

MUNICIPALITY OF THE DISTRICT OF LUNENBURG  
Minutes of a Meeting of  
**MUNICIPAL COUNCIL**  
Held in Council Chamber, 210 Aberdeen Road, Bridgewater, NS  
**Tuesday, February 25, 2020 – 9:00 a.m.**

**ATTENDANCE**

Mayor Carolyn Bolivar-Getson  
Deputy Mayor Eric Hustvedt, District 1  
Councillor Martin Bell, District 2  
Councillor Lee Nauss, District 3  
Councillor John Veinot, District 4  
Councillor Cathy Moore, District 5  
Councillor Claudette Garland, District 6  
Councillor Wade Carver, District 7  
Councillor Michael Ernst, District 8  
Councillor Reid Whynot, District 9  
Councillor Errol Knickle, District 10

Staff: Tom MacEwan, Chief Administrative Officer  
Alex Dumaresq, Deputy CAO  
Sherry Conrad, Municipal Clerk  
Sarah Kucharski, Communications Officer  
Tina Robichaud-Bond, Executive Assistant

**1. CALL TO ORDER**

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m. and began by acknowledging that the meeting was held in Mi'kma'ki, the traditional territory of the Mi'kmaq people.

**2. ANNOUNCEMENTS/ACKNOWLEDGEMENTS/RECOGNITION**

Councillor Ernst announced that Cermaq Canada would be holding four open house information sessions in the area: March 2<sup>nd</sup> at the Royal Canadian Legion Branch 44 in Chester; March 3<sup>rd</sup> at the Blandford Community Centre in Blandford; and two meetings at the Hubbards Fire Hall in Hubbards on March 5<sup>th</sup>.

**2.1 Proclamation – Nova Scotia Lobster Day, February 28<sup>th</sup>**

Mayor Bolivar-Getson proclaimed February 28 as Nova Scotia Lobster Day in the Municipality of the District of Lunenburg.

Mayor Bolivar-Getson acknowledged and thanked the 1<sup>st</sup> Responders involved in the recent evacuation of Drumlin Hills. She noted that several departments from the Municipality provided support to the Bridgewater Fire Department, and that the Regional Emergency

Management Organization worked with various agencies to organize busses to evacuate the residents and provide them with a warm and comfortable place to remain while waiting to be returned to their homes.

**3. PUBLIC INPUT - Nil**

**4. APPROVAL OF AGENDA**

The following item was requested to be added to the In Camera portion of the Agenda:

Item 14.3 – Litigation update under Section 22(2)(f) of MGA

**Moved by Councillor Moore, seconded by Councillor Bell that the Agenda be approved with the addition of Item 14.3 Litigation update under Section 22(2)(f) of the MGA. Carried unanimously.**

**5. APPROVAL OF MINUTES – February 11, 2020**

**Moved by Deputy Mayor Hustvedt, seconded by Councillor Nauss that the Minutes of the February 11, 2020 Council meeting be approved as circulated. Carried unanimously.**

**6. BUSINESS ARISING FROM MINUTES & UNFINISHED BUSINESS**

Councillor Ernst gave notice that he would be bringing forward to the meeting of March 10<sup>th</sup> or March 24<sup>th</sup> a motion that was postponed at the February 11, 2020 Council meeting regarding a proposed letter of support on behalf of residents of District 8 and District 10 who do not want open-pen fish farming in local waters.

**6.1 Solid Waste Collection & Disposal By-law – 2<sup>nd</sup> Reading**

Ms. Conrad reported that Council gave notice of its intention to repeal the existing Solid Waste Collection and Disposal By-law and replace it with a new by-law, as presented (circulated with the Agenda) at the January 28, 2020 Council meeting; that notice of Council's intention to conduct Second Reading was placed in the local paper, and that no written submissions were received.

No members of the public were in attendance to speak to the repeal and replacement of the By-law.

**Moved by Councillor Moore, seconded by Councillor Garland that Municipal Council hereby conduct Second Reading to repeal the existing Solid Waste Collection & Disposal By-law that was adopted by Council on February 19, 2014 and amended on June 24, 2014 and to replace it with the new By-law Respecting Solid Waste Collection and Disposal.**

**The Motion on the floor was voted on and carried unanimously.**

**7. AWARDING OF TENDERS/RFPs****7.1 Award of RFQ 2019-05-306 – 2019/2020 ¾ Ton Truck**

Jason McCarthy, Park Supervisor, was in attendance.

Mr. Dumaresq reviewed the report, “RFQ Award: 2019-05-306 – 2019/2020 ¾ Ton Truck” (circulated with the Agenda) and advised that Pothier Motors Ltd. was recommended for the award.

**Moved by Councillor Ernst, seconded by Councillor Moore that Municipal Council award Request for Proposal 2019-05-306 ¾ Ton Truck to Pothier Motors Ltd. in the amount of \$55,013.96 plus HST.**

A discussion followed regarding the lack of local bids. Council was assured that local businesses were provided the information. It was noted that, although there are no local dealerships on the provincial standing offer list, the RFQ was open to all dealerships.

A question was raised as to why the Municipality bought new vehicles versus used or leased vehicles, and whether vehicles are undercoated. It was advised that based on the wear and tear on municipal vehicles, leasing was not a viable option, and Mr. McCarthy reported that the vehicles purchased for the Recreation Department in the past were used vehicles and that he ensures their maintenance included undercoating.

Mr. Dumaresq said that he would check on whether the Municipality’s new vehicles were undercoated.

**The Motion on the floor was voted on and carried unanimously.**

**9. CONSIDERATION OF CORRESPONDENCE (Nil)****10. RECOMMENDATIONS FROM COMMITTEES & BOARDS****10.1 Policy & Strategy Committee****10.1.1 2020 Election Office**

**Moved by Councillor Bell, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Policy & Strategy Committee and establish the 2020 Election Office at 373 King Street, Bridgewater, commencing May 1, 2020. Carried unanimously.**

Councillors Garland and Whynot declared a Conflict of Interest on Items 10.1.2 and 10.1.3 as they are members of a Homeowners Association and left the table.

### **10.1.2 Proposed By-law Respecting the Maintenance and Improvement of Private Streets re Repeal & Replace – 1<sup>st</sup> Reading**

Moved by Councillor Veinot, seconded by Councillor Bell that Municipal Council accept the recommendation of the Policy & Strategy Committee and give notice of its intention to repeal the By-law Respecting the Maintenance and Improvement of Private Streets approved by Council on April 12, 2005 and amended on February 14, 2006, October 9, 2007 and February 17, 2009 and replace it with the Private Roads By-law, conduct First Reading of the same and give notice of Second Reading; and further, that Municipal Council direct staff to develop supplementary materials regarding road maintenance for the residents living on a private road. Carried unanimously.

### **10.1.3 Amendment to Policy MDL-58 Fees**

Moved by Councillor Carver, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Policy & Strategy Committee and amend Section 5.0 of Policy MDL-58 Fees by adding the following wording, “with the exception of the Private Road Maintenance and Improvement Charge” to the end of the sentence. Carried unanimously.

Councillors Garland and Whynot returned to the table.

### **10.1.4 Repeal & Replace – MDL-52 Municipal Safety Program Policy & Safe Work Practices**

Moved by Councillor Knickle, seconded by Councillor Nauss that Municipal Council accept the recommendation of the Policy & Strategy Committee and repeal MDL-52 Municipal Safety Program Policy and Safe Work Practices approved by Council on October 13, 2009 and amended on October 23, 2012 and replace it with the proposed new Occupational Health and Safety Policy, as presented. Carried unanimously.

## **10.2 Nominating Committee**

### **10.2.1 Appointments to Sawpit Wharf Committee**

Moved by Councillor Moore, seconded by Councillor Knickle that Municipal Council accept the recommendation of the Nominating Committee and appoint Jason Pittman and Bill Towndrow and reappoint Bud Risser, Tina Risser, David Silver, and Angus Morris for three-year terms to serve as member-at-large appointments on the Sawpit Wharf Advisory Community Committee. Carried unanimously.

## **11. STAFF REPORTS**

### **11.1 Planning Department**

#### **11.1.1 Development Agreement Amendment (PL200006)**

Byung Jun Kang, Planner, was in attendance.

Mr. Kang reviewed his report, “PL200006 – Development Agreement Amendment 500 Highway 325, Blockhouse (Boulangerie La Vendéenne)” (circulated with the Agenda).

**Moved by Councillor Ernst, seconded by Councillor Bell that Municipal Council forward the Development Agreement amendment application, submitted by Mr. David Unterweger, to the Blockhouse Area Advisory Committee for review and recommendation to the Planning Advisory Committee. Carried unanimously.**

#### **11.1.2 Pre-Budget Approval for New Planner Position**

Jeff Merrill, Director of Planning and Development Services, was in attendance.

**Moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council provide pre-budget approval of up to \$90,000 to hire a Planner or Senior Planner.**

It was noted that hiring a new planner was a result of the Province’s requirement for municipalities to have mandatory planning in place by December 2022, and that the position was a full-time permanent position.

**The Motion on the floor was voted on and carried. Opposed: Councillor Ernst**

### **11.2 Administration Department**

#### **11.2.1 Proposed Ban on Election Signs**

Mr. MacEwan reviewed his report, “Campaign Election Signs” (circulated at the meeting and attached to Minutes) and advised of the steps required to regulate or prohibit the use of campaign signs in the Municipality.

- Amend the MPS
- Adopt a Land Use By-law for the entire jurisdiction
- Adopt a by-law dealing with provincial roads and ROWs
- Public Consultation

Mr. MacEwan advised that a project like this would take several months to complete and that other projects would have to be removed from the Planning Department’s work plan. A discussion followed regarding the Planning Department’s current projects.

Staff was directed to include the matter of a policy to eliminate elections signs in the Municipality for consideration as part of the Mandatory Planning Project process, and have the policy in place by December 2022.

## **12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS**

### **12.1 Limits of Council's Role re Current Aquaculture Issue**

Mr. Dumaresq declared a Conflict of Interest and left the table.

Deputy Mayor Hustvedt stated that since the current aquaculture issue had come to Council's attention, he has heard from many residents and groups expressing their concerns. He suggested that, traditionally, Council's role with non-municipal issues was to listen to residents and forward their concerns to the Province.

It was questioned that research takes time and should Council be using valuable time researching topics that they had no control over.

Discussions followed regarding:

- Jurisdiction of municipal council
- Personal views vs council responsibilities
- Communication of resident concerns

**Moved by Deputy Mayor Hustvedt, seconded by Councillor Moore that Municipal Council recognizes the widespread environmental concerns of our residents to open net pen fishing and the companion opposition to any new such sites along our municipal shores; and that such resolution be forwarded to the Nova Scotia government.**

It was clarified that the motion was to pass along concerns of residents regarding open pen fish farms in the local area.

**The Motion on the floor was voted on carried. Opposed: Councillor Garland**

Mr. Dumaresq returned to the table.

## **8. PRESENTATIONS/SCHEDULED TIMES**

### **8.1 Citizens for Public Transit, Stewart Franck**

Stewart Franck, Chair of Citizens for Public Transit in Lunenburg County, was in attendance.

Mr. Franck gave a presentation on Citizens for Public Transit (circulated with the Agenda), providing information on the following:

- Who are "Citizens for Public Transit" (CPT)?
- What does CPT do?
- Benefits of Public Transportation

- Goals for Regional Transit Service
- Next Steps
- Feasibility Study: Public Transit

Councillor Whynot left the meeting at 10:45 a.m. for a fire call.

Mr. Franck asked that Council direct staff to review and study the Citizens for Public Transit Feasibility Study to identify needs, investigate partnerships, and develop a public transit model to address the needs of municipal residents.

**Moved by Deputy Mayor Hustvedt, seconded by Councillor Nauss that Municipal Council refer the presentation from the Citizens for Public Transit to the Policy and Strategy Committee for consideration.**

Discussions followed regarding connecting routes to various parts of the Municipality and suggestions were made to enable connections, i.e., shuttle.

Councillor Whynot returned to the meeting at 11:06 a.m.

**The Motion on the floor was voted on and carried unanimously.**

Mr. Franck left the meeting.

## **8.2 New Administration Building Update – Andrew Amos, Catalyst**

This matter was postponed to the Council meeting of March 10, 2020.

## **12. MAYOR'S/DEPUTY MAYOR'S/COUNCILLORS' MATTERS**

### **12.2 Deputy Mayor's Update**

Deputy Mayor Hustvedt advised that he attended agenda briefings and a funding announcement regarding a new trail that would connect the MARC trail to the Adventure Trail (see attached map).

### **12.3 Mayor's Update**

Mayor Bolivar-Getson advised that she attended meetings regarding internet service and economic development, and met with residents concerning open pen fish farming, forestry matters, and transportation networks.

## **13. ADDED ITEMS**

### **14.3 Litigation update under Section 22(2)(f) of the MGA**

**14. IN CAMERA**

**At 11:22 a.m., it was moved by Councillor Whynot, seconded by Councillor Moore that Municipal Council go In Camera to discuss the following items:**

- 14.1 Contract Negotiations re LCLC Agreement under Section 22(2)(e) of the MGA**
- 14.2 Contract Negotiations re Internet Services under Section 22(2)(e) of the MGA**
- 14.3 Litigation update under Section 22(2)(f) of the MGA**

**Carried.**

Municipal Council In Camera in session.

**At 12:26 p.m., it was moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council come out of In Camera and return to open session. Carried.**

Municipal Council in session.

**15. ADJOURNMENT**

**There being no further business at 12:27 p.m., it was moved by Councillor Whynot, seconded by Councillor Moore that the meeting adjourn. Carried.**



# Municipality of the District of Lunenburg

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## REPORT TO COUNCIL

**REPORT TO:** Mayor and Council  
**SUBMITTED BY:** Tom MacEwan, CAO  
**DATE:** February 25, 2020  
**RE:** Campaign Election Signs

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### **DIRECTION**

Council expressed an interest in exploring the possibility of banning the use of campaign signs in the Municipality and directed Staff to review and report back to Council.

### **LEGISLATIVE AUTHORITY**

*Municipal Government Act*, subsection 220(5)(b) provides:

“Where a municipal planning strategy so provides, a land-use by-law may regulate or prohibit the type, number, size and location of signs and sign structures.”

### **ISSUE**

In order to regulate or prohibit signage, the MGA requires that such action be supported in a Municipal Planning Strategy (“MPS”) with the particulars of the regulation or prohibition contained in a land use by-law.

MODL has an MPS for the entire Municipality; however, its single purpose is to set up the framework for the Secondary Planning Strategies and Subdivision By-law. Regional planning was rejected in the mid-1970’s, consequently, municipal-wide planning is not addressed in the MPS. Planning exists in such areas that have requested zoning and are governed by individual Secondary Planning Strategies and Land Use By-Laws.

The Municipality has seven (7) Secondary Planning Strategies. Currently, only 12% of MODL is covered by a land use by-law.

In order to regulate or prohibit the use of campaign signs, we would have to first amend the MPS to provide policy support for the regulation or prohibition of campaign signs and, second, we would need to adopt a Land Use By-Law for the entire jurisdiction.

In addition, our practise in the planning areas that have signage requirements is that we do not enforce the requirements on Provincial lands such as the road ROWs. It does, however, appear possible to restrict signage along the provincial roadway through the adoption of a specific by-law (as has been done in East Hants).

As Council is aware, the adoption of planning documents requires public participation. In the normal course, an amendment to a current Land Use By-law is a 4-6 month process.

Staff estimate that a project of this scale (amendment to the MPS, adoption of a municipal-wide LUB, and the adoption of a second by-law dealing with provincial roads and ROWs) would take, at a minimum, 6 months to complete and it would also require that the one or more items be removed from the Planning Department work plan. The current projects on the work plan include the following:

- Regional Building Services (transiting to a new permit tracking system)

- Service transition planning for the new building

- Initiating the Mandatory Planning project

- Climate Emergency Strategic Priority project

- Flood risk mapping for all of MODL and the Petite Riviere Flood Risk Mitigation Assessment

- Hemford Forest Planning Strategy and Land Use By-law

- Osprey Village SPS/LUB amendment

- An Application to amend a Development Agreement in Blockhouse,

If Council intends to proceed with the banning of campaign signs then, in order to make sufficient staff resources available to have the project completed in approximately 6 months (mid-to late August 2020 at the earliest), Council will have to provide direction on which of the above projects will have to be removed from the work plan.

## **RECOMMENDATION**

Given the scope of work required to adopt a municipal-wide ban on campaign signs (amend MPS, adopt an LUB, adopt a separate by-law for provincial roads and ROWs) coupled with the estimated time for completion of the campaign sign project (mid to late August 2020 at the earliest), it is recommended Council not proceed with the banning of campaign signs at this time but that Council direct Staff to include this item for consideration as part of the Mandatory Planning Project (which must be completed by December 2022 – well in advance of the next municipal election).

Department: Administration

Report Prepared By: Tom MacEwan

Date Feb 25, 2020

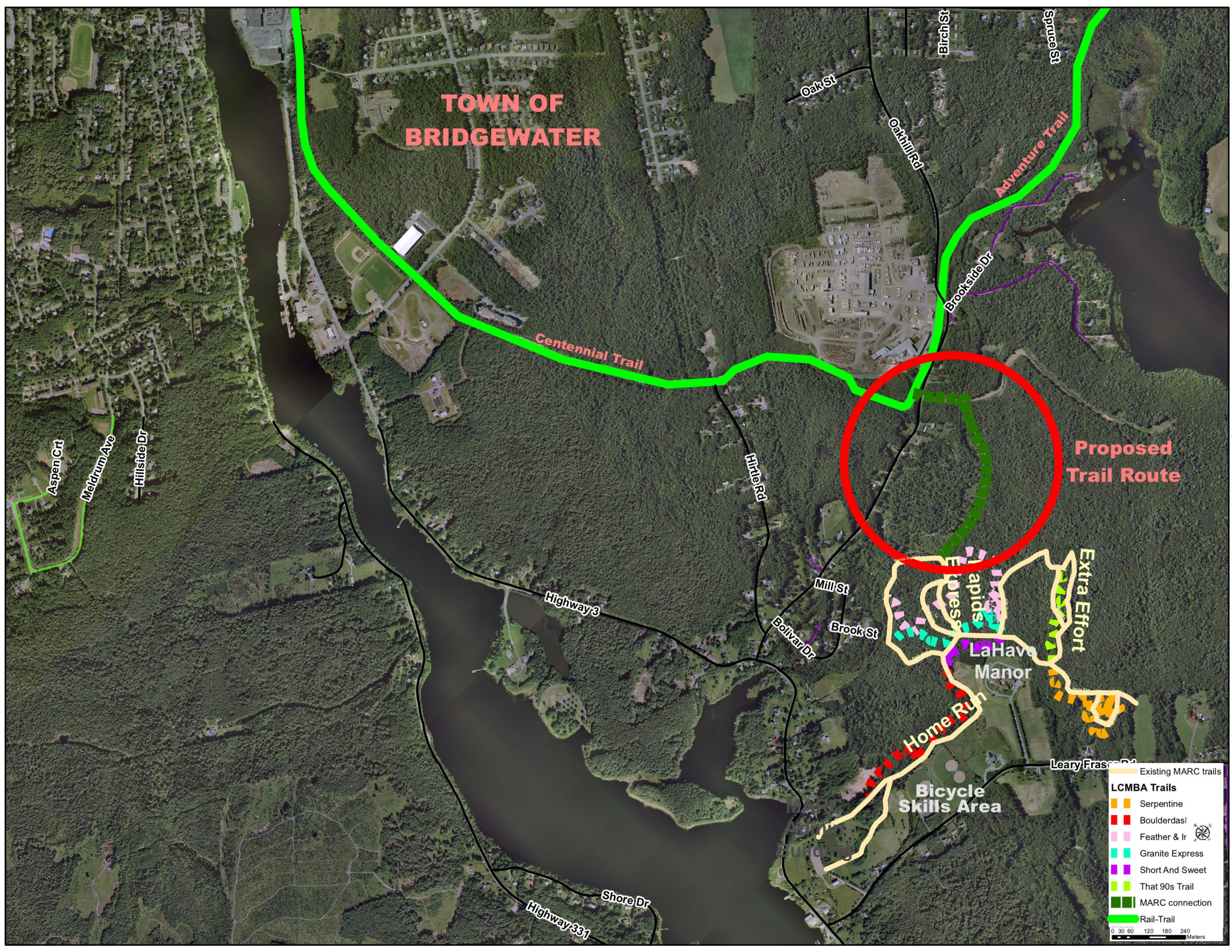
Report Approved By: \_\_\_\_\_

Date \_\_\_\_\_

Reviewed By CAO: \_\_\_\_\_

Date \_\_\_\_\_

# TOWN OF BRIDGEWATER



**Proposed Trail Route**

Existing MARC trails

**LCMBA Trails**

- Serpentine
- Boulderdash
- Feather & Ir
- Granite Express
- Short And Sweet
- That 90s Trail
- MARC connection
- Rail-Trail

0 30 60 120 180 240 Meters