed and maintained for future use.

Environment + Sustainability: Direction to foster environmental stewardship and adapt to climate change.

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

Relevant Legislation

The Municipal Government Act (MGA).

Environment Act

Financial

It is anticipated that the initial costs can be absorbed through the Community Development Department. However, down the road there will be surveying costs to delineate the new prescribed watershed area and the drafting of a new legal description. In addition, additional legal fees will be associated with reviewing and filing the new designation and regulations with the Department of the Environment and Climate Change.

Communications

MODL will undertake further public engagement with regards to their implementation of a new Municipal Planning Strategy and Land Use By-law. If Council agrees to the prospect of formulating a "Source Water Protection Advisory Committee", positions on the committee will be advertised and members will be appointed by a motion of Council at a later date.

Attachments

A - Comments for MODL's Consideration

B – [Dares Lake Designation \(Environment Act\)](#)

C - [Dares Lake Regulations \(Environment Act\)](#)

D – Proposed Source Water Protection Advisory Committee's Terms of Reference

E - MODL PowerPoint Presentation

ATTACHMENT A
Comments for MODL's Consideration

It is recommended that Council consider the following items for MODL's consideration:

- 1)** The uses in the proposed PWA-3 Zone should exclude "commercial uses" except those that are considered Home Based Businesses. If "commercial uses" are included, they should explicitly prohibit service stations, fuel depots and similar uses that may include the storage of petroleum products or hazardous materials.
- 2)** Non-conforming uses should be regulated pursuant to the Municipal Government Act in both the PWA-1 Zone as well as the PWA-3 Zone.
- 3)** Subdivisions in the PWA-1 Zone should be prohibited or the 2-acre minimum lot size should be increased to a 5-acre minimum lot size to discourage the creation of new lots, and subsequently new developments, in the PWA-1 Zone.
- 4)** Subdivisions in the PWA-3 Zone should be limited to 2-acre minimum lot size and 10% lot coverage.

ATTACHMENT D
TOWN OF LUNENBURG WATER UTILITY
SOURCE WATER PROTECTION ADVISORY COMMITTEE
TERMS OF REFERENCE
PROPOSED

INTRODUCTION

The Town of Lunenburg's Source Water Protection Advisory Committee (SWPAC) will use these Terms of Reference to develop and implement a revised Prescribed Watershed Designation and a revised Prescribed Watershed Regulations under the Environment Act for the Dares Lake watershed. The Nova Scotia Department of Environment will provide guidance to the Advisory Committee in developing the revised Designation and the revised Regulations.

DARES LAKE WATERSHED

Dares Lake watershed is located approximately four (4) kilometers northwest of the Town of Lunenburg. The existing prescribed designated watershed is approximately 900 acres in area. The surface area of the lake is approximately 400 acres in area. The majority of land within the watershed is privately owned. The Town of Lunenburg owns approximately 83 acres of land within the existing Prescribed Dares Lake watershed and approximately 200 acres of land in the natural watershed area.

SOURCE WATER PROTECTION ADVISORY COMMITTEE PURPOSE

The primary purpose of the Advisory Committee is to designate the natural watershed area of Dares Lake as a prescribed protected watershed pursuant to the Nova Scotia Environment Act and develop and implement new regulations for the new prescribed protected watershed area.

ROLE OF THE SOURCE WATER PROTECTION ADVISORY COMMITTEE

1. Provide a method for all stakeholders to get involved and share information on matters of watershed protection.
2. Identify and designate the natural watershed boundary of the Dares Lake watershed as a prescribed protected watershed pursuant to the Nova Scotia Environment Act.
3. Identify and implement regulations for the prescribed protected natural watershed area pursuant to the Nova Scotia Environment Act.

DISSOLVING OF THE SWPAC

Upon the completion of the implementation of designating the new prescribed protected natural watershed of Dares Lake and the implementation of regulations for the new prescribed natural watershed area, Council of the Town of Lunenburg shall dissolve the SWPAC.

VOTING MEMBERSHIP

Lunenburg Town Council 2 members
Municipality of the District of Lunenburg 1 member
Dares Lake landowners 2 members

EX OFFICIO MEMBERSHIP

Director of Public Works of the Town of Lunenburg
Director of Community Development of the Town of Lunenburg
Municipal Planner of the Municipality of the District of Lunenburg
Nova Scotia Department of Environment and Climate Change staff member

OPERATION OF THE SOURCE WATER ADVISORY COMMITTEE

1. Chairperson and Vice-Chairperson will be appointed by the Committee on or about the 1st of April each year.
2. Each member may appoint an alternate to attend meetings in their absence.
3. The Town of Lunenburg will prepare minutes for all meetings.
4. The Committee will attempt to resolve issues by a consensus of the members entitled to vote on issues. If a consensus cannot be reached, then a vote shall be taken of which at least 50% or more of the voting members of the committee will have to be in favor in order for a motion to pass (a minimum of 3 of the 5 voting members). Three voting members will constitute a quorum.
5. The Chairperson shall act as spokesperson for the Committee.
6. Amending the Terms of Reference will require the approval of the Town of Lunenburg.



DRINKING WATER

Ella R. Gindi, Planner I



AGENDA

Background

Policy Recommendation and Justification

Implications

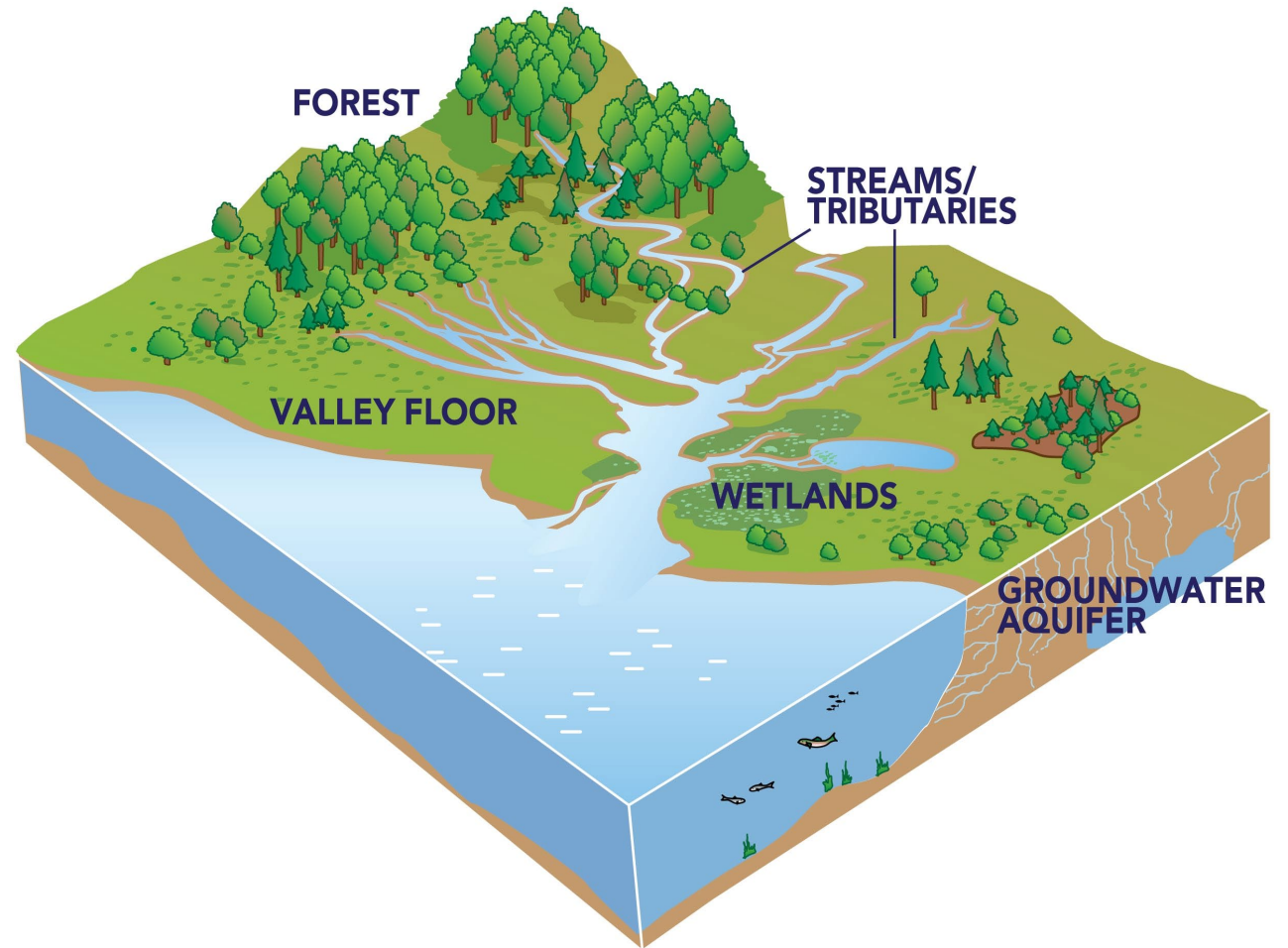


STATEMENTS OF PROVINCIAL INTEREST(SPI)

SPI	Goal
Drinking Water	To protect the quality of drinking water within municipal water supply watersheds
Flood Risk Areas	To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.
Agricultural Land	To protect agricultural land for the development of a viable and sustainable agriculture and food industry.
Infrastructure	To make efficient use of municipal water supply and municipal wastewater disposal systems.
Housing	To provide housing opportunities to meet the needs of all Nova Scotians.

WHAT IS A WATERSHED?

A watershed is an area of land where all water flows down to the lowest point, through streams, rivers and underground, ultimately to the sea



BACKGROUND



A safe drinking water supply is a basic requirement for all Nova Scotians



Address the protection and safe supply of drinking water



Stakeholder engagement with neighbouring Towns

POLICY AND REGULATION DEVELOPMENT

Defining Roles

MODL's Role: enabled via Municipal Government Act and Statement of Provincial Interest to regulate and enforce Land-Uses

Water Utility Role: Enabled via the Environment Act to regulate and enforce activities
- Complementary regulatory approach

Guiding Principles

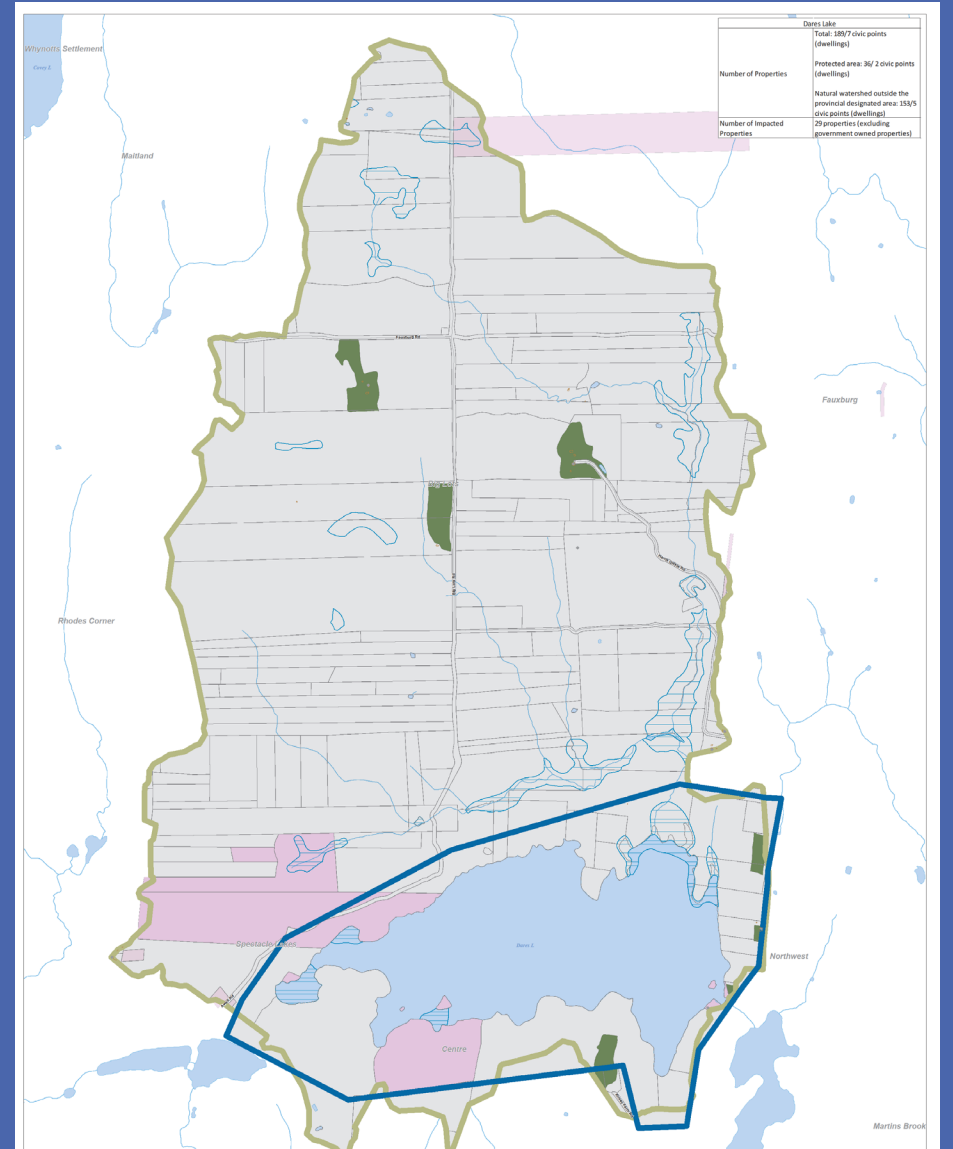
Comply with Provincial Requirements

Consistent regulatory approach

Consider the implications for landowners

CURRENT LAND USE: DARES LAKE

- Government
- Agriculture
- Forestry
- 189 properties/ 7 dwellings (civic points)



Part D; Environment and Climate - Drinking Water

Dares Lake Water Supply

- Civic Points
- Buildings (LDAR)
- Roads
- PWA-1
- PWA-3
- Wetlands
- Crown Lands
- Government Lands
- Agriculture

0 100 200 400 600 800 Metres

Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Annapolis, NS

Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.

Date: February 2023

Prepared By: Planning & Development Services
Municipality of the District of Lunenburg

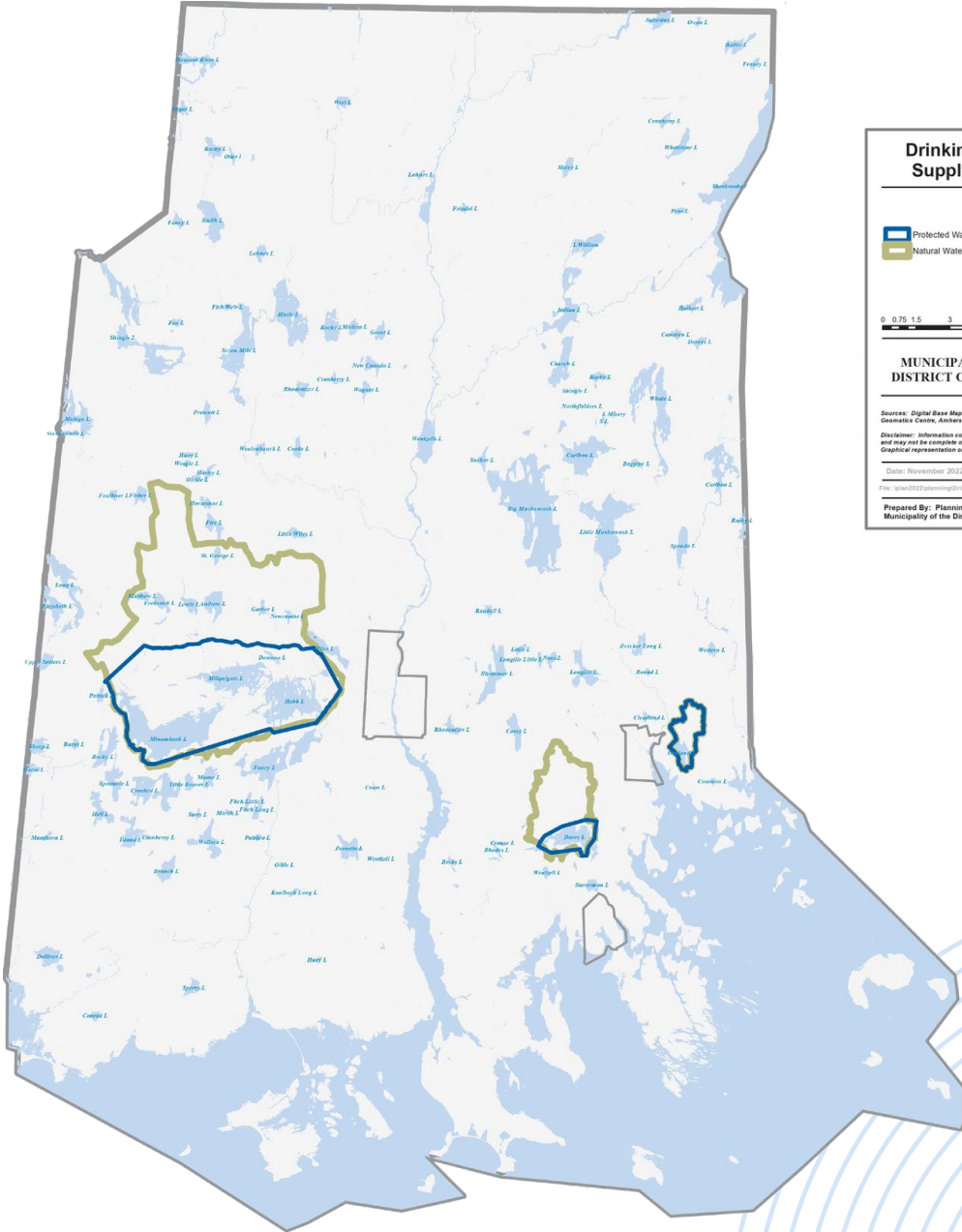
MODL2040

1. NATURAL WATERSHED

Acknowledge and protect the entire natural watershed to mitigate contamination downstream and safeguarding drinking water quality.

Why?

- 1970s Ground truthing
- Planning documents to identify the natural drainage area
- Mitigate downstream contamination



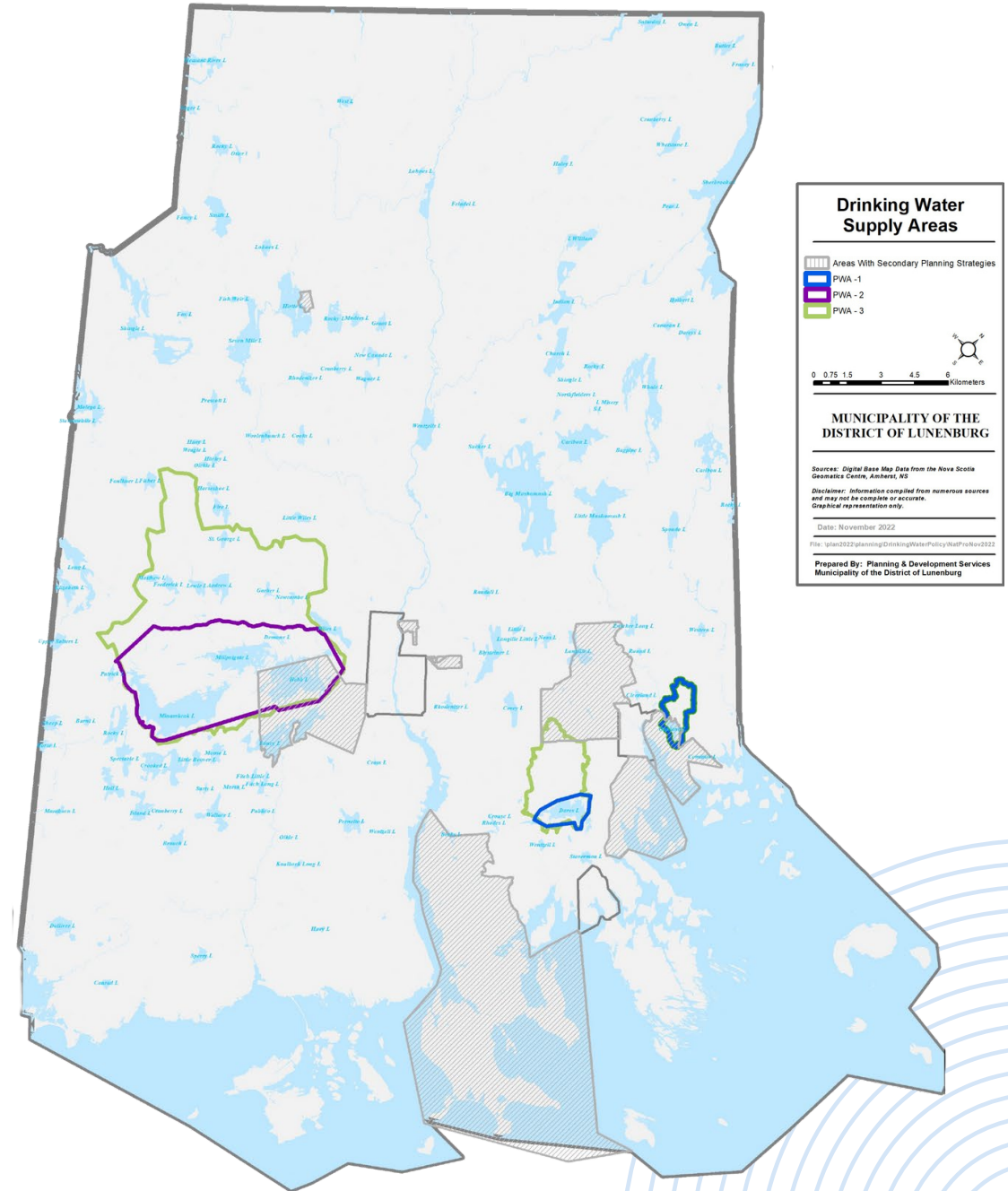
2. ZONING

Establish Three Protected Watershed Area Zones:

PWA-1: Most restrictive zone and proposed to match the boundaries of the Oakland and Dares lakes PWAs

PWA-2: Intermediate restrictive zone and proposed to match the boundaries of the Hebb, Milipsigate and Minamkeak Lakes PWAs, The land use controls would be less stringent as compared to PWA-1.

PWA-3: Least restrictive zone proposed to apply to the areas within the natural watersheds of Dares, Hebb, Milipsigate, and Minamkeak Lakes but outside the existing PWAs. This zone would contain the least stringent land use controls.

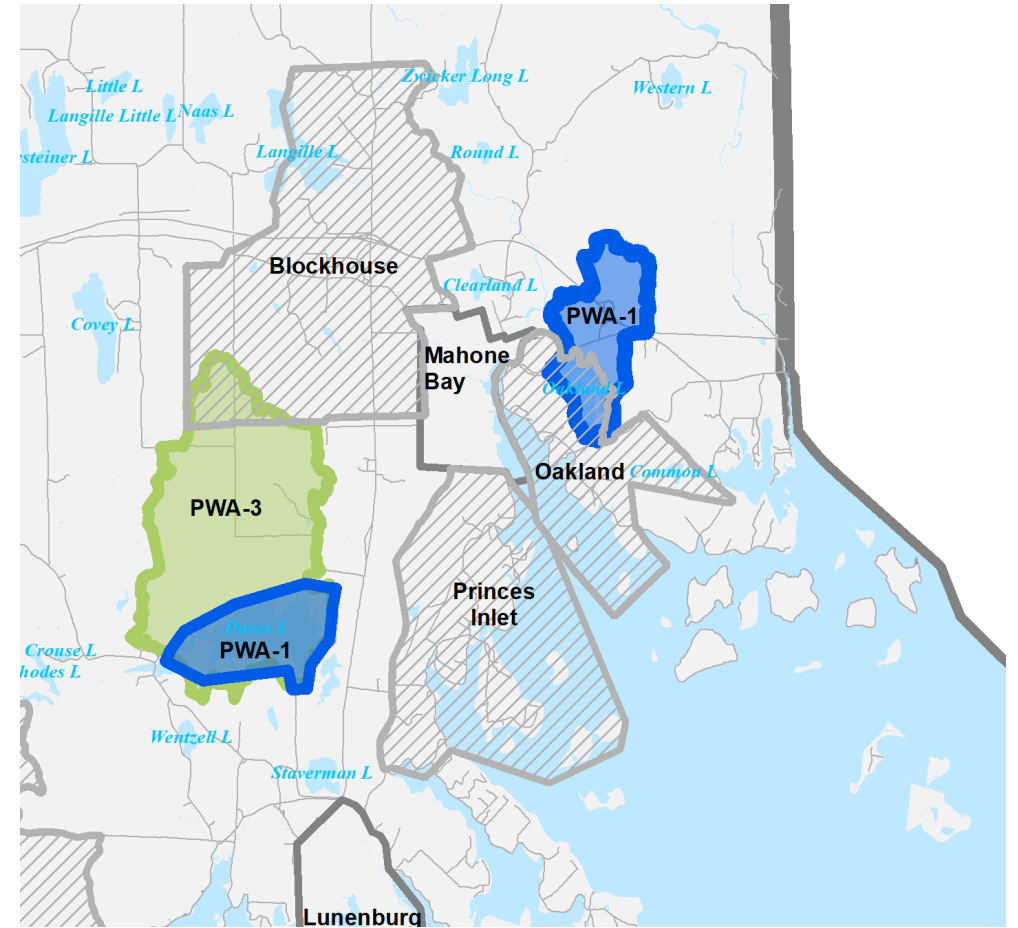


PWA-1: Most restrictive zone and proposed to match the provincial designated boundaries of the Oakland and Dares lakes PWAs.

Permitted Land Use: municipal water operations and treatment facilities, open space, conservation, existing residential use, and associated accessory uses

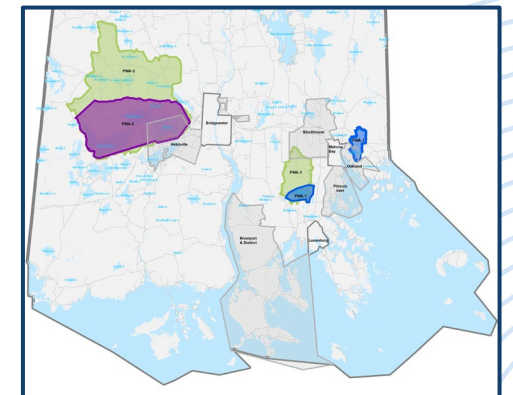
Why:

- Common practice to permit municipal water facilities, and related conservation uses in PWA.
- Oakland and Dares Lakes are smaller
- Acid Rock Darinage
- Contamination



Watersheds

- ▨ Areas With Secondary Planning Strategies
- ▭ PWA -1
- ▭ PWA -2
- ▭ PWA -3

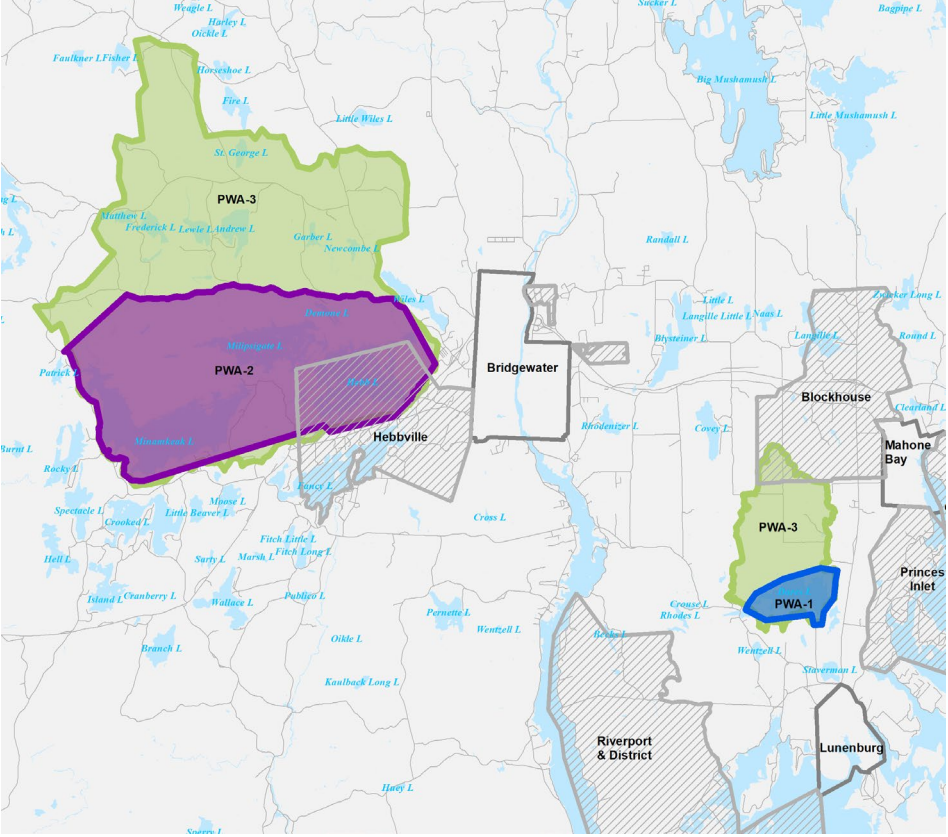


PWA-3: Least restrictive zone proposed to apply to the areas within the natural watersheds of Dares, Hebb, Milipsigate, and Minamkeak Lakes

Permitted Land Use: residential use, commercial use, institutional use, agricultural use (follow the setback requirement for the keeping of livestock), renewable energy and open space.

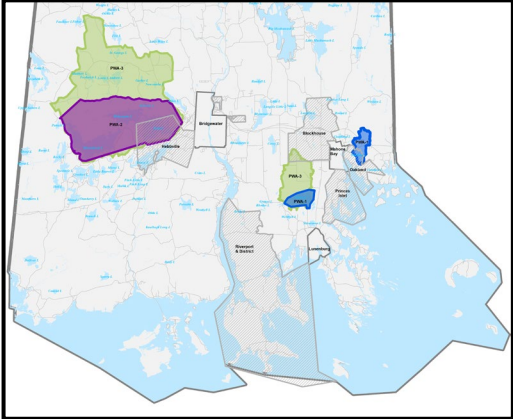
Why:

- Natural watershed
- Further away from the lakes
- Down stream Contamination



Watersheds

- ▨ Areas With Secondary Planning Strategies
- PWA -1
- PWA -2
- PWA -3



MODL2040



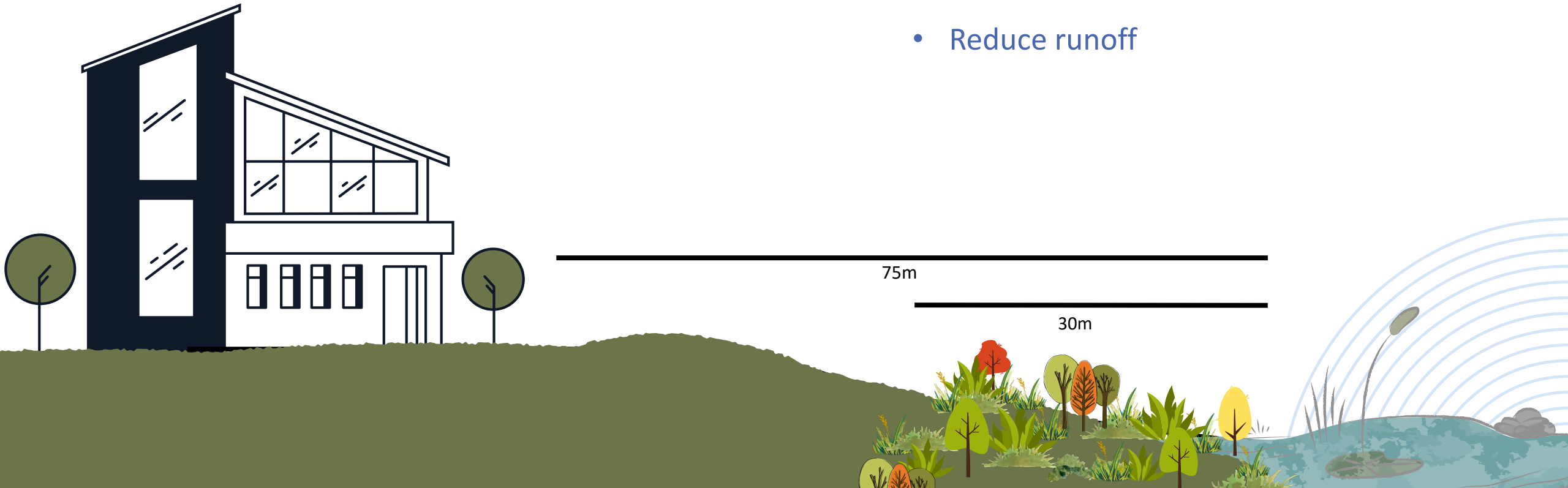
3. SETBACK AND VEGETATIVE BUFFER

Establish appropriate setbacks and vegetative buffers to protect water quality in each zone.

- 35m vegetative buffer in PWA-3 Zone
- 75m setback and vegetative buffer in PWA-1 and PWA-2 Zones
- 100m livestock setback in PWA-3 Zone

Why:

- Integrated planning tool to protect water quality
- Prevent soil erosion
- Capture and filtrate nutrients
- Reduce runoff

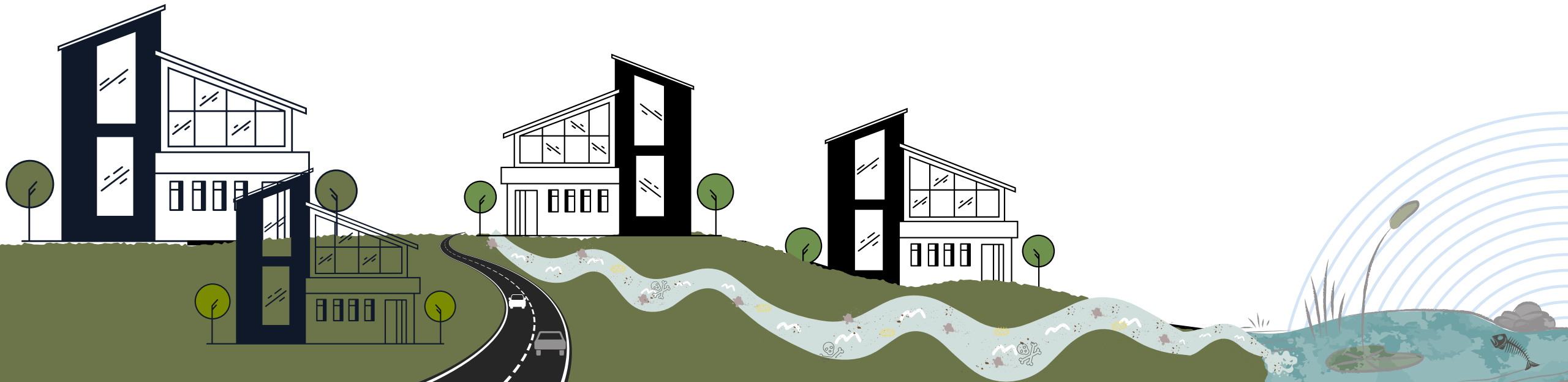


4. EROSION AND SEDIMENTATION MEASURES

In relation to development, require an erosion and sedimentation mitigation plan adhere to erosion control standards that may include but are not limited to minimizing erosion and sedimentation during excavation or infilling, retaining, and replanting natural vegetation and other measures to prevent or minimize erosion on land near a significant watercourse.

Why:

- Sedimentation
- Stormwater pollution
- Runoff
- Human-made practices
- Costly to fix
- Best Practice

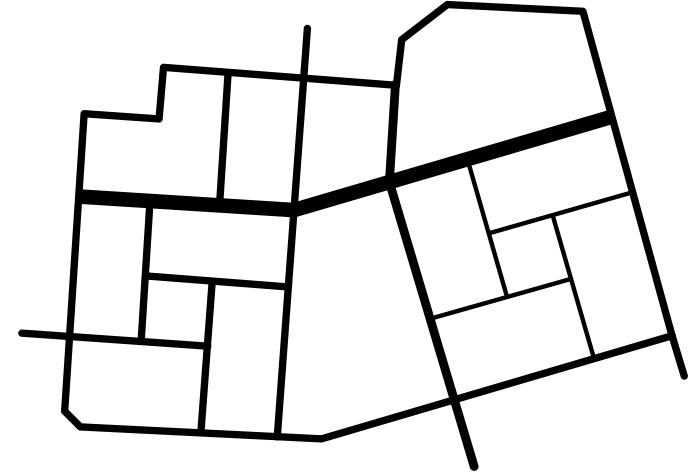


5. LOT SIZE & LOT COVERAGE

Regulating lot coverage to reduce surface runoff by minimizing impervious surfaces by regulating a 2 acres lot to enable only 10% lot coverage.

Why:

- SPI
- Impervious surface
- Low Density
- Water Quality



6. LEGAL NON-CONFORMING LAND USE

Apply regulation considering the expansion or redevelopment of existing nonconforming uses, or a change in use to a less harmful use within any PWA-1 and PWA-2 Zones.

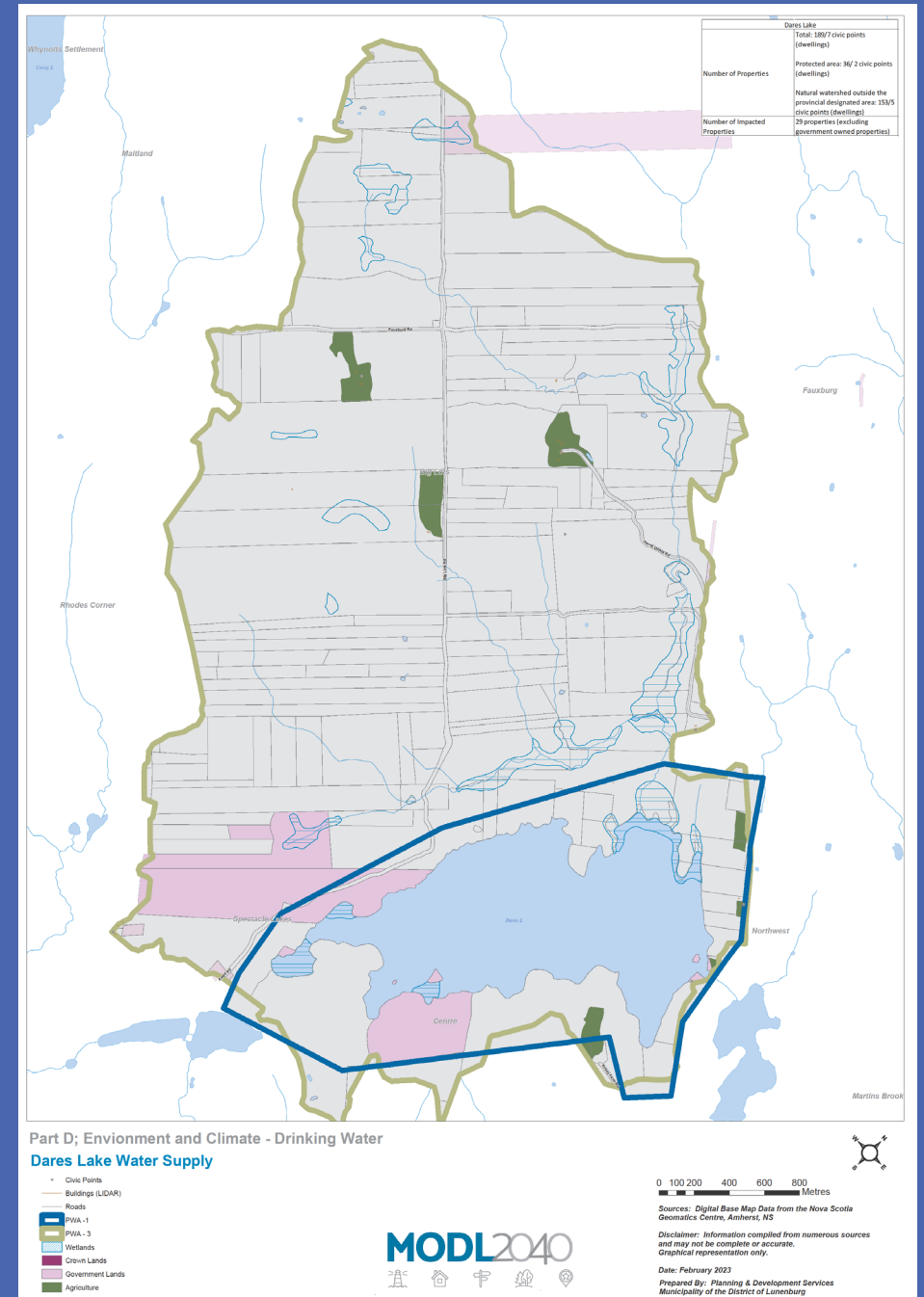
Why:

- Statement of Provincial Interest
- Record management
- Development controls



IMPLICATIONS: DARES LAKE

- **Number of properties Total: 189**
 - Existing Protected Area: 36 properties/ 2 dwellings
 - Natural Watershed: 153 properties/ 5 dwellings
- **Number of impacted properties: 29 properties**
(excluding properties owned by the Town of Lunenburg)



THANK YOU!

ANY QUESTIONS

