

AGENDA
MEETING OF MUNICIPAL COUNCIL

Bridgewater, NS

Tuesday, March 10, 2020 – 9:00 a.m.

1. CALL TO ORDER

1.1 Mi'kma'ki Territorial Acknowledgement

2. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITION

3. PUBLIC INPUT (15 Minutes)

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES – February 25, 2020

6. BUSINESS ARISING FROM MINUTES & UNFINISHED BUSINESS

7. AWARDING OF TENDERS/RFPs

7.1 Award of RFP #2019-05-405 On-Site Sewage Disposal System Installation 1-3

8. PRESENTATIONS/SCHEDULED TIMES

8.1 LaHave River Trail Association Update, Helen Ferns, Chair..... 9:15 a.m. 4-21

8.2 2020/2021 LCLC Budget, Kent Walsh, General Manager 10:15 a.m.

8.3 New Administration Building Update – Andrew Amos, Catalyst 11:00 a.m. 22-34

9. CONSIDERATION OF CORRESPONDENCE

10. RECOMMENDATIONS FROM COMMITTEES & BOARDS

10.1 Finance Committee

10.1.1 Tax Relief – Damaged Property – Petite Riviere Property..... (35) 36

10.1.2 River Ridge Common Budget – Carry Over..... (35) 37-38

10.1.3 Approval of MJSB's Organization Structure re COO & Controller Positions (35)

10.2 Planning Advisory Committee

10.2.1 Stonemont Retirement Living Complex

Osprey Village SPS & LUB Amendment 39-61

i) Recommendation re Further Information for Fire Protection & Parking Spaces

ii) Recommendation re First Reading of Proposed Amendments

10.3 Lunenburg County Multi-Purpose Centre Corporation Board

10.3.1 LCLC Budget 62-67

10.3.2 LCLC Intermunicipal Service Agreement Amendments..... (To be circulated)

11. STAFF REPORTS

11.1 Planning Department

11.1.1 Request to Levy – Joudrey Lane Road Association..... 68-82

11.1.2 Request to Levy – Lakeview Drive & Area Road Association..... 83-97

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

- 12.1 MJSB Update
- 12.2 Deputy Mayor's Update
- 12.3 Mayor's Update

13. ADDED ITEMS

14. IN CAMERA

- 14.1 Contract Negotiations re Pump Testing under Section 22(2)(e) of the MGA

15. ADJOURNMENT



Municipality of the District of Lunenburg

MEMORANDUM

REPORT TO: Council

SUBMITTED BY: Maria Butts, LaHave River Project Manager

DATE: March 10, 2020

RE: RFP Award: 2020 On-Site Sewage Disposal System Installations for LaHave River Properties

RECOMMENDATIONS

Authorize staff to award RFP 2019-05-405 2020 On-Site Sewage Disposal System Installations for LaHave River Properties to Dennis Lively Construction & Backhoe Services Ltd. in the amount of \$1,141,680 plus HST.

EXECUTIVE SUMMARY

Three (3) proposals were received and accepted for *RFP 2019-05-405 2020 On-Site Sewage Disposal System Installations for LaHave River Properties*. Received proposals were submitted by CK Earthworks Ltd, Dennis Lively Construction and Backhoe Services Ltd, and Gerald W. Veinot Excavation Co. Ltd.

The scope of work under the RFP consists of the supply and construction of all septic systems ready for installation during the 2020 construction season. The system installations will occur on private property belonging to homeowners who have signed up to participate in the LaHave River Straight Pipe Replacement Program (SPRP), administered by the Municipality of the District of Lunenburg (MODL).

For 2020, we anticipate installing between seventy (70) – ninety (90) on-site sewage disposal systems.

An evaluation conducted by a panel of four (4) MODL staff members, resulted in Dennis Lively Construction and Backhoe Services Ltd. having the highest overall score.

BACKGROUND

In the Spring of 2016, *Our Living Future* campaign was launched to bring awareness and education around the issue of straight pipes and their impact on the LaHave River and Council authorized staff to make an application to the New Build Canada Fund for a SPRP. Staff were

directed to prepare a Wastewater Management District (WWMD) By-Law and policies to implement such a program. The drafted By-Law and policies have since been adopted by Council.

On June 29, 2017, federal and provincial authorities announced joint funding along with the Municipality for the replacement of straight pipes with on-site sewage disposal systems along the LaHave River.

Replacement of straight pipes with functioning septic systems required the services of a qualified engineer to select, design, and oversee the installation of approved septic systems. As such, Council authorized staff to award of *RFP 2017-05-400 On-Site Sewage Disposal System Design for Lahave River properties* to ABLE Engineering Services Inc (ABLE) on August 22, 2017.

Since the launch of the program in 2017, MODL has received 245 applications for replacement from property owners within the WWMD and installed 150 new On-Site Sewage Disposal Systems.

For the first two years of construction, all installation work was procured through tendering in bundles of up to ten (10) systems at a time. While this created an environment for competition between small and medium-sized firms, it produced some issues for project management. Quality of installation work varied by bundle, which contributed to resident concerns with aesthetics and functionality. In addition, the traditional tendering approach did not allow MODL to evaluate submissions based on capacity to complete the work within specified timelines. There was also a high administrative burden during the construction season stemming from the multiple bundle approach. In a small number of instances, the sub-par quality of a low bid installation has damaged the municipality's reputation and has required much effort and cost to correct deficiencies and manage homeowner issues.

As a result of the above, on January 28, 2020, Municipal Council directed staff to issue an RFP for the installations in Year 3 of the SPRP so that evaluation of the successful proponent could be based not only on cost, but also on experience, capacity, references and methodology.

The RFP was structured to solicit bids for a one-year contract, with a Municipal option to negotiate for additional construction seasons if satisfactory services are provided by the successful proponent.

No Municipal dollars are being spent on this program as the federal and provincial grants cover up to two thirds of the cost and all eligible homeowners are required to pay the remaining one third.

DISCUSSION

RFP 2019-05-405 was posted on Tuesday, February 4, 2020 and closed on Tuesday, February 25, 2020.

Three (3) proponents submitted proposals, which were evaluated based on proponent experience installing onsite systems, capacity for high volume workload, scheduling, work methodology, safety and references. These parameters form the basis of the technical score, which has been given a weight of seventy (70). The price provided by the proponents was assigned a weighting of thirty (30). Submitted pricing schedules were compared by using an estimate of seventy (70) installations comprised of a range of system types. The pricing also includes an estimate of per diem hours and rates.

The results of the evaluation are provided below:

<i>Proponent</i>	<i>Technical Score</i>	<i>Price (excl. HST)</i>	<i>Price Score</i>	<i>Overall Score</i>
CK Earthworks	36.1	\$ 940,778.50	30.0	66.1
Dennis Lively	61.5	\$ 1,141,680.00	24.7	86.2
Gerald W. Veinot	37.3	\$ 1,430,750.00	19.7	57.0

While all proponents demonstrated they have experience installing on-site sewage disposal systems, the experience of Dennis Lively was superior given that the company emphasis is focused on sewage disposal and they consistently install between 80-150 systems annually. This is compared to an annual installation volume of twenty (20) for CK Earthworks and six (6) for Gerald W. Veinot. The capacity of Dennis Lively to carry out the work was high, given their staff compliment of thirty-two (32) and extensive fleet of trucks and equipment. The limited staff and equipment of the other two proponents raised concerns of capacity and being able to successfully meet the aggressive installation targets required annually by the program.

The methodology and crew volume proposed by Dennis Lively allows them to achieve the most efficient installation schedule as noted in the table below:

<i>Proponent</i>	<i>Days to Install</i>
CK Earthworks	2-3.5
Dennis Lively	1.3-2.1
Gerald W. Veinot	2-3

CK Earthworks and Dennis Lively provided sound safety plans. The safety plan for Gerald W. Veinot was present but lacked detail.

BUDGET

The pricing provided by the recommended proponent falls within the program budget estimated for the New Build Canada grant application.

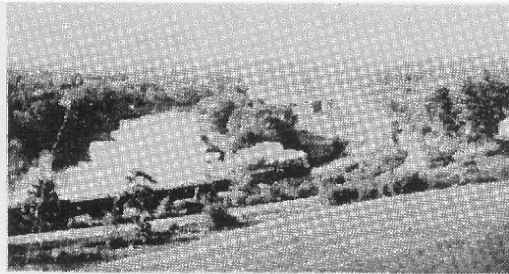
CONCLUSION

RFP 2019-05-405: Three (3) proposals were submitted and accepted. Evaluation of the accepted proposals resulted in Dennis Lively Construction and Backhoe Services Ltd. having the highest overall score. Staff are seeking authorization from Council to award as such.

LaHave River Trail Association

Plenty Done and Some still to do

17 years of volunteer stewardship



**Train travelling passed the Cookville School
en route to West Northfield**

Over the last five years alone in excess of 4 ½ thousand volunteer hours have created a real community asset.

From small beginnings



From 1km in 2002 to 16kms of finished trail, so far...

A learning curve for all involved



17 land owner agreements signed. Based on a growing and stable membership

Forging trail



Creating trail where the rail bed has disappeared.
Gaining consent for development from four abutting land owners.

Not the old rail bed



What is needed is managed trail

Increased public access



For example the parking lot at Wentzell lake

Access to the the trail for all



All this needed a plan



Planned by experts, based on community consultation

Real progress



Thanks to MODL support ACOA funding made completion of both phase 1 & 2 possible

Phase 2 completed



The Vienot road to the Mossman road section is finished

“And the Winner is”



LRTA is chosen as the 2016 Nova Scotia Trail Builder of the Year

Along the LaHave



Centenary project by an executive member of the LRTA linked the trail's past to the future through community members old photos, now housed at the SSRL

A Trail Grows



Through a lot of cooperation and despite the challenges of regulations and interpretations

The Generosity of Land Owners



Thanks to the generosity of land owners and the donation of hours of volunteer time

Every shovelful counts



Just a moment from the minimum 4,409 hours of volunteer work from the last 5 years

What users think

- **Comments left on the Lahave River Trail Facebook page**
- I enjoyed a walk on the newer Cookville section of the trail today. The river is so calming; it was a wonderful mental break. Thanks to your hardworking volunteers for creating these opportunities! Alicia (Dec 13/15)
- New trail from Rhodenizer Rd. to Cooks Bridge, is awesome! Enjoyed it today :) Stacey (Sept 14/15)
- This is beautiful. Is it just walking or atv as well? Joan (July 8/15)
- Beautiful evening...new beginning Jenna (Aug. 30/15)
- Beautiful view along the Lahave River Trail in Cookville N.S. Really must be seen to truly appreciate the beauty. Cory 03/14 Great Trail For A Walk With Great Views !! Frank (June 7/14)
- My puppy, 3 month old Mia, and I enjoy bike rides on the trail Janis(June 6/14)
- Its a great rails to trails route north of Bridgewater to New Germany. One of my favourite places to run.
- Many of our local runners use this trail and enjoy local beauty and good footing. Steve(sept 20/13)
- So exciting. We biked as far as we could from the parking lot at Wiles Carding Mill this spring noting the new construction on the LRT since last year and were wondering about future plans. Wanda (June 19 '16)
- You should be so proud, keep up the good work. Lillian June 19th (response to NSTF Award)
- The new trail work is looking amazing. Heather (May 29 '16)
- Heading out that way tomorrow to look at the trail. Looks like you folks have been busy. Will be surveying it for a run on the snowmobile this upcoming season. From Greenwood to Bridgewater would be a very nice run. Great work!! Brian E July 2 '16

T/Rails Connecting Communities



They say the last hurdles are the highest, we feel we are almost over them.
We are confident we can finish the job.



IBI Group
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 ibigroup.com

Council
 Item: #8.3
 Date: March 10, 2020
 Authorization: T. MacEwan

Field Review Report No. A-006

Project Name:	New Municipal Building	Date Issued:	14 Feb 2020
Project Location:	10 Allee Champlain Drive Cookville, NS	Date of Visit:	11 Feb 2020
Reviewed By:	Lisette Wright	Time:	12:00pm-1:00pm
Site Representative:	Philip Henderson (Roscoe)	Weather:	1C, storm pending
		Bldg. Permit No.:	BP190119
Others Present:	N/A	Project No.:	118663

Firm Name: **IBI Group**
 Certificate of Practice No.: **3271243**
 Address: **Suite 1105 - 1645 Granville Street, Halifax, NS, B3J 1X3**
 Report by: **Lisette Wright**

Signature:
 Title: **Contract Administrator**

NOTES

1. This report does not apply to the design prepared by others who have been engaged directly by the Builder(s) or Owner(s). The report of the respective Professional Engineers and shop drawings from the trades should be forwarded to the Architect for general review.
2. IBI Architects Atlantic has reviewed only the representative samples of the construction work and has not conducted exhaustive on-site reviews and this report should not be construed as a guarantee of the work. The Builder(s) or Constructor(s) are responsible for coordinating inspection and testing, WCB requirements and other safety regulations, etc.

REPORT

The following items were noted:

SITE CONDITIONS

1.1.1 Very icy

PROGRESS OF THE WORK

1.2.1 Overall:

- Phase 3 roof trusses well underway
- Window installation near complete for phase II
- Metal roofing commenced at south side/Phase I
- Interior: Ice covered concrete slabs throughout all areas of building (phase I exposed to weather area and phase 3 & 2 covered areas).
- Generator on site, not located

1.2.2 Site:

- Some bollards complete (transformer), bench piers complete (pic 76 Jan 28th) and backfilled (pic 1).

1.2.3 Building:

- Exterior wall framing and zip system near complete at council areas (entrance and meeting room framing remaining).
- Zip sheathing approx. 90% installed.
- Window installation 90% complete phase II.

- Roofing: Phase 1 metal roofing installed on South side (approx. 80%) and part of east end over Staff room. Phase 2 underlay & S.A.W.P. near complete (pic 12). Phase 3 trusses 60% complete, roof sheathing commenced (pics 3, 9).
- Ceiling strapping near complete.
- Interior steel stud framing near complete, shear wall sheathing complete (phase 1 & 2).
- Door frames near complete (phase 1 & 2).
- Interior load bearing walls near complete and wood stud framing well underway (phase 3) (pic 66).
- Work Stations room: plywood sheathing near complete (pics 36, 39).

- Mezz: no progress from last report. Mezz walls approx. 75% complete. Housekeeping pads to be poured once equipment is on site.

- Electrical rough-ins near complete in phase I & II. (Staff kitchen pic 27).

- 1.2.3 Overall Views: From NE corner (pic 23)
From NW corner (pic 3)
From SE corner (pic 17)
South elevation at side entrance (pic 14)

OBSERVATIONS AND COMMENTS (new items only)

- 1.3.1 Work done in general conformance to drawings.

PREVIOUS COMMENTS

- 1.4.1 ONSA to be notified for reviews prior to services being covered in.

ATTACHMENTS

- 1.5.1 Photos 1 to 76

END OF REPORT

DISTRIBUTION:

Roscoe: Lucas Schurman, Phil Henderson
IBI: Lisette Wright, Neil Munro
Catalyst: Andrew Amos



Pic 01 - Main entrance and exterior Bench piers



Pic 76 dated Jan 28th - Benches: Concrete piers



Pic 03 - Phase 3 roof sheathing commenced



Pic 09 - Phase 3 roof trusses



**Pic 66 - Lobby area looking
into Boardroom and Council**



Pic 03 - NE corner



Pic 14 - South elevation at side entrance



Pic 17 - South East corner



Pic 23 - North East



MECHANICAL OBSERVATION REPORT NO. 02

PROJECT: Municipality of The District of Lunenburg Municipal Building	TO: IBI Group Suite 1105-1645 Granville Street Halifax, NS B3J 1X3
Our File No.: 18-307	To: Lisette Wright cc: Andrew Amos
BY: G. Scott Moore, P.Eng. Mechanical Engineer	Date of Site Review: January 28, 2020

STATUS:

- Site Meeting + Site Visit to review progress of on-going Mechanical work
- All underground PVC DWV piping and below slab in-floor hot water heating piping has been installed
- Floor slabs have been poured
- Exterior walls, window installation and roof construction is on-going

General Comments:

- Mechanical Contractor is requested to keep one set of marked up As-Built Drawings on-site for periodic review by the Consultant Team.
- Mechanical Contractor is requested to keep all mechanical materials - including piping and ductwork covered or capped as work progresses.
- Mechanical Contractor is requested to review and submit the remainder of the Mechanical equipment Shop Drawings as soon as possible.

<u>ITEMS:</u>		
No.	Area:	Remarks:
1.01	General	Please provide all piping pressure test reports for underground drainage piping and the in-floor hot water heating piping.
1.02	In-floor heating	There are two (2) exposed pipes without caps (open-ended), therefore, there is no on-going pressure test on for this piping (See Photo #2). Also, there is one pressure test gauge that is currently reading zero psig (see Photo #3). Please review and advise.
1.03	Main Entrance	The Vestibule floor drain is not covered/protected during construction (See Photo #4).



F.C. O'Neill, Scriven
& Assoc's Limited
Consulting Engineers

p: 902-429-0701 f: 902-429-9729
7071 Bayers Road, Suite 2001, Halifax, Nova Scotia B3L 2C2
www.onsa.ca



Photo #1 - In-floor Hot Water Heating Piping c/w Pressure Test Gauge and Pipe Sleeves



Photo #2 - In-floor Hot Water Heating Piping (not capped yet; no pressure test)



Photo #3 - In-floor Hot Water Heating Piping (pressure gauge reading zero)



F.C. O'Neill, Scriven
& Assoc's Limited
Consulting Engineers

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www.onsa.ca



Photo #4 – Floor Drain in Main Entrance (not protected/covered)



ELECTRICAL OBSERVATION REPORT # 5

To:	Catalyst Consulting Engineers Inc	Project:	District of Lunenburg - New Municipal Building, Lunenburg, N.S.
Attention:	Mr. Andrew Amos PEng	Our Project No.:	18-307
Tel. No.	1 902-802-0306	Date:	February 19 th 2020
CC:		From:	Kendall Isnor SC CCEI
		Email:	kendalli@onsa.ca

Please find listed below the following deficiencies noted during our site review on February 13th, 2020. This deficiency list does not relieve the Electrical Contractor from completing any outstanding work.

With the exception of the deficiencies noted below, what work has been done to date has been found to be in general conformance with the intent of the specifications and drawings and in numerous instances above industry standards.

This report was produced during a requested in wall rough-in review between grid lines 24-31.

Progress:

- Framing is ongoing
- Electrical rough in between grid line 24-31 is approx. 95% complete



Notes:

- As-built drawings are to be maintained on site reference specification 26 05 01 1.19.
- Nova Scotia Power permit and inspections to be submitted, reference specification 26 05 01 1.13.
- Contractor to coordinate installation with other trades, reference specification 26 05 01 1.15.
- This report is intended to cover electrical items only
- This report was reviewed with Fairline’s site representatives at time of observation
- Field quality testing to be completed as detailed throughout specification but specific attention to 26 05 01
- O and M manuals to be completed as detailed throughout specification with specific attention to 26 05 01
- Fire and sound penetrations to be sealed as required by the Canadian Electrical Code (CEC) 2-128 and further detailed in specification 26 05 01 1.17
- Site reviews by this office are to be requested at a minimum 48hrs in advance (prior to back filling exterior underground, installing gyproc on walls, closing in ceilings (in general advice ONSA at the same time Nova Scotia power is requested to do inspections)
- A signed off copy of this report at individual items denoting item is fully corrected by way of initial and date from the electrical and general contractor to be submitted.



- Pictures have been added throughout document to offer clarification and do not necessary show all location of occurrence.

Notes for contractor on work in progress:

N1.01 Contractor to coordinate with utilities as detailed in specification 26 05 01 1.16

N1.02 As-built drawings are to be maintained on site with depth and routing of underground conduit and cable routing, reference specification 26 05 01 1.19

N1.03 Caution tape to be installed approx. halfway between conduits and finish grade as required by the CEC 12-012 and shown in detail on electrical site plans

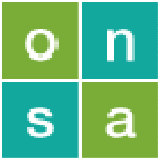
N2.01 (1.01) Large rocks and other debris to be removed from trenches prior to back filling as required by the Canadian Electrical Code 12-012

New picture December 4th, 2019



N4.01 Excavation to Transformer and pole to be of the depth, indicating on electrical drawing E-102, caution/burial tape to be installed and fully cover vertical spread of underground conduits and exact routing and depth to be documented on as built drawings.





Deficiencies:

5.01 NMD cabling to be protected when installed over rafters/trusses etc. as required by the Canadian Electrical Code (CEC) 12-514



5.02 Connectors for liquid tight race way to be tool tightened to become electrically and mechanically continuous as required by the CEC 12-916/918



5.03 Boxes to have extensions rings installed were required by the CEC 12-3016 and further detailed in specification 26 05 33.16



5.04 EMT to be supported with in 900 mm of boxes and 300 mm of 90 degree bends as detailed in specification 26 05 34 3.1.7 and 26 05 29 3.1.15.





5.05 Outlet boxes to have color coded interior as detailed in specification 26 05 32 3.2



Carried Deficiencies:

1.02 Underground in slab was back filled prior to review from this office, copies of NSP inspection reports to be submitted.

Submitted By:

(Kendall Isnor SC CCEI.)

Date: February 19th, 2020

PDF Copies To:



Municipality of the District of Lunenburg

210 Aberdeen Road Bridgewater Nova Scotia Canada B4V 4G8
Phone: 902-543-8181 / Fax: 902-543-7123 / Web Site: www.modl.ca

March 3, 2020

To Her Worship, Mayor Bolivar-Getson, and Councillors
of the Municipality of the District of Lunenburg

Dear Mayor and Councillors:

The Finance Committee, in session on Tuesday, February 4, 2020, made the following recommendations to Council:

1. that Municipal Council approve tax relief in the amount of \$1,731.31 as per the submitted application for the property located at 5752 Highway 331, Petite Riviere, AA#03182436, and as per Section 2(b) of Policy MDL-12 "Tax Exemption/Reduction Policy"
2. that Municipal Council approve \$130,000 to be carried forward from the 2019/2020 River Ridge Common Budget to complete Phase 3 of the park development, as budgeted
3. that Municipal Council approves the change to the Municipal Joint Services Board's Organization Structure; and further, that the Mayor write a letter to the Municipal Joint Services Board requesting that the decision regarding the addition of the two new shared services be deferred until the Board has replaced the Chief Operating Officer

Respectfully submitted,

Chairman and Members
Finance Committee

/rh

Attachments



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: FINANCE COMMITTEE
SUBMITTED BY: ELANA WENTZELL
DATE: MARCH 3, 2020
RE: TAX RELIEF – DAMAGED PROPERTY

RECOMMENDATION

That Finance Committee recommends to Council that Municipal Council approve tax relief in the amount of \$1,731.31 as per the submitted application for the property located at 5752 Hwy 331, Petite Riviere, AA# 03182436, and as per the Municipality's Damaged Property Relief Policy.

BACKGROUND

The following taxpayer has completed application for tax relief due to fire loss of residential and commercial property:

<u>NAME</u>	<u>PROPERTY TAX BILLING</u>	<u>Pro-rated Taxes on Remaining</u>
3281049 NS Ltd	2019/2020 \$ 4,532.47	\$1,731.31

DISCUSSION

Staff have reviewed the application and are satisfied they meet the requirements of the Damaged Property Relief Policy.



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Finance Committee

SUBMITTED BY: Tissy Bolivar
Acting Director of Recreation Services

DATE: February 13, 2020

RE: River Ridge Common Budget - Carry Over

RECOMMENDATION

That the Finance Committee recommend to Council that Municipal Council approve \$130,000 to be carried forward from the 2019/2020 River Ridge Common capital budget to complete phase 3 of the park development, as budgeted.

EXECUTIVE SUMMARY

The River Ridge Common is a multi-year, phased development of various park components on a 115-acre property owned by MODL. It is divided by the South Shore Annapolis Valley Trail into 2 distinct parcels. The 15-acre Lower Park is a former gravel pit, situated between Highway 10 and the rail trail. The 100-acre Upper Park area is a former woodlot, to the north of the rail trail.

The work completed to date includes accessible trails in the upper park area, securing of the overall site with access gates and significant stockpiling of materials to be used for additional trails and features throughout the site, an overall single track plan for mountain bikes, a much-enjoyed series of natural play structures, picnic areas, signage, 3.5 km of single-track trail, 4 kms of trail that is designed and constructed to current best practices for sustainable trails as well as a porta-potty enclosure for accessible washrooms. Phase 4, budgeted for 2020/2021, would include additional single-track trails, accessible play features and trail building partnerships with local youth.

BACKGROUND

In the 2019/2020 capital budget, the Municipality allocated \$320,000 to complete phase 3 of the proposed park system. Projects included a new 450 metre trail from the parking area along Highway 10, designed and constructed to current best practices for

sustainable trails; a master plan that outlines the overall single-track trail development for the park and the first 3.5 kms of mountain bike trail; accessible swing sets; shade awnings; upgrades to the rail trail through the park; an OHV pull off area; and additional lower park play/skills features. Due to time and weather constraints, a portion of this work was not completed. We are looking for remaining funds be carried over into the 2020/2021 construction season to be completed by May 30, 2020. The requested carryover amount of \$130,000 represents funds which were budgeted for this project in 2019/2020, through gas tax funds.

The proposed 2020/2021 projects planned for this year include: 5-6 km of single-track mountain bike trail connecting the upper and lower park; a pump track and bike skills area; additional wayfinding signage; and a number of other small improvements such as benches and tables that make the park welcoming for our visitors.

BUDGET IMPLICATIONS

If approved, we would have a carry-over of \$130,000 of the \$320,000 budgeted in 2019/2020. In 2020/2021, we are budgeting \$170,000 for Phase 4 of the project which would take us to park completion. The 2020/2021 capital budget for River Ridge Common would reflect \$300,000 with the carry-over and Phase 4 budget.

CONCLUSION

This project has proven to be a success within our Municipality and staff continue to oversee this project and ensure the completion of all components as planned. With the approval of the carry-over funds, we would be able to complete phase 3 of the park development, as originally budgeted.

Department: Recreation	
Report Prepared By: Tissy Bolivar, Acting Director of Recreation Services	Date Feb 13, 2020
Report Approved By: _____	Date _____
Reviewed By CAO: _____	Date _____



Municipality of the District of Lunenburg

MEMORANDUM

REPORT TO: Municipal Council

SUBMITTED BY: Byung Jun Kang, Planner

DATE: March 10, 2020

SUBJECT: PL200002 – Stonemont Retirement Living Complex
Planning Advisory Committee's Feedback & Information

ORIGIN

The Planning Advisory Committee (PAC), on its meeting of February 27, 2020, passed the following two motions:

That PAC recommends to Council that a concept plan to incorporate the 360 Access for fire protection and a layout showing an adequate number of parking spaces from the developer be submitted to Council, prior to first reading.

That the Planning Advisory Committee recommend the Municipal Council to give notice of its intention to approve a by-law amending the Osprey Village Secondary Planning Strategy and its Land Use By-law, and conduct First Reading of the same.

BACKGROUND

The PAC identified the following areas of concern of the proposed development:

1. Minimum parking space requirement; and
2. Perimetral access of emergency services.

DISCUSSION – PARKING

Predicting the demand for parking is a challenging task. Land uses are not the only factor in determining parking demands, but they involve the lifestyle of tenants and human psychology. Parking demands vary heavily on a site by site situation.

Parking requirement increases the supply and reduce the price – but not the cost – of parking. The added cost is included into the cost of the development. By reducing the minimum number of parking spaces, developers can decide on the appropriate amount of supply, as demanded by prospective tenants.

A parking requirement defines a minimum, not a maximum or a recommendation. If the demand for parking exceeds the original expectation of developers, it is possible to increase the number of parking spaces at that time. If the mandatory parking supply exceeds the actual demand for parking, it is imposing additional costs to the developers, and effectively the tenants, affecting housing affordability.

DISCUSSION – PERIMETRAL ACCESS

Fire protection service is in favour of full access around the proposed building, while the provincial Department of Transportation and Infrastructure and the Royal Canadian Mounted Police are concerned about traffic hazard on Highway 10 from shortcutting between Highway 10 and Nathan Cirillo Road.

There may be a change in elevation from the front (Highway 10) to the back of the building (facing Nathan Cirillo Road) that would prevent any vehicles from driving a full 360 degrees around the building. However, access to the sides of the building would be provided as part of the design, as is done on many developments where access to all building facades is required.

CONCLUSION

In this case the developer has more than enough room for expansion, as shown in Appendix A, should more parking spaces be required in the future. Both the number of parking spaces and the placement of perimetral access can be enforced at the site-plan approval stage, prior to the issue of development permit.

ATTACHMENT

Appendix A: Preliminary Concept Plan of Stonemont Retirement Living Complex

Department: Planning & Development Services
Directory: 66550-30

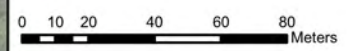
Prepared by: Byung Jun Kang, Planner
Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.03.02
Date: 2020.03.03

PROPOSED SITE



- Proposed Building
- Proposed Boundary(Jan9)
- Powerline Easement
- Parking Lot
- Footprints (GPS'd)
- Civic Points
- Tracks, Trails
- Properties (Sept 2019)



Option - 5.28 acres (2.14ha)
(Jan 9)
 * Areas Approximate

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

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

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

Date: January 2020

File: lplan2020ldaveWIOspreySiteJan9

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



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: Planning Advisory Committee

SUBMITTED BY: Byung Jun Kang, Planner

DATE: February 27, 2020

SUBJECT: PL200002 – Stonemont Retirement Living Complex
Osprey Village Secondary Planning Strategy
& Land Use By-law Amendment

ORIGIN

Application by the Municipality to amend the Osprey Village Secondary Planning Strategy and Land Use By-law to allow the construction of a 150-unit retirement home.

LEGISLATIVE AUTHORITY

Municipal Government Act, Subsection 210(1):

Where a council adopts a municipal planning strategy or a municipal planning strategy amendment that contains policies about regulating land use and development, the council shall, at the same time, adopt a land-use by-law or land-use by-law amendment that shall enable the policies to be carried out.

RECOMMENDATION

That the Planning Advisory Committee recommend the Municipal Council to give notice of its intention to approve a by-law amending the Osprey Village Secondary Planning Strategy and its Land Use By-law, and conduct First Reading of the same.

EXECUTIVE SUMMARY

A 150-unit retirement home is proposed next to the new Municipal Building in Osprey Village, facing Highway 10. This development requires a planning amendment to allow residential uses without a ground floor commercial use, lower number of parking spaces and reduced building height requirements, among other minor adjustments. Staff determines that the proposed development fits with all the amendment considerations, and recommends amending both the Secondary Planning Strategy and the Land Use By-law to permit the construction of the proposed building.

BACKGROUND

A 4-storey, 150-unit retirement home is proposed on the portion of PID 60631009, located next to the new Municipal Building in the Osprey Village Plan Area. The site is bounded by the Nova Scotia Power powerline easement, Highway 10, Nathan Cirillo Road and PID 60630985 at the corner of Pinegrove Road and Highway 10, as shown in Appendix B.

The retirement home, as shown in Figure 1, is intended for those who are retired and wish to have services and amenities in proximity to their residence. To accommodate the tenants' needs, the proposed development may include a dining hall, a games room, an assembly hall with periodic cultural events, a screen golf course, as well as a shuttle service to the Exit 12 shopping mall, the South Shore Regional Hospital, and the Lunenburg County Life Centre.

Tenants, staff and visitors will be encouraged to access the building from Nathan Cirillo Road rather than from Highway 10 for the least disruption of traffic. Signs will be installed to guide the public as to how to access the property, and grading may be required to accommodate for the access point.

While the current General Commercial (GC) Zone allows for residential uses, it is with the condition of reserving the ground level for commercial uses. By amending the Secondary Planning Strategy and the Land Use By-law, residential uses may be permitted on all levels of building.



Figure 1. A rendering of the building that the applicant recently constructed. The applicant stated that the rendered development is very similar in size, aesthetics and nature to what the applicant would propose for the Municipality.

DISCUSSION

The development proposal requires amendments to the Osprey Village Secondary Planning Strategy (SPS) and the Land Use By-law. The By-law should be amended

1. to allow a sole residential use and a retirement home use in the GC Zone;
2. to reduce the minimum number of parking spaces;
3. to allow parking lots and multi-use trails in the Open Space (OS) Zone;
4. to relax the maximum height of structures;
5. to relax the signage requirements;
6. to define the term “Retirement Homes”; and
7. to provide for the phasing-in of an increase in the taxable assessed value of the municipal property in the Plan Area with a Commercial Development District.

Permitting of Full Residential Uses

The current site is zoned as the GC Zone under the Enterprise Designation. The purpose of the GC Zone is to allow a broad range of commercial uses; specifically, the zone allows for automobile-oriented, big-box commercial uses that cannot be accommodated in the Village Centre (VC) Zone.

The GC Zone also allows the permitted uses in the VC Zone, including residential uses. The condition for residential uses, however, is for commercial activity to take place on the first floor of building. This can be accommodated either by permitting residential uses on the ground level in the GC Zone, or by rezoning the site to the MU Zone, which is intended for high-density residential uses.

Option 1: Amending the Permitted Uses of the GC Zone. To allow a certain land use in a zone, the land use must meet the intention of the zone stated in the SPS. While the intention of GC Zone is to permit a broad range of commercial uses under Policy 3.1.6, Policy 3.1.1 allows the Enterprise Designation – which the GC Zone is a part of – to permit a mix of commercial and medium to high density residential uses. Therefore, permitting residential uses on the ground floor would conform to the intention of the Enterprise Designation. Despite the conformity, Policy 3.1.6 requires clarification by adding the phrase “and medium to high density residential uses”. This option is recommended as the amendment to the SPS is required regardless of the choice.

Option 2: Rezoning from the GC Zone to MU Zone. The proposed site may be rezoned from the GC Zone to the MU Zone, as shown in Appendix C, which is already intended for medium to high density residential uses. Because both the GC Zone and the MU Zone are under the same land use designation, the amendment to the SPS is not required.

To proceed with amendments, Policy 4.0.7 (By-law Amendment Criteria) is evaluated in Table 1, along with the staff comment for the Council's consideration.

Table 1 <i>By-law Amendment Considerations</i>		
Policy 4.0.7 a)	The impact of the proposed use and uses permitted in the zone on traffic with respects to traffic hazards, congestion, and pedestrian hazards	<p>Satisfied with conditions. Considering the proposed development (1) can be adequately serviced with 50 parking spaces due to a lower ownership rate of vehicles by prospect tenants, (2) will lower car demands with a shuttle service, (3) has access to amenities and services within a 5-min walking distance, and (4) will not affect the capacity of Nathan Cirillo Road and Highway 10 by much due to the configuration of driveways, the increased vehicular traffic is negligible.</p> <p>Staff at the NS Transportation & Infrastructure Renewal requested for a Work Within Highway Right-of-Way Permit prior to any groundwork. Further, plans illustrating geometric design of the intersection and management of stormwater must be included with the permit application.</p> <p>As stated in Appendix D, Trunk 10 access was approved as a variance in the Access Management Plan of Osprey Village. The condition is no driveway connectivity from Trunk 10 to the rear of the property, ensuring shortcutting opportunities cannot occur.</p> <p>Also, the access for future developments in this area is intended to be from Nathan Cirillo Road, not from Trunk 10. Additional access and additional traffic volume to Trunk 10 will not be permitted, so a perimeter driveway will result in revoking permission.</p> <p>Staff at the MODL Engineering & Public Works Department commented that 75 parking spaces would not be enough for this proposed site, contrary to the proposal.</p> <p>Engineering Department also sees the need to explore the securing of the pond, due to its proximity to the concentration of seniors and school children. Recreation Department disagrees with this claim.</p>
Policy 4.0.7 b)	The impact on the natural environment	<p>Satisfied. The proposed building is 100 metres away from the nearest significant watercourse. There is a pond within the proposed site, but it is not designated as significant.</p>

Policy 4.0.7 c)	The ability of the Municipality to absorb costs related to the development	Satisfied. The Municipality already invested in municipal services and infrastructure.
Policy 4.0.7 d)	The adequacy and proximity of community facilities for education, recreation and emergency services as well as other amenities	<p>Satisfied. The nearest school (Centre Scolaire de la Rive Sud) is 300 metres away; the proposed site has a direct access to walking trails; a shuttle service will be offered by the applicant to the LCLC.</p> <p>RCMP Lunenburg District Commander has no safety concerns about the site, as the additional residences should not significantly impact the ability of the RCMP to respond to calls for service, as stated in Appendix E. The District prefers the site to have a sole access from Nathan Cirillo only.</p> <p>Northfield District Fire Department Chief confirmed its adequate capacity to provide emergency services to the site, as stated in Appendix F. The Fire Department would respond in 7 minutes, and the Automatic Mutual-Aid Response system is in place, so Bridgewater, Dayspring, Hebbville and Oakhill Fire Departments will respond as well.</p> <p>Fire Services Coordinator highly recommend developing a Fire Evacuation Plan for the residents, as well as the Pre-Incident Plan – the drafting may be assisted by The Regional Emergency Management Organization Coordinator.</p> <p>It is also recommended to arrange a rear parking lot, so that fire services have an access point to the pond as a backup water supply.</p> <p>A full 360-degree driveway access around the building is preferred.</p> <p>Emergency Health Services and the Regional Hospital is also in proximity to the site.</p>
Policy 4.0.7 e)	The adequacy of the street networks	Satisfied. Nathan Cirillo Road was built in 2019 with the consideration of extension to new streets. MODL Engineering & Public Works Department does not see issues with the capacity of municipal roads, as stated in Appendix G.

Policy 4.0.7 f)	The suitability of the site regarding grades, soils, geological conditions, location of watercourse, flooding, marshes, bogs, swamps, and proximity to natural or man-made hazards or land uses that could present a health risk or result in a poor-quality living environment.	Satisfied. As long as the draft Osprey Village Grading Plan is observed, then the proposed site should be suitable for development regarding grade.
Policy 4.0.7 g)	the adequacy of municipal services	Satisfied with condition. Central water and sewer lines, as well as public roads are already in place. Staff at the MODL Engineering & Public Works Department confirmed the adequacy of central sewer system capacity. The adequacy of central water system may be determined upon the completion of Water Service Plan by the Town of Bridgewater Public Service Commission, but there are concerns for a potential need for a water reservoir for adequate water capacity and pressure.

Defining the Proposed Development

The proposed development may be generalized as a multi-unit dwelling, or be specified as a retirement home. Since different rules apply for each permitted use, and considering the need for parking is significantly lower for a retirement home than for a multi-unit dwelling, defining the proposed use as a retirement home is deemed more suitable. Staff recommends adding a Retirement Home use in the list of permitted developments in Subsection 6.3.1 of the Land Use By-law, along with its definition.

Reduction of Minimum Parking Spaces

The applicant proposed to construct 50 parking spaces for their 150 units. Under Subsection 4.22.3 (Number of Parking Spaces Required), a senior citizen housing is required to have 1 space per 2 units, requiring at least 75 parking spaces for the proposed development. Staff recommends amending Clause G to “Retirement Homes – One (1) space for every three (3) dwelling units”.

Although the actual number of parking spaces would be decided at the site planning stage, the applicant determined that 50 to 65 spaces should be ample amount of parking for tenants, visitors and staff, based on similar developments in other provinces, such as the City View Retirement Community in Ottawa, ON.

Allowing Parking Lots and Multi-Use Trails in the OS Zone

A portion of the proposed site includes the Nova Scotia Power easement, which is under the Open Space (OS) Zone. Other than parks and walking trails, no development is permitted. The applicant would like to acquire the portion of property under easement for the site grading and the placement of a parking lot. An amendment is required to add parking lots to the list of permitted use in the OS Zone.

Municipality also has planned to construct a multi-use trail in the easement; however, the Zone restricts the trail use to walking only. A concurrent amendment would be necessary in order to proceed with the trail design.

Relaxation of the Maximum Height Restriction

The applicant proposed a 4-storey building. The current height restriction of the MU Zone is 14 metres, which is about 4 storeys. Since the building height depends on the height of each floor, staff recommends increasing the maximum heights of all structures to be 20 metres, which is approximately 6 storeys.

Relaxation of the Signage Requirement

The applicant proposed to install signs at the main entrance facing Highway 10 as well as the entrance at Nathan Cirillo Road. Currently, only one ground sign is permitted, unless it is a corner lot. The proposed site, once subdivided, will be considered as a through lot – a lot having frontage on two parallel streets or a lot that is not a corner lot that has frontage on two streets. Staff recommends amending Clause 10.1.4 c) to be applied to both corner lots and through lots.

Defining Retirement Homes

As previously stated, the term Retirement Home is not defined in the Land Use By-law. For a new definition, staff recommends using the following definition: “A retirement home is a residential complex containing multifamily dwelling designed for and principally occupied by senior citizens, in which such facilities may include a congregate meals program in a common dining area, but exclude institutional care, such as supervisory and personal cares, and are distinguished from homes for special cares defined by the Province of Nova Scotia.”

Commercial Taxation

A suggestion was made to provide for a tax incentive for the proposed development, as well as for the other future commercial developments in the Osprey Village Plan Area. Municipality may provide a deduction on the commercial property taxes in a certain area by establishing a Commercial Development District (CDD).

The CDD provides an opportunity for businesses within the District to generate revenue before the full property tax is imposed. This reduces the financial burden of newly-established businesses, which may contribute to the economic growth of the local community.

The legislative authority for the establishment comes from Section 71C of the *Municipal Government Act* and Section 8 of the *Minimum Planning Regulations*. Some of the requirements are the following:

- Clause 71C(1)(a): a separate by-law must be made for each district;
- Clause 71C(1)(b): a residential property is not eligible for incentive;
- Clause 71C(2)(a): the by-law may contain the phasing-in period not exceeding 10 years and the amount of incentive by percentage of assessed values;
- Subsection 71C(3): the by-law must be consistent with the SPS;
- Subsection 71C(4): the entire district must be serviced by water and sewer; and
- Regulation Clause 8(b): the SPS may include the eligibility criteria for establishing a commercial development district including all of the following:
 - the percentage increase in the taxable assessed value of the eligible properties, as defined in subsection 71C(1) of the *Act*, within the proposed Commercial Development District, and
 - the period over which the increase in the taxable assessed value of the properties occurs.

The percentage increase per year and the period of years may be defined in either the SPS or the new by-law. Staff recommends inserting the enabling clause of the establishment of Commercial Development District in the SPS, and allow the specific Commercial Development District by-law to state the eligibility criteria in detail.

WORK PLAN IMPLICATIONS

Once the Planning Advisory Committee recommends Council to give notice of its first reading to amend the Osprey Village Land Use By-law, the Council may choose to initiate the public participation process. Detailed schedule is listed in Table 2.

Table 2 <i>Work Plan for the Planning By-law Amendment</i>			
Legislative Authority	Work Performed	Planned Date	Actual Date
<i>MDL-66, Subsection 2.1.1.</i>	Notice of PAC meeting published on a newspaper at least 5 days before the meeting	February 20, 2020	February 20, 2020
<i>Municipal Government Act, Subsection 200(4)</i>	Planning Advisory Committee presentation	February 27, 2020	February 27, 2020
<i>Municipal Government Act, Subsection 205(2)</i>	First reading of the Council	March 10, 2020	
<i>Osprey Village Land Use By-law, Section 2.19</i>	Notice to the landowners	March 11, 2020	
<i>Municipal Government Act, Subsection 206(5)</i>	Notice to the Town of Bridgewater of intention	March 16, 2020	
<i>Municipal Government Act, Subsection 206(2)</i>	First notice of public hearing published on a newspaper at least 14 days before the hearing	March 30, 2020	
<i>Municipal Government Act, Subsection 206(1)</i>	Second notice of public hearing published on a newspaper 7 days after the first notice of public hearing	April 6, 2020	
<i>Municipal Government Act, Subsection 205(3)</i>	Public Hearing	April 14, 2020	
<i>Municipal Government Act, Subsections 205(2), (6) and (8)</i>	Second Reading of the Council and the consideration of submissions	April 14, 2020	
<i>Municipal Government Act, Subsection 208(2) and 210(4)</i>	Notice of adoption from Municipal Clerk to the Minister of Municipal Affairs and Housing	April 17, 2020	
<i>Municipal Government Act, Subsection 208(4)</i>	Review of the Provincial Planning Director or Notice of Subjectivity to the Ministerial Approval	May 18, 2020	
<i>Municipal Government Act, Subsections 208(7), (8), 210(3)</i>	Notice of adoption published on a newspaper. No appeal.	May 25, 2020	
<i>Municipal Government Act, Subsection 187(1)</i>	Deposit of a certified copy of the by-law by Municipal Clerk	May 25, 2020	

COMMUNICATION CONSIDERATIONS

Pursuant to Section 2.19 of the Osprey Village Land Use By-law, a notice must be given to all property owners within 30 metres of the proposed site. The mailed notice must include a description of the proposed development and a description of the public hearing. As well, a sign must be posted on site to announce the project proposal. Although the Best Western Plus Hotel in Cookville, directly across from the proposed site, is not within the 30-metre notice boundary, staff intends to exceed the minimum requirement for better public engagement.

CONCLUSION

Staff recommends the Planning Advisory Committee and the Municipal Council to proceed with the By-law amendments, considering its positive impact on the economic development of the Municipality.

ATTACHMENT

Appendix A: A By-Law Amending the Osprey Village Land Use By-Law

Appendix B: Proposed Site Plan Map

Appendix C: Alternative Option of Rezoning of the Proposed Site

Appendix D: 200205 NS TIR Area Manager

Appendix E: 200207 RCMP Lunenburg District Commander

Appendix F: 200204 MODL Fire Service Coordinator

Appendix G: 200205 MODL Engineering Director

Department: Planning & Development Services

Directory: 66550-30

Prepared by: Byung Jun Kang, Planner

Date: 2020.02.11

Approved by: Jeff Merrill, Director of Planning & Development

Date: 2020.02.19

MUNICIPALITY OF THE DISTRICT OF LUNENBURG
A BY-LAW AMENDING THE OSPREY VILLAGE
SECONDARY PLANNING STRATEGY AND LAND USE BY-LAW

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority vested in it by Section 210 of the *Municipal Government Act*, that the Osprey Village Land Use By-law be amended as follows:

Residential uses further permitted

- 1** Section 3.1 of the Osprey Village Secondary Planning Strategy is amended by adding “and medium to high density residential uses.” at the end of Policy 3.1.6.

Parking lots and multi-use trails permitted

- 2 (1)** Section 3.3 of the Osprey Village Secondary Planning Strategy is amended by
- (a) striking out immediately after the phrase “Municipal Council does not wish to enable development beyond the natural terrain capacity and so Municipal Council will” in Subsection 3.3.2 the following phrase “retain ownership of these lands, and”;
 - (b) striking out “passive parks, and trails” at the end of Subsection 3.3.2 and substituting “parks, parking lots and multi-use trails”; and
 - (c) striking out “to permit passive park and walking trails within the Open Space (OS) Zone” at the end of Policy 3.3.2 and substituting “to permit parks, parking lots and multi-use trails within the Open Space (OS) Zone”.
- (2)** Section 3.3 of the Osprey Village Secondary Planning Strategy is further amended by
- (a) striking out “passive park uses and trail development” at the end of Section 3.3.3 and substituting “park use, parking lot and multi-use trail development.”; and
 - (b) striking out “passive park uses and trail development will be permitted” at the end of Policy 3.3.3 and substituting “park use, parking lot and multi-use trail development will be permitted”.

Establishment of Commercial Development District

- 3** Part 3 of the Osprey Village Secondary Planning Strategy is amended by adding immediately after Section 3.10 the following section:

3.11 COMMERCIAL TAXATION

Council wishes to foster economic growth by encouraging commercial developments in the Plan Area. Municipality may establish a Commercial Development District to phase in property taxes for the eligible commercial properties within the district. This tool supports new businesses by softening tax increases from the increases of assessed value of properties. This will provide commercial businesses with greater predictability on their taxes, leading to a more stable and competitive investment environment.

Policy 3.11.1

Council may establish, by by-law, one or more Commercial Development Districts in the Plan Area, provided that the district is serviced by wastewater and water infrastructure.

Minimum parking space requirement relaxed

- 4** Subsection 4.22.3 of the Osprey Village Land Use By-law is amended by
- (a) striking out “Senior Citizen Housing” at the beginning of Clause g) and substituting “Retirement Homes”; and
 - (b) striking out “two (2) dwelling units” at the end of Clause g) and substituting “three (3) dwelling units”.

Multi-unit dwellings and retirement homes permitted

- 5** Subsection 6.3.1 of the Osprey Village Land Use By-law is amended by
- (a) adding immediately after Clause f) the following clause:
 - fa) multi-unit dwellings; and
 - (b) adding immediately after Clause g) the following clause:
 - ga) retirement homes.

Height restriction relaxed

- 6** Subsection 6.3.2.2 of the Osprey Village Land Use By-law is amended by striking out “14metres (46 feet)” in the Maximum Height of Buildings and substituting “20 metres (66 feet)”.

Parking lots and multi-use trails permitted

- 7** Subsection 7.1.1 of the Osprey Village Land Use By-law is amended by
- (a) striking out “walking” at the beginning of Clause a) and substituting “multi-use”;
 - (b) striking out “and” at the end of Clause a);
 - (c) striking out the period at the end of Clause b) and substituting “, and”; and
 - (d) adding immediately after Clause b) the following clause:
 - c) parking lots.

Parking lot and multi-use trail structures permitted

- 8** Subsection 7.1.2 of the Osprey Village Land Use By-law is amended by
- (a) striking out “walking” in Clause a) and substituting “multi-use”;
 - (b) striking out “and” at the end of Clause b);
 - (c) striking out the period at the end of Clause c) and substituting “, and”; and
 - (d) adding immediately after Clause c) the following clause:
 - d) development of parking lots.

Signage requirement relaxed

- 9** Subsection 10.1.4 of the Osprey Village Land Use By-law is amended by adding immediately after the phrase “corner lots” in Clause c) the following phrase “and through lots”.

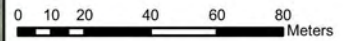
Retirement homes defined

- 10** Part 11 of the Osprey Village Land Use By-law is amended by adding immediately after the definition of RETAIL STORES the following clause:
- RETIREMENT HOMES mean any or part of a building or place containing multi-family dwellings designed for and principally occupied by senior citizens, in which such facilities may include a congregate meals program in a common dining area, but exclude institutional care, such as supervisory and personal cares, and are distinguished from homes for special cares defined by the Province of Nova Scotia.

PROPOSED SITE



- Proposed Building
- Proposed Boundary(Jan9)
- Powerline Easement
- Parking Lot
- Footprints (GPS'd)
- Civic Points
- Provincial Road
- Municipal Road
- Private Road
- Tracks, Trails
- Properties (Sept 2019)



**Option - 5.28 acres (2.14ha)
(Jan 9)**

*** Areas Approximate**

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

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

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





Date: January 2020

File: lplan2020ldaveWIOspreySiteJan9

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

MUNICIPALITY OF THE
DISTRICT OF LUNENBURG
OSPREY VILLAGE
LAND USE BY-LAW

PROPOSED AMENDMENT - January 2020

-  Provincial Road
-  Municipal Road
-  Private Road
-  Village Centre (VC)
-  Environmentally Sensitive (ES)
-  General Commercial (GC)
-  Two-unit Residential (TR)
-  Light Industrial (LI)
-  Mixed Use (MU)
-  Open Space (OS)
-  Institutional (IN)



0 50 100 200 300 Metres

1:5,000



Byung Jun Kang

From: Strang, Glen [REDACTED]
Sent: February 5, 2020 10:47 AM
To: Byung Jun Kang
Cc: [REDACTED]
Subject: RE: Access off Highway 10 (Osprey Village) for Emergency Services

CAUTION: This email originated from an external sender.

Good morning Byung Jun,

Thank you for requesting TIR input.

Trunk 10 access for this site was approved based on discussions around this specific development and only applies to this development. This is a variance in the Access Management Plan when Osprey Village was originally approved.

Contingent on the current approval is the majority of traffic generated will access the site from the newly constructed Municipal road with minimal trip generations from Trunk 10. Also, as you mention below, no connectivity between the rear and front parking areas will be permitted.

If access is required around the perimeter of the structure, we would have to revisit the Trunk 10 access, possibly revoking permission.

Glen Strang CET
Area Manager
Lunenburg/Queens
Department of Transportation and Infrastructure Renewal

[REDACTED]

From: Byung Jun Kang <ByungJun.Kang@modl.ca>
Sent: February 4, 2020 10:38 AM
To: Strang, Glen [REDACTED]
Subject: Access off Highway 10 (Osprey Village) for Emergency Services

[REDACTED]

Byung Jun Kang

From: Paul Coughlin [REDACTED]
Sent: February 7, 2020 10:16 AM
To: Byung Jun Kang
Subject: Re: Request for Comment - Placement of Stonemont Retirement Living Complex

[REDACTED]

Good morning Byung Jun,

Sorry for the delay in responding.

I had a look at the plans and have no safety concerns about this location. I think it would be wise to not have the building driveway enter/exit Hwy 10 but rather Nathan Cirillo Road only.

These additional residences should not significantly impact the ability of the RCMP to respond to calls for service - this is not a concern.

Please call me if you have any questions.

Paul



Staff Sergeant Paul Coughlin
Lunenburg District Commander

[REDACTED]



Municipality of the District of Lunenburg Fire & Emergency Services

MEMORANDUM

Date: February 4, 2020

To: Byung Jun Kang, MODL Planner, Planning and Development
Chief Darren Mulock, Northfield & District Fire Department

From: Chris Kennedy, Fire Services Coordinator

Subject: **Protection of Proposed Osprey Village Retirement Home**

As per our discussions on February 03/04, 2020, around fire services response to fire or other emergency situations at the proposed facility off Hwy#10 almost directly across from the Best Western Plus Hotel. Although I am not of an operational nature in my role with the municipality I have 25 plus years in the fire service within our municipality, 12.5 years as a local fire chief. I have a good understanding of the fire services in our area and have a great deal of respect for the fire chiefs and members serving under them.

I spoke with Chief Mulock with the Northfield and District Fire Department regarding this facility and any concerns or thoughts he may have. Below are his comments from an email he sent you February 03, 2020, to you along with a couple of my own.

- Is this a residential apartment building or a care facility where residents are receiving care or treatment?
- The access to the build is off Trunk 10 or Nathan Cirillo Road but is there going to be a fire lane °360 around the building-wide enough for large trucks?
- Is the building going to be supplied with standpipes and sprinkler system or just sprinklers?
- What type of construction is proposed combustible or non-combustible construction?
- Are there plans to add a fire hydrant on the lot connected to the Cookeville hydrant system?
- placement of the parking lot, adjacent the building or underground parking?
- Will there be a Fire Fighter elevator installed?
- Will there be a backup generator?

The Northfield District Fire Department would have a 7-8 min response from the station. We have a competent fleet of apparatus and trained personnel to have an emergency call at that site. Plus the Northfield District Fire Department also has an automatic mutual-aid response from neighbouring departments. The auto aid agreement is done from all of the Cookeville development area. The aid agreement that's in place will capture all equipment and personal needed for a larger fire or emergency.

In my opinion Chief Mulock covered some important points and questions, if the project moves ahead there could possibly be other questions and concerns as with any project of this size. The fire departments he mentioned in his automatic mutual-aid agreements have up to date, certified apparatus, equipment and trained personnel to mitigate fire or emergencies that could take place in such a facility. The mutual aid system in our county is sound and proven to be effective to amass personnel and equipment when required in aiding the mitigation of emergencies when they occur. I discussed these with Chief Mulock before forwarding them to you.

- There is a pond adjacent to the proposed facility and is a backup water supply for fire services in the event the fire flow in the hydrant system would become damaged.
 - This pond could be given an access point from the proposed building parking lot
 - This would allow quick and easy access to fire departments for either tanker or pumper relay operations.
- I mentioned to chief Mulock that our Regional Emergency Measure Coordinator could possibly assist with an evacuation plan for a facility of this size.
-
- The location is a good one as it will have access from the front and rear to allow for staging and operations if needed.
 - Close proximity to RCMP, EHS, a Regional hospital in the event of an evacuation
 - Municipal building close at hand for residents
 - Close proximity to many amenities in the area
- I understand that Transportation Infrastructure and Renewal will grant access directly across from the Best Western Plus Hotel with a restriction requiring the front and rear access to the facility being separate. This raised a concern with both chief Mulock and myself as fire dept apparatus would need a full three-hundred and sixty-degree access around the building. If this is a requirement possibly gates can be installed to allow the fire department the required access in the case of a response.

Chris Kennedy
Fire Service Coordinator
Municipality of the District of Lunenburg
210 Aberdeen Road
Bridgewater, NS B4V 4G8
Phone – (902) 541-5309
Cell – (902) 212-1165



Service Coordinator

Fire

Byung Jun Kang

From: Stephen Pace
Sent: February 5, 2020 12:56 PM
To: Byung Jun Kang
Subject: RE: Osprey Village Retirement Home

[REDACTED]

[REDACTED]

Byung:

Following up on your letter of February 5, 2020 and further to our discussion yesterday, I would like to provide some feedback.

Regarding sewer capacity, there are no issues with respect to the collection system and treatment capacity at the Cookville WWTP. This system has capacity for anticipated future development. This is a service owned and managed by MODL.

Central water services are provided by Bridgewater's Public Service Commission. Englobe is currently working on an update of their overall water system regarding hydraulic water modelling, etc. MODL has also retained Englobe to update an old 2009 Exit 12 Water Systems Extension Study Upgrade Report. This Report was due before Christmas 2019, but we have yet to receive the document. It is anticipated shortly. There are concerns for adequate water capacity / pressures in the area. The need for a water reservoir to support future growth has been indicated in past reports. We are awaiting the Report's recommendations for future development.

Regarding traffic, we see no issues with any development in the area on municipally owned roads, eg: Allee Champlain Drive and Nathan Cirillo Road, where we have jurisdiction. Highway Route 10, however, is owned by NSTIR. NSTIR is aware of potential future developments requesting direct access off Highway Route 10. While reluctant, I understand they are offering a compromise with limited access for visitor parking only with the bulk of traffic to be directed off of Nathan Cirillo Road. NSTIR will outline any requirements for access off of this road, including a Traffic Impact Study, driveway design, etc.

Exp Services Inc. has prepared a first draft of a Grading Plan for the MODL lands surrounding the Nathan Cirillo Road...please see attached. This grading plan will provide direction for grading required by future land developers of these land parcels. Site geotechnical conditions are the responsibility of the developer to determine, depending upon the intended use. MODL bears no responsibility to provide this information. A geotechnical investigation may need to be conducted in order for design work to proceed, again, depending on the intended use.

The location of the pond does pose potential risks. Should Council decide to maintain the presence of the pond as MODL property, I see the need to explore the securing of this pond area. Given the potential for seniors and school children in the area, this would be due diligence in my opinion.

Another thing to consider is the proposed construction of an Osprey Trail Connector in the area. The routing of this active transportation trail has yet to be determined, but is likely to run down the right-of-way of the NSPC line.

This provides you feedback on the various questions posed in your letter. Some are within MODL control while others are controlled by other parties.

Please feel free to contact me if you wish to discuss any of these issues further.



Council
Item: #10.3.1
Date: March 10, 2020
Authorization: T. MacEwan

LUNENBURG COUNTY LIFESTYLE CENTRE
135 North Park St
Bridgewater NS B4V 9B3
Ph: (902) 530-4100 Fx: (902) 530-3733
www.lclc.ca

MEMORANDUM

TO: To Her Worship, Mayor Bolivar-Getson, and Councillors of the Municipality of the District of Lunenburg

FROM: Deputy Mayor Tanner, Chair, Lunenburg County Multi-purpose Centre Corporation Board

DATE: March 3, 2020

RE: 2020/21 Budget – Municipal Contribution

The Lunenburg County Multi-purpose Centre Corporation Board in session on Wednesday, February 26, 2020, discussed the proposed LCLC Operating and Capital Budgets for 2020/21 and made the following recommendation:

- 1. That the Board recommend the approval of the proposed 2020/21 LCLC Capital Budget of \$825,000 to the respective Councils for approval, with each Council's contribution being \$412,500, less any approved surplus carry over of unspent capital funds from 2019-20 and less any external funding secured.**
- 2. That the Board recommend the approval of the proposed 2020/21 LCLC Operating Budget of \$768,823 to the respective Councils for approval, with each Council's contribution being \$384,411.50 each**

Please note that the 2019-20 Forecast and the 2020-21 Capital Budget propose that the unspent capital funds from 2019-20, estimated at \$121,997 be used to balance the 2019-20 operating budget, which is forecasted to have a deficit of \$(46,238), with the remainder (approximately \$75,000) being carried forwarded to 2020-21 Budget as revenue to reduce the partners contribution to the capital budget. To enable this the following additional motion is required:

- 3. That the unspent capital funds from 2019-20, estimated to be \$121,997, be used to offset the 2019-20 operating deficit forecasted to be \$(46,238) with the remainder to be carried over as revenue in 2020-21 Capital Budget to reduce the partners contributions**

Respectfully submitted,

Chairman and Members

Lunenburg County Multi-purpose Corporation Board

**Lunenburg County Lifestyle Centre
5 Year Capital Budget**

Feb-20



Fiscal Year April - March

2020 2021	2021 2022	2022 2023	2023 2024	2024 2025
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Cash Flow carryover	\$ 75,213	\$ (0)	\$ (0)	\$ (0)	\$ (0)
Amount requested	\$ 749,787	\$ 30,000	\$ 10,000		
<i>TOB Contribution</i>	\$ 374,894	\$ 15,000	\$ 5,000	\$ -	\$ -
<i>MODL Contribution</i>	\$ 374,894	\$ 15,000	\$ 5,000	\$ -	\$ -

Capital Expenditures

TRAK Report - \$672,991.23 Capital Investment

Measure 1 Cost - Geoexchange Fluid, Control & Isolation	\$ 40,991				
Measure 2 Cost - Ice Facility Pumping	\$ 42,000				
Measure 3 Cost - Connected AHU Pumps & Fans	\$ 60,000				
Measure 4 Cost - Refrigeration & Dehumidification	\$ 430,000				
Measure 5 Cost - Consolidated Controls & Integrated Energy Management	\$ 100,000				
<i>Project Management/Owners Engineer</i>	\$ 78,009				
Wifi & Network Upgrades	\$ 25,000				
Active Living Room Flooring	\$ 31,500				
Inflatables for Aquatics	\$ 17,500				
Zamboni Batteries		\$ 30,000			
Website Redesign			\$ 10,000		

Capital Cash Flow

Net Cash Flow after expenditures	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)
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\$ 825,000

Lunenburg County Lifestyle Centre 2020 / 2021 Budget



Revenues

- 1 - Municipal Operating Grants - Remain per the budget numbers provided
- 2 - Arena Revenues - Total Arena revenue has been relatively flat over the past three years. The opportunity for growth is in summer ice rentals, predicting a 15% growth in revenue with summer ice and raising the ice rates 3%
- 3 - Aquatic Centre - Total Aquatic revenues have shown growth in the past three years, followed trend with 2.5% increase
- 4 - Active Living, Room, and Equipment Rentals - Total revenues had a jump in revenues from 2017 / 2018 to 2018 / 2019. They have remained flat since that jump.
- 5 - Memberships - Total Membership revenues had a jump in revenues from 2016 / 2017 to 2017 / 2018. They have remained flat since that jump.
- 6 - Library Rent - Remain per the budget numbers provided
- 7 - Concessions Rent - Remain per the budget numbers provided
- 8 - ATM and Vending - Remain per the budget numbers provided
 Advertising and Sponsorship - Remain per the budget numbers provided
- 9 - Miscellaneous - Remain per the budget numbers provided
- 10 - Total Revenues will reflect a growth of;

Year	Revenues	2019 / 2020 Budget	2018 / 2019	\$ Diff		
				2017 / 2018	2016 / 2017	
Proforma	1,802,193	16,673	-56,246	45,280	41,828	
2019 / 2020 Budget	1,785,520					
2018 / 2019	1,858,439					
2017 / 2018	1,756,913					
2016 / 2017	1,760,365					

Expenses

- 11 - Removed the professional fees being paid to NRI in 2020 / 2021 budget.
- 11 - Utilities - increase for summer ice

Year	Totals	2019 / 2020 Budget	2018 / 2019	\$ Diff		
				2017 / 2018	2016 / 2017	
Proforma	435,422	25,422	33,956	41,465	41,246	
2019 / 2020 Budget	410,000					
2018 / 2019	401,465					
2017 / 2018	393,957					
2016 / 2017	394,176					

- 12 - Wages and Benefits

Year	Totals	2019 / 2020 Budget	2018 / 2019	\$ Diff		
				2017 / 2018	2016 / 2017	
Proforma	925,834	20,139	-61,876	-32,867	-86,249	
2019 / 2020 Budget	905,695					
2018 / 2019	987,710					
2017 / 2018	958,702					
2016 / 2017	1,012,083					

- 13- Two staff positions have been added to delivery programin within the Active Living studio, this cost will be offset with growth in program revenues and membership increases
- 14- Repair and maintenance staffing compliment has been added to avoid employing contractors for those services

	April	May	June	July	August	September	October	November	December	January	February	March	2020 / 2021 Total
	2019 / 2020 Actuals							BookKing		2018/2019 Actuals			
Gross Revenues													
Municipal Operating Grants	52,857	52,857	52,857	105,714	105,714	145,490	88,095	36,883	36,883	36,883	27,706	26,883	768,823
Capital Carry Over													
Arena	20,768	12,336	12,336	12,336	12,336	25,350	36,704	41,409	35,638	34,522	36,329	37,232	317,296
Lumberjacks Game Revenues	0	0	0	0	0	2,867	1,910	3,351	741	3,391	3,299	1,320	16,879
Aquatic Centre	14,057	10,394	22,355	21,216	33,751	20,906	10,030	10,918	25,754	21,286	9,753	48,235	248,655
Active Living, Room, and Equipment Rentals	4,334	20,616	21,125	19,088	11,166	6,022	7,506	7,329	5,065	6,151	10,612	13,560	132,573
Memberships	13,707	15,777	13,557	15,167	14,408	15,413	11,245	11,590	10,655	24,490	13,382	16,315	175,707
Library Rent	7,513	7,513	7,513	7,513	7,513	9,058	7,598	7,341	7,425	7,425	7,425	7,425	91,261
Concessions Rent	1,200	1,200	1,200	0	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	13,200
ATM and Vending	299	1,277	86	2,242	677	1,372	745	1,297	1,090	1,002	1,833	2,731	14,652
Advertising and Sponsorship	0	0	0	328	0	3,165	864	0	0	47	338	2,400	7,142
Miscellaneous	100	87	2	543	0	11,493	34	2,063	0	561	596	527	16,006
Total Revenue	114,834	122,056	131,030	184,148	186,765	242,337	165,932	123,381	124,451	136,958	112,473	157,828	1,802,193
Expenses													
Advertising and Promotion	335	2,009	0	105	1,404	330	21	0	2,951	594	73	2,967	10,789
Professional Fees	5,896	5,896	5,896	7,296	5,896	5,896	1,696	2,067	2,067	2,067	2,067	3,090	49,827
Bank, Interest, Credit Card and Other Fees	1,166	311	1,844	1,214	1,819	1,222	638	696	1,259	1,687	1,192	2,364	15,411
Concessions Expense	1,622	0	785	1,529	2,519	768	842	29	0	231	167	955	9,447
Facility Maintenance and Repairs	21,259	28,171	16,082	14,624	13,022	14,664	12,517	21,428	21,004	17,666	19,660	24,612	224,707
Housekeeping	2,082	1,759	1,618	1,571	1,121	1,682	1,181	1,343	2,287	2,267	2,729	653	20,294
IT Licensing, Fees and Support	1,982	1,910	2,036	2,908	3,065	1,812	1,961	2,190	2,710	4,346	5,073	4,416	34,409
Miscellaneous	192	-231	0	186	0	0	22	0	188	-21	0	0	337
Office	179	697	922	172	351	1,141	752	1,077	1,358	512	520	1,045	8,726
Pool Chemicals and Supplies	2,827	1,297	5,113	2,291	1,673	1,042	1,697	1,780	2,364	2,730	1,771	1,746	26,331
Programming	475	1,459	1,188	1,096	1,218	375	85	945	2,315	1,734	0	5,015	15,905
Staff Training and Courses	750	768	297	0	0	0	0	500	500	500	500	500	4,314
Telecommunications	534	741	659	653	654	641	654	954	659	488	482	525	7,510
Travel - Management Conferences	0	0	0	0	0	0	0	150	150	150	150	150	750
Uniforms	600	721	200	0	200	0	591	83	83	83	83	1,583	4,229
Utilities	35,491	34,861	33,711	33,310	36,253	40,774	35,473	38,075	36,528	38,898	39,153	32,894	435,422
Vending Expense	1,086	606	0	0	957	898	673	879	0	577	931	1,346	7,953
Wages and Benefits	78,741	76,721	72,918	80,227	70,803	68,525	75,731	81,461	73,381	78,174	71,874	97,277	925,834
Total Expenses	155,217	157,695	143,268	147,181	140,956	139,769	134,534	153,657	149,633	152,677	146,468	181,136	1,802,194
SURPLUS (DEFICIT) BEFORE SPECIAL EVENTS	-40,383	-35,639	-12,238	36,967	45,810	102,568	31,397	-30,276	-25,182	-15,720	-33,995	-23,309	-0
Special Events Revenue	4,000	0	0	0	0	0	0	0	20,000	0	0	0	24,000
Special Events Expense	4,000	0	0	0	0	0	0	0	20,000	0	0	0	24,000
SURPLUS (DEFICIT) FROM SPECIAL EVENTS	0	0	0	0	0	0	0	0	0	0	0	0	0
NET OPERATING SURPLUS (DEFICIT)	-40,383	-35,639	-12,238	36,967	45,810	102,568	31,397	-30,276	-25,182	-15,720	-33,995	-23,309	-0
Transfer to Reserve	0	0	0	0	0	0	0	0	0	0	0	0	0
Capital Projects (Net of Capital Funds Rec'd)	0	0	0	0	0	0	0	0	0	0	0	0	0
MFC Debenture Interest	0	60,769	0	0	0	0	0	60,769	0	0	0	0	121,538
TOB Transfer from Special Purposes Tax	0	-60,769	0	0	0	0	0	-60,769	0	0	0	0	-121,538
TOTAL NON-OPERATING EXPENSES	0	0	0	0	0	0	0	0	0	0	0	0	0
NET SURPLUS (DEFICIT)	-40,383	-35,639	-12,238	36,967	45,810	102,568	31,397	-30,276	-25,182	-15,720	-33,995	-23,309	-0
YTD	-40,383	-76,022	-88,260	-51,293	-5,483	97,084	128,482	98,205	73,023	57,303	23,308	-0	

	Curr Year Forecast	2019 / 2020 Budget	% inc (dec)	2018 / 2019 Actuals	% inc (dec)	2017 / 2018 Actuals	% inc (dec)	2016 / 2017 Actuals	% inc (dec)
	840,000	840,000	-8.47%	880,000	-12.63%	801,552	-4.08%	857,756	-10.37%
	47,421								
	295,045	320,000	-0.85%	303,641	4.50%	309,309	2.58%	301,195	5.35%
	0								
	237,228	212,185	17.19%	232,009	7.18%	224,983	10.52%	219,738	13.16%
	82,552	87,000	52.38%	90,439	46.59%	65,872	101.26%	72,428	83.04%
	153,828	153,000	14.84%	150,696	16.60%	151,127	16.26%	124,090	41.60%
	91,693	89,135	2.38%	90,187	0.00%	89,214	2.29%	87,630	4.14%
	13,200	13,200	0.00%	13,200	0.00%	14,400	-8.33%	7,200	83.33%
	15,017	15,000	-2.32%	15,444	-5.13%	17,764	-17.52%	14,156	3.50%
	15,630	24,000	-70.24%	35,513	-79.89%	36,749	-80.57%	29,190	-75.53%
	32,265	32,000	-49.98%	47,310	-66.17%	45,943	-65.16%	46,982	-65.93%
	1,823,878	1,785,520	0.93%	1,858,439	-3.03%	1,756,913	2.58%	1,760,365	2.38%
	9,564	15,000	-28.08%	7,178	50.30%	11,237	-3.99%	9,267	16.42%
	158,983	140,000	-64.41%	17,050	192.24%	11,719	325.18%	18,254	172.97%
	13,984	18,000	-14.38%	18,439	-16.42%	17,977	-14.27%	18,475	-16.59%
	8,282	1,500	529.80%	3,022	212.62%	4,914	92.25%	2,669	253.95%
	207,463	182,000	23.47%	194,356	15.62%	192,760	16.57%	175,612	27.96%
	19,171	20,000	1.47%	20,137	0.78%	20,465	-0.84%	19,145	6.00%
	35,737	40,400	-14.83%	27,147	0.00%	23,872	44.14%	28,009	22.85%
	211	2,000	-83.15%	9,418	-96.42%	3,087	-89.08%	2,827	-88.08%
	8,084	10,600	-17.68%	10,278	-15.10%	9,664	-9.71%	8,267	5.55%
	27,302	22,000	19.69%	28,403	-7.29%	27,633	-4.71%	23,203	13.48%
	13,492	16,500	-3.61%	10,372	53.34%	16,933	-6.08%	28,085	-43.37%
	3,474	6,000	-28.09%	0	0.00%	2,698	59.93%	1,524	183.09%
	8,477	10,000	-11.41%	8,180	-8.19%	9,300	-19.25%	14,830	-49.36%
	450	1,800	-58.33%	0	0.00%	840	-10.76%	734	2.18%
	2,768	2,900	45.81%	1,789	136.36%	1,763	139.86%	1,226	244.91%
	396,167	410,000	6.20%	401,465	8.46%	393,957	10.53%	394,176	10.46%
	8,484	8,000	-6.27%	7,694	3.37%	6,738	18.03%	9,425	-15.62%
	936,309	905,695	-1.12%	987,710	-6.26%	958,702	-3.43%	1,012,083	-8.52%
	1,858,403	1,812,395	-0.56%	1,752,638	2.83%	1,714,259	5.13%	1,767,811	1.94%
	-34,525	-26,875	-100.00%	105,801	-100%	42,654	-100.00%	-7,446	-100.00%
	126,315	86,875	-72.37%	79,573	-69.84%	34,165	-29.75%	53,979	-55.54%
	138,028	60,000	-82.61%	52,860	-54.60%	25,886	-7.28%	48,362	-50.37%
	-11,713	26,875	-100.00%	26,714	-100.00%	8,279	-100.00%	5,617	-100.00%
	-46,238	0	0.00%	132,514	-100.00%	50,933	-100.00%	-1,829	-99.98%
	0	0		0		0		0	
	-46,238	0		42,813		14,551		14,577	
	121,538	121,538		128,670		134,756		139,777	
	-121,538	-121,538		-128,670		-134,756		-139,777	
	-46,238	0		42,813		14,551		14,577	
	-0	0		89,702		36,383		-16,405	

No General Manager



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: MAYOR BOLIVAR-GETSON AND MUNICIPAL COUNCIL

SUBMITTED BY: Norma Schiefer, Municipal Development Officer

DATE: March 2, 2020

RE: REQUEST TO LEVY PRIVATE ROAD MAINTENANCE CHARGE – JOUDREY LANE ROAD ASSOCIATION

ORIGIN: Petition

RECOMMENDATION

That Municipal Council levy a maintenance charge within the Charge Area identified by the Joudrey Lane Road Association as follows:

- ***A uniform amount per lot based on occupancy***

With the 2020-21 charge being set at:

- ***\$250.00 per lot – fulltime resident***
- ***\$175.00 per lot – seasonal resident***
- ***\$150.00 per lot – vacant lot***

Subject to an Agreement being entered into between the Municipality and the Joudrey Lane Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.

BACKGROUND

A request has been received, from the Joudrey Lane Road Association, for Council to levy a charge pursuant to the By-law respecting the Maintenance and Improvement of Private Streets for road maintenance fees. The road maintenance fees are for the maintenance of Joudrey Lane, as identified in their charge area map, located in Sweetland.

This request is being forwarded to the Municipal Council for approval.

DISCUSSION

The request received from the Joudrey Lane Road Association is for Council to levy a charge to the lots within the identified Charge Area. Based on the maintenance budget, submitted by the Association, plus the 5% administration fee, lots will be charged based on occupancy: \$262.50 full time resident, \$183.75 seasonal resident and \$157.50 vacant lot. The Association is exempting lots at the entrance of the road, the lot which most of the road crosses and property owners with more than 1 property will only receive one charge. Charges will be applied to 7 properties in the 2020-2021 fiscal year.

[\$1400.00 Budget, plus 5% Administration fee of \$70.00 = \$1470.00 total charge amount]

[\$262.50 fulltime resident]

[\$183.75 seasonal resident]

[\$157.50 vacant lot]

The Private Road Maintenance and Improvement By-law requires that this request be accompanied by:

Requirements	Submitted Yes /No	Comment
Petition bearing the signature of 66.66% of the lot	Yes	Complies with By-law Petition submitted bears the signatures of 100% of the lot owners in the Charge Area (14 out of 14 lots).
Yearly Maintenance Budget, approved by Special Resolution	Yes	Maintenance Budget \$1400.00 -Complies (attached)
Copy of Special Resolution approving Maintenance Budget	Yes	Complies (attached)
Copy of the Associations MOU and By-law which clearly states that the object or purpose of the Assoc. is to carry out the road maintenance and/or improvement and the Assoc. was formed to represent the owners within the Charge Area.	Yes	Complies
Plan showing Charge Area	Yes	Complies (attached)

As is evident from the above noted chart the required information has been submitted. Staff has confirmed that a minimum of 66.66% of the lot owners have signed the petition in favor of the lot charge.

As per clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets, prior to approving the levying of a charge the Association must enter into an Agreement with the Municipality which:

- a) Requires that the Association shall be responsible for performing, or contracting the work associated with the improvement or maintenance of a street or streets in a Charge Area;
- b) Indemnifies and saves harmless the Municipality from any and all liability or responsibility with respects to the work associated with the improvement or maintenance of the street or streets in a Charge Area;
- c) Identifies that the petition forms the basis of the method of the Charge; and
- d) Contains any other clauses as deemed necessary by Municipal Council.

BUDGET IMPLICATIONS

The amount of \$1470.00 will need to be added to the budget as revenue and \$1400.00 added as an expense. [\$1470.00 less \$70.00 admin fee = \$1400.00]

CONCLUSION

The request submitted satisfies the requirements of the By-law Respecting the Maintenance and Improvement of Private Streets. Municipal Council is required to review this request for approval. A draft agreement is attached and is currently being reviewed by the Municipal Solicitor.

← Joudrey Lane RD meeting #1

Minutes of First meeting to discuss the formation of a Road Society- November 21, 2019

Present: Robert Hyson, Darin Silver, Liz Carter, Eric and Wanda Martell, Gail Zwicker, Art Zinck, Betty Ernst, Bruce Falkenham, Bill Thomas

Robert gave an overview as to why we are meeting

If we form an association, MODL will collect the designated road due on our taxes and send us a cheque once yearly for the amount collected. They will keep 5% for administration. This will avoid us having to go to everyone for dues. MODL will cut us a cheque within 3 months of the year end date. Suggested year end Jun 30. An annual meeting and financials etc to The Registrar must take place within 3 months of the year end.

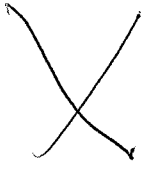
Eric moved that we establish an association called the Joudrey Lane Road Association. Seconded by Gail Zwicker

Motion carried unanimously

One vote per property owner (one per property)

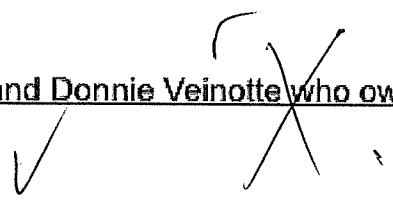
Nominations for directors;

- Robert- Chair
- Wanda- Secretary/Treasurer
- Art- Vice-chair
- Darin- Chair of Road Committee
- Betty- Director



Nominees approved by all members

Robert made a motion to exempt the Nause's at the entrance and Donnie Veinotte who owns a small wedge of property. Eric seconded. Motion carried



Fee structure:

- Full time residents- \$250.00 plus \$15.00 = \$265.00 - 3
- Seasonal with structure- \$175 plus 10.00 = \$185.00 - Falk, ART (2)
- Lot Owner (No structure)- \$150 + 10.00 = \$160.00 (Gail + Bill) (2)

The permanent residents will continue to pay the ploughing and do any minor upgrades

Eric moved that we establish these dues. Bruce seconded. Motion carried unanimously

The next step is to fill out the registration forms.

There was some discussion about liability insurance. Art brought up the fact tht dogs when off their own property should be on a leash. It was decided not to go that route but we would arrange for a speed limit sign on the road -Maximum Speed 25 mph- Children and pets may be present

Joudrey Lane Road. ASSOCIATION

RECORDED RESOLUTION

BE IT RESLOVED THAT the Joudrey Lane Road
ASSOCIATION hereby approve the Annual Maintenance Budget for April 1, 2020 to
March 31, 2021, as attached, and that this Budget form the basis for the lot charges for
Private Road maintenance.

I certify that the above is a true and correct copy
of the Resolution which was duly passed by the
Joudrey Road Lane Association at a
meeting duly called and held for that purpose on the
21 day of Nov, 2019

.....


Joudrey Lane Charge 2020 PROPOSED

- Civic Points
- Provincial Road
- Municipal Road
- Private Road
- - - Tracks, Trails
- Properties (Jan 2020)
- JoudreyLane_Signatures2020



Project Description:

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

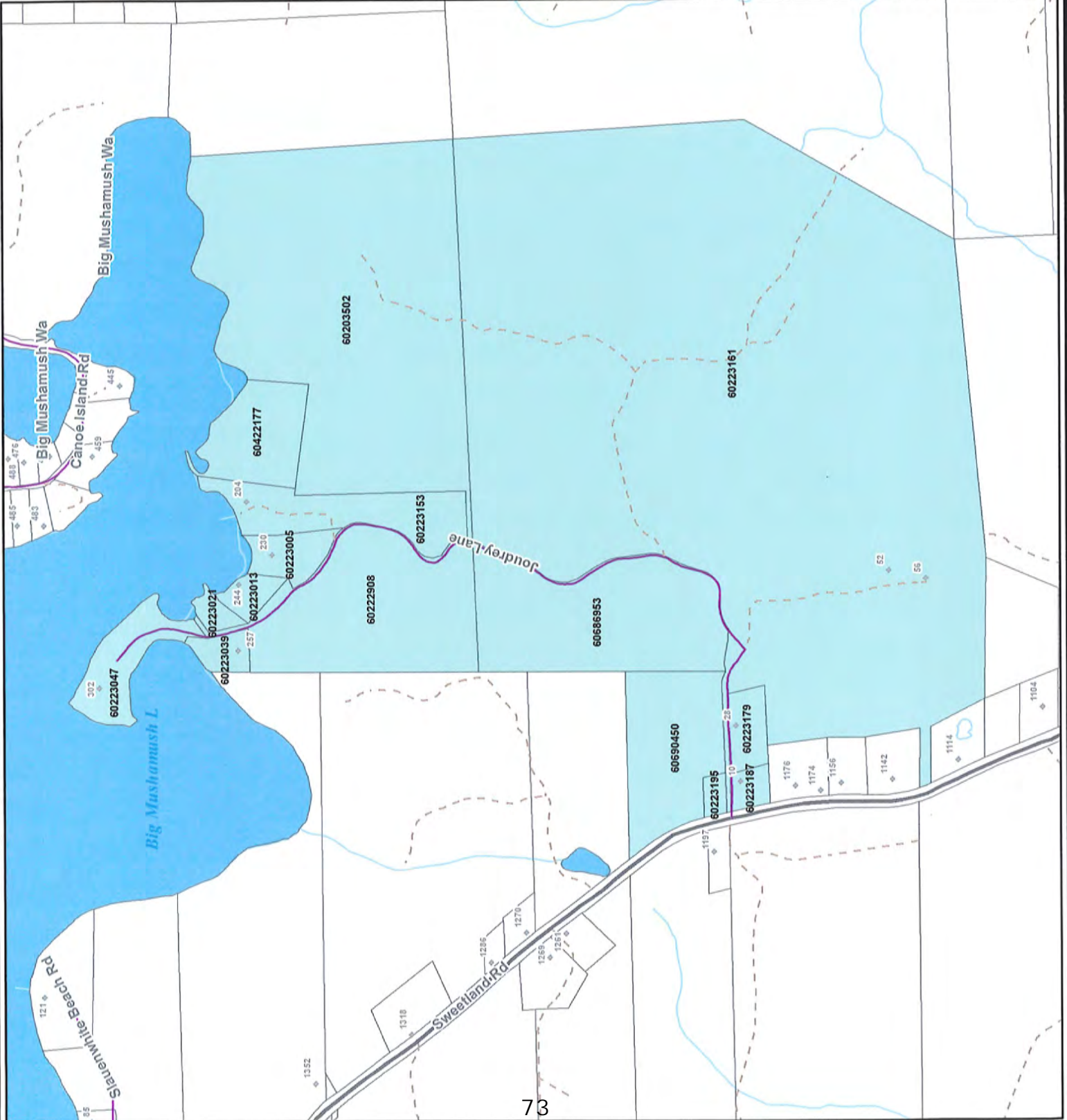
Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS

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

Date: Feb 2020

File:

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



AND WHEREAS the Municipal Council, in session on _____, passed the following motion:

That Municipal Council levy a maintenance charge within the Charge Area identified by the Joudrey Lane Road Association as follows:

- ***A uniform amount per lot based on occupancy***

With the 2020-21 charge being set at:

- ***\$250.00 per lot – fulltime resident***
- ***\$175.00 per lot – seasonal resident***
- ***\$150.00 per lot – vacant lot***

Subject to an Agreement being entered into between the Municipality and the Joudrey Lane Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.

AND WHEREAS the parties wish to enter into this agreement to give effect to their intentions with respect to the levy and collection of such charges, pursuant to the Bylaw.

WITNESSETH that in consideration of the mutual agreements set out herein, the parties agree as follows:

1. The parties agree the Petition of the residents of the JOUDREY LANE Road Association, attached hereto as Schedule “A”, shall form the basis of the charge created hereby, pursuant to the Bylaw. The Association confirms that all signatories to that petition are members of the Association.
2. The Charge Area to which this agreement shall apply is as shown in Schedule “B” attached hereto.
3. The Municipality shall levy and collect a charge of:
 - A uniform amount per lot based on occupancy within the charge area.
 - The said charge is to be adjusted annually, pursuant to the By-law Respecting the Maintenance and Improvement of Private Streets.
4. The Municipality shall turn over to the Association, the charges collected, for use in the improvement and maintenance of the Roads, in accordance with the Bylaw. The Municipality shall not be held responsible for relying on and shall be permitted to rely on any lot identification information provided by the Association.
5. The Association shall be responsible for performing or contracting, the work associated with the improvement or maintenance of the Roads.

6. The Municipality shall have no responsibility or liability of any kind with respect to the Roads or the condition of the Roads or for their improvement and/or maintenance, and the Association shall indemnify and save harmless the Municipality, its officers, servants, agents and employees, its and their heirs, executors, administrators, successors and assigns, or any of them, from and against all risk of loss, damage or injury and against all claims, demands, actions and causes of action whatsoever arising out of, or in any way attributable to the operation of this Agreement, including but not limited to any and all liability or responsibility with respect to the work associated with the improvement or maintenance of the Roads.

DRAFT

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

ON THIS day of , A.D., 2020, before me, the subscriber personally came and appeared, , a subscribing witness to the foregoing Indenture who, having been by me duly sworn, made oath and said that JOUDREY LANE ROAD ASSOCIATION, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed by its proper officers in his/her presence.

A COMMISSIONER OF THE SUPREME COURT
NOVA SCOTIA

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

ON THIS day of , A.D., 2020, before me, the subscriber personally came and appeared, , a subscribing witness to the foregoing Indenture who, having been by me duly sworn, made oath and said that JOUDREY LANE ROAD ASSOCIATION, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed by its proper officers in his/her presence.

A COMMISSIONER OF THE SUPREME COURT
NOVA SCOTIA

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

ON THIS day of , A.D., 2020, before me, the subscriber personally came and appeared, , a subscribing witness to the foregoing Indenture who, having been by me duly sworn, made oath and said that the MUNICIPALITY OF THE DISTRICT OF LUNENBURG, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed by its proper officers in his/her presence.

A COMMISSIONER OF THE SUPREME COURT
NOVA SCOTIA

DRAFT

AFFIDAVIT OF STATUS

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

I, _____, of _____, in the County of Lunenburg and Province of Nova Scotia, the "Deponent", make oath and swear that

1. THAT I am the President of JOUDREY LANE Road Association, "the Society". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that the Society executed the foregoing instrument by its proper officer[s] duly authorized in that regard under seal on the date of this affidavit; this acknowledgment is made for the purpose of registering such Instrument pursuant to S.31 (a) of the Registry Act, R.S.N.S. 1989, c.392. or s. 79(1)(a) of the Land Registration Act as the case may be, for the purpose of registering this instrument.
3. The Society is a resident of Canada under the Income Tax Act (Canada) and is incorporated pursuant to the Societies Act of Nova Scotia and is in good standing.
4. THAT I have authority to execute this instrument on behalf of the JOUDREY LANE Road Association, and thereby bind the JOUDREY LANE Road Association.

SWORN TO at)
in the County of Lunenburg,)
Province of Nova Scotia,)
this ____ day of _____)
A.D. 2020)
)
)
)
)
)
)
_____)
A COMMISSIONER OF THE)
SUPREME COURT NOVA SCOTIA)

Schedule A

JOUDREY LANE Road Association Petition

DRAFT

The petition will form part of the
signed agreement

Schedule B

JOUDREY LANE Road Association
Map showing the Charge Area

DRAFT

The map is not duplicated in this draft agreement; the document is currently located above in the report



Municipality of the District of Lunenburg

REQUEST FOR DECISION

REPORT TO: MAYOR BOLIVAR-GETSON AND MUNICIPAL COUNCIL

SUBMITTED BY: Norma Schiefer, Municipal Development Officer

DATE: March 2, 2020

RE: REQUEST TO LEVY PRIVATE ROAD MAINTENANCE CHARGE – LAKEVIEW DRIVE AND AREA ROAD ASSOCIATION

ORIGIN: Petition

RECOMMENDATION

That Municipal Council levy a maintenance charge within the Charge Area identified by the Lakeview Drive and Area Road Association as follows:

- ***A uniform amount per lot***

With the 2020-21 charge being set at:

- ***\$200.00 per lot***

Subject to an Agreement being entered into between the Municipality and the Lakeview Drive and Area Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.

BACKGROUND

A request has been received, from the Lakeview Drive and Area Road Association, for Council to levy a charge pursuant to the By-law respecting the Maintenance and Improvement of Private Streets for road maintenance fees. The road maintenance fees are for the maintenance of Lakeview Drive, Oak Drive, Fieldview Drive, Poplar Court, East Lombardy Lane and West Lombardy Lane, as identified in their charge area map, located in Scarsdale.

This request is being forwarded to the Municipal Council for approval.

DISCUSSION

The request received from the Lakeview Drive and Area Road Association is for Council to levy a charge to the lots within the identified Charge Area. Based on the maintenance budget, submitted by the Association, including the 5% administration fee, the charge per lot will be \$200.00. The Association has exempted 7 properties that do not use the private roads for access. Charges will be applied to 41 properties in the 2020-2021 fiscal year.

[\$7,809.52 Budget, plus 5% Administration fee of \$390.48 = \$8,200.00 total charge amount]

[\$200.00 per lot]

The Private Road Maintenance and Improvement By-law requires that this request be accompanied by:

Requirements	Submitted Yes /No	Comment
Petition bearing the signature of 66.66% of the lot	Yes	Complies with By-law Petition submitted bears the signatures of 68.75% of the lot owners in the Charge Area (33 out of 48 lots).
Yearly Maintenance Budget, approved by Special Resolution	Yes	Maintenance Budget \$8,200.00 -Complies (attached)
Copy of Special Resolution approving Maintenance Budget	Yes	Complies (attached)
Copy of the Associations MOU and By-law which clearly states that the object or purpose of the Assoc. is to carry out the road maintenance and/or improvement and the Assoc. was formed to represent the owners within the Charge Area.	Yes	Complies
Plan showing Charge Area	Yes	Complies (attached)

As is evident from the above noted chart the required information has been submitted. Staff has confirmed that a minimum of 66.66% of the lot owners have signed the petition in favor of the lot charge.

As per clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets, prior to approving the levying of a charge the Association must enter into an Agreement with the Municipality which:

- a) Requires that the Association shall be responsible for performing, or contracting the work associated with the improvement or maintenance of a street or streets in a Charge Area;
- b) Indemnifies and saves harmless the Municipality from any and all liability or responsibility with respects to the work associated with the improvement or maintenance of the street or streets in a Charge Area;
- c) Identifies that the petition forms the basis of the method of the Charge; and
- d) Contains any other clauses as deemed necessary by Municipal Council.

BUDGET IMPLICATIONS

The amount of \$8,200.00 will need to be added to the budget as revenue and \$7,809.52 added as an expense. [\$8,200.00 less \$390.48 admin fee = \$7,809.52]

CONCLUSION

The request submitted satisfies the requirements of the By-law Respecting the Maintenance and Improvement of Private Streets. Municipal Council is required to review this request for approval. A draft agreement is attached and is currently being reviewed by the Municipal Solicitor.

Lakeview Drive and Area
Road Association

Annual Budget

04/01/20 - 03/31/21

Services offered by Tim Daniels
Excavating Inc.

Description		Amount
Winter Sanding	4 times	\$800.00
Snow Plowing	\$75/hr(2 hr per plow)	\$1,800.00
Grading of Road	approx 10 hrs	\$1,250.00
Replace culvert at Road Entrance		\$2,875.00
Surplus funds		\$1,085.00
		<hr/>
		\$7,725.00
		plus \$390.00 admin fees
		<hr/>
		\$8,200.00

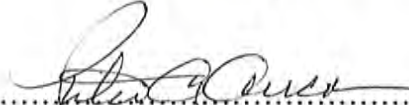
Accepted annual payment through Municipal Property Tax of \$200.00 per property

Lakeview Drive Area Road ASSOCIATION

RECORDED RESOLUTION

BE IT RESLOVED THAT the Lakeview Drive & Area Road ASSOCIATION hereby approve the Annual Maintenance Budget for April 1, 2020 to March 31, 2021, as attached, and that this Budget form the basis for the lot charges for Private Road maintenance.

I certify that the above is a true and correct copy of the Resolution which was duly passed by the Lakeview Drive & Area Road A Association at a meeting duly called and held for that purpose on the 06 day of February, 2020


.....

AND WHEREAS the Municipal Council, in session on _____, passed the following motion:

That Municipal Council levy a maintenance charge within the Charge Area identified by the Lakeview Drive and Area Road Association as follows:

- ***A uniform amount per lot***

With the 2020-21 charge being set at:

- ***\$200.00 per lot***

Subject to an Agreement being entered into between the Municipality and the Lakeview Drive and Area Road Association that satisfies the requirements of clause 3.1(e) of the By-law Respecting the Maintenance and Improvement of Private Streets.

AND WHEREAS the parties wish to enter into this agreement to give effect to their intentions with respect to the levy and collection of such charges, pursuant to the Bylaw.

WITNESSETH that in consideration of the mutual agreements set out herein, the parties agree as follows:

1. The parties agree the Petition of the residents of the LAKEVIEW DRIVE AND AREA Road Association, attached hereto as Schedule "A", shall form the basis of the charge created hereby, pursuant to the Bylaw. The Association confirms that all signatories to that petition are members of the Association.
2. The Charge Area to which this agreement shall apply is as shown in Schedule "B" attached hereto.
3. The Municipality shall levy and collect a charge of:
 - A uniform amount per lot within the charge area.
 - The said charge is to be adjusted annually, pursuant to the By-law Respecting the Maintenance and Improvement of Private Streets.
4. The Municipality shall turn over to the Association, the charges collected, for use in the improvement and maintenance of the Roads, in accordance with the Bylaw. The Municipality shall not be held responsible for relying on and shall be permitted to rely on any lot identification information provided by the Association.
5. The Association shall be responsible for performing or contracting, the work associated with the improvement or maintenance of the Roads.

6. The Municipality shall have no responsibility or liability of any kind with respect to the Roads or the condition of the Roads or for their improvement and/or maintenance, and the Association shall indemnify and save harmless the Municipality, its officers, servants, agents and employees, its and their heirs, executors, administrators, successors and assigns, or any of them, from and against all risk of loss, damage or injury and against all claims, demands, actions and causes of action whatsoever arising out of, or in any way attributable to the operation of this Agreement, including but not limited to any and all liability or responsibility with respect to the work associated with the improvement or maintenance of the Roads.

DRAFT

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

ON THIS day of , A.D., 2020, before me, the subscriber personally came and appeared, , a subscribing witness to the foregoing Indenture who, having been by me duly sworn, made oath and said that LAKEVIEW DRIVE AND AREA ROAD ASSOCIATION, one of the parties thereto, caused the same to be executed in its name and on its behalf and its corporate seal to be thereunto affixed by its proper officers in his/her presence.

A COMMISSIONER OF THE SUPREME COURT
NOVA SCOTIA

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A COMMISSIONER OF THE SUPREME COURT
NOVA SCOTIA

DRAFT

AFFIDAVIT OF STATUS

PROVINCE OF NOVA SCOTIA)
COUNTY OF LUNENBURG)

I, _____, of _____, in the County of Lunenburg and Province of Nova Scotia, the "Deponent", make oath and swear that

1. THAT I am the President of LAKEVIEW DRIVE AND AREA Road Association, "the Society". Except as otherwise stated I have personal knowledge of the matters to which I have sworn in this Affidavit.
2. I acknowledge that the Society executed the foregoing instrument by its proper officer[s] duly authorized in that regard under seal on the date of this affidavit; this acknowledgment is made for the purpose of registering such Instrument pursuant to S.31 (a) of the Registry Act, R.S.N.S. 1989, c.392. or s. 79(1)(a) of the Land Registration Act as the case may be, for the purpose of registering this instrument.
3. The Society is a resident of Canada under the Income Tax Act (Canada) and is incorporated pursuant to the Societies Act of Nova Scotia and is in good standing.
4. THAT I have authority to execute this instrument on behalf of the LAKEVIEW DRIVE AND AREA Road Association, and thereby bind the LAKEVIEW DRIVE AND AREA Road Association.

SWORN TO at)
in the County of Lunenburg,)
Province of Nova Scotia,)
this _____ day of _____)
A.D. 2020)

A COMMISSIONER OF THE)
SUPREME COURT NOVA SCOTIA)

Schedule A

LAKEVIEW DRIVE AND AREA Road Association Petition

DRAFT

The petition will form part of the
signed agreement

Schedule B

LAKEVIEW DRIVE AND AREA Road Association
Map showing the Charge Area

DRAFT

The map is not duplicated in this draft agreement; the document is currently located above in the report