

**MUNICIPALITY OF THE DISTRICT OF LUNENBURG**  
**Minutes of a Special Tele/Video Conference Meeting of**  
**MUNICIPAL COUNCIL**  
**Tuesday, June 23, 2020 – 9:00 a.m.**

**ATTENDANCE**

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

Staff:

Tom MacEwan, Chief Administrative Officer  
Alex Dumaresq, Deputy CAO  
Sherry Conrad, Municipal Clerk  
Tissy Bolivar, Acting Director of Recreation  
Sarah Kucharski, Communications Officer  
Stephen Pace, Director of Engineering & Public Works  
Dave Waters, Director of Business Development, Tourism & Infrastructure  
Elana Wentzell, Director of Finance  
Angela Veinot, Accounting Manager  
Jeff Merrill, Director of Planning & Development Services  
Byung Jun Kang, Planner  
Darren Shupe, Planner  
Tina Robichaud-Bond, Executive Assistant

**1. CALL TO ORDER**

Mayor Bolivar-Getson called the meeting to order at 9:00 a.m. and advised that the meeting was being held by tele and video conference.

**2. APPROVAL OF AGENDA**

**Moved by Deputy Mayor Hustvedt, seconded by Councillor Nauss that the Agenda be approved as circulated. Carried unanimously.**

### **3. ANNOUNCEMENTS, ACKNOWLEDGEMENTS, RECOGNITIONS**

Mayor Bolivar-Getson acknowledged the passing of Joseph Carnevale, Councillor for the Town of Lunenburg, and asked for a moment of silence in his memory.

### **4. RECOMMENDATIONS FROM COMMITTEES & BOARDS**

#### **4.1 Finance Committee**

##### **4.1.1 Community Facility Grant Policy**

Mr. MacEwan explained that the Finance Committee directed staff to work on an Emergency Assistance Fund program and, as a result, a draft policy will be presented under item 5.2.9 of this agenda for Council's consideration.

### **5. STAFF REPORTS**

#### **5.1 Engineering Department**

##### **5.1.1 LaHave River Straight Pipe Program Update**

Maria Butts, LaHave River Project Manager, and Allison Stenhouse, Engineering Student, were in attendance.

Ms. Butts gave a presentation (circulated with the Agenda) updating Council on the status of the LaHave River Straight Pipe Replacement Program with details on the following:

- program participants
- progress on installations
- 2020 targets
- inspection program
- moving forward

It was noted that the program was expected to be completed by the end of 2022.

Mr. Dumaresq thanked Ms. Butts and Lively Construction for their success in getting the season started under such unusual COVID-19 protocols.

Ms. Butts introduced Allison Stenhouse as the new Engineering Co-op student.

**Ms. Butts and Ms. Stenhouse left the meeting.**

## **5.2 Administration Department**

### **5.2.1 Second Reading – Repeal & Replacement of Electronic Voting By-law**

Ms. Conrad reviewed her report, “Second Reading re Repeal of Electronic Voting By-law and Replacing it with a By-law Respecting Alternative Voting” (circulated with the Agenda). She reported that Council gave notice on May 26, 2020 of its intention to repeal the existing Electronic Voting By-law and replace it with the new By-law Respecting Alternative Voting. She explained that the new by-law will allow Council to set the alternative polling dates for each election by resolution and outlines the methods, process, and regulations of alternative voting.

Ms. Conrad advised that no written submissions were received and that Second Reading was in order.

**Moved by Councillor Nauss, seconded by Deputy Mayor Hustvedt that Municipal Council conduct Second Reading to repeal the existing Electronic Voting By-law that was adopted by Council on May 24, 2016 and approve and adopt the new by-law A By-law Respecting Alternative Voting. Carried unanimously.**

### **5.2.2 2020 Council Summer Meeting Schedule**

Ms. Conrad reviewed her report, “2020 Council Summer Meeting” (circulated with the Agenda) and reported that in recent years Council had taken a summer break during the first four weeks of August. She explained that she polled twelve municipalities and provided the results.

It was noted that Council would have the option, if required, to call a special meeting during the break.

**Moved by Councillor Bell, seconded by Councillor Moore that Municipal Council approve the summer break from Council and Council committee meetings from August 3 – 28, 2020.**

Discussions followed regarding the advantages and disadvantages of taking a Council break.

**The Motion on the floor was voted on and carried. Those Opposed: Councillors Knickle and Ernst**

### **5.2.3 Proposed Amendments to Policy MDL-01 Proceedings of Council Re Conduct Meetings Electronically**

Mr. MacEwan reviewed his report, “Proposed Amendments to Policy MDL-01 Proceedings of Council” (circulated with the Agenda) and referred more specifically to Section 3 “Meetings”.

Mr. MacEwan explained that the proposed amendments to the Policy were to clarify Council's ability to hold and attend meetings via electronic means, i.e., video or telephone conference, and provided details of each amendment.

**Moved by Councillor Carver, seconded by Councillor Whynot that Municipal Council give seven (7) days' notice that Council will be considering approving the proposed amendments to Section 3 "Meetings" of Policy MDL-01 Proceedings of Council at the July 14, 2020 Council meeting.**

Council agreed that paragraph 3.6 of the proposed Policy be reworded to specify that other suitable streaming facilities may be used in addition to Facebook, and that paragraphs 2.3 and 5.1 be amended to replace the use of "his/her" to "their". Staff agreed to make the changes for the July 14, 2020 Council meeting.

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

#### **5.2.4 Funding Award – Comfort Centre**

**Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council award the 2020/21 Comfort Centre Generator Grants to the Martin's River Fire Department in the amount of \$7,000 and to the Tri-District Fire Rescue in the amount of \$7,000. Carried unanimously.**

#### **5.2.5 Funding Recommendation – Black Lives Matter Nova Scotia Solidarity Fund**

**Moved by Deputy Mayor Hustvedt, seconded by Councillor Bell that Municipal Council approve the award of a grant in the amount of \$2,500 to the Black Lives Matter Solidarity Fund Nova Scotia with the funds to come from Council's Contingency Fund. Carried unanimously.**

Mayor Bolivar-Getson, on behalf of Council, congratulated the Class of 2020 students throughout the Municipality and wished them success in their future endeavours.

#### **5.2.6 Funding Request – Parkview Education Centre Community Graduation**

A request for funding was received to help support the Park View Education Centre 2020 Graduation Ceremony.

**Moved by Councillor Knickle, seconded by Councillor Nauss that Municipal Council award a sponsorship grant in the amount of \$2,500 in support of the Park View Education Centre 2020 Graduation Ceremony hosted by the LCLC with the funds to come from the Council Contingency Fund. Carried unanimously.**

### **5.2.7 Funding Request – New Germany High Community Graduation Event**

A request for funding was received to help support the New Germany Rural High School Community Graduation Event.

**Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council award a sponsorship grant in the amount of \$1,000 in support of the New Germany Rural High School 2020 Graduation Ceremony hosted by the Royal Canadian Legion – New Germany Branch with the funds to come from the Council Contingency Fund. Carried unanimously.**

### **5.2.8 Funding Request CSAP Graduation Event**

A request for funding was received to help support the CSAP Graduation Event.

**Moved by Councillor Garland, seconded by Councillor Whynot that Municipal Council award a sponsorship grant in the amount of \$230 in support of the CSAP 2020 Graduation Ceremony hosted by the Best Western Plus Bridgewater on Saturday, June 20, 2020 with the funds to come from the Council Contingency Fund. Carried unanimously.**

### **5.2.9 Emergency Assistance Fund**

Mr. MacEwan reviewed his report, “Emergency Assistance Fund for Community Organizations” (circulated with the Agenda) and explained how organizations could access funds through the program. He reported that this program would meet the needs of the organizations that were experiencing difficulties with raising funds due to the COVID-19 restrictions.

**Moved by Councillor Carver, seconded by Deputy Mayor Hustvedt that Municipal Council approve the Emergency Assistance Fund for Community Organizations as presented.**

It was clarified that fire departments are not eligible for the Emergency Assistance Fund as they have an alternate process available to them to raise the required funds necessary to operate.

It was noted that the application forms would be available on the Municipality’s website.

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

## **5.3 Planning Department**

### **5.3.1 Planning Policy Review**

Mr. Kang gave a presentation on Planning Policy Review (attached to the Minutes). He advised that Council requested a review of the existing planning models and a recommendation on a future model. Mr. Kang reported that the recommendation was to move towards a Planning

Advisory Committee (PAC) model and he explained the reasoning for this recommendation, provided details on the various motions and a timeline of the process.

Discussions ensued on the following:

- other municipalities following the proposed model
- processes of moving towards a PAC model
- membership of PAC
- sub-committees/ad-hoc committees
- dissolving AACs

It was suggested that the existing Area Advisory Committees be contacted to advise of Council's decision to adopt a PAC model.

**Moved by Councillor Bell, seconded by Councillor Nauss that Municipal Council give seven (7) days' notice of its intention to repeal Policy MDL-66 respecting the Public Participation Program in the Planning Process, and to adopt a new Policy MDL-66 respecting the Public Engagement, as presented in Appendix B of staff's report, at the July 14, 2020 Council meeting. Carried. Opposed: Councillor Ernst**

**Moved by Councillor Garland, seconded by Councillor Whynot that Municipal Council give seven (7) days' notice of its intention to repeal Policy MDL-21 respecting the Procedure for the Formation, Extension, and Abolishment of Plan Areas, at the July 14, 2020 Council meeting.**

A discussion followed regarding the process of abolishing an AAC. It was noted that land use planning would remain in effect and that Council's decisions would address how to create and amend those plans and that only the procedural steps were to be changed.

It was further noted that the process was a direct result of the Province's introduction of mandatory planning for all municipalities.

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

**Moved by Councillor Nauss, seconded by Councillor Carver that Municipal Council give seven (7) days' notice of its intention to repeal Policy MDL-56 respecting the Membership Selection of the Area Advisory Committee, at the July 14, 2020, Council meeting, effective October 1, 2020.**

It was clarified that members of the current Area Advisory Committees would have opportunities to participate in planning strategies in the future through a public engagement process.

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

**Moved by Councillor Veinot, seconded by Councillor Nauss that Municipal Council give notice of its intention to adopt the AAC Policy Amendment By-law, and conduct First Reading of the same; and further, that Municipal Council gives notice of Second Reading and Public Hearing to be held at 8:30 a.m. on Tuesday, July 28, 2020. Carried unanimously.**

**Moved by Councillor Moore, seconded by Councillor Carver that Municipal Council give seven (7) days' notice of its intention to amend Policy MDL-02 respecting the Committees of Council, by repealing Section 4, at the July 14, 2020 Council meeting. Carried unanimously.**

**Moved by Councillor Whynot, seconded by Councillor Nauss that Municipal Council give seven (7) days' notice of its intention to adopt Policy MDL-90 respecting the Planning Advisory Committee, as presented in Appendix G of staff's report, at the July 14, 2020 Council meeting. Carried unanimously**

**Moved by Councillor Ernst, seconded by Councillor Whynot that Municipal Council give seven (7) days' notice of its intention to amend Policy MDL-04 respecting the Non-Council Appointments and Honorariums, by striking out "(excluding Area Advisory Committee)" in Section 1, at the July 14, 2020 Council meeting. Carried unanimously**

**Moved by Councillor Ernst, seconded by Councillor Bell that Municipal Council direct staff to communicate with the Area Advisory Committees of Council's intention to move towards the adoption of a Planning Advisory Committee model. Carried unanimously.**

#### **5.4 Recreation Department**

##### **5.4.1 Annual Community Grant Awards**

Ms. Bolivar reviewed her report, "Annual Operating and Major Recreation Capital Grants" (circulated with the Agenda) and advised that the recommendations put forward were based on discussions with Council.

**Moved by Councillor Veinot, seconded by Councillor Moore that Municipal Council approve the applications for the 2020-21 Annual Operating Grant Program in the amount of \$34,300, as presented; and further, that the grants awarded to the organizations, who have not been able to provide their programs because of COVID-19 restrictions, be contingent upon them providing a satisfactory operational plan identifying costs.**

Discussions followed regarding policy and procedures of awarding grants.

It was noted that the Mahone Bay Centre did not receive the amount it had received in the past and that if Council wished to provide additional funding to this organization, it be done through another fund. The Annual Operating Grant Program sets a maximum of \$5,000 for an annual

operating grant. If Council wants to provide more than the maximum amount, Council would have to take money from other sources.

It was suggested that when an organization makes an application for more than the maximum grant, the applicants be notified of the maximum grant award available.

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

**Moved by Councillor Carver, seconded by Deputy Mayor Hustvedt that Municipal Council approve the applications for the 2020-21 Major Recreation Capital Grant Program in the amount of \$36,500, as presented.**

Discussions followed on awarding additional funds to various organizations.

**Moved by Councillor Nauss, seconded by Councillor Knickle that the motion on the floor be amended to increase the amount awarded to Middlewood United Church from the 2020-21 Major Recreation Capital Grant Program by \$2,500 to help with their capital expenditures.**

It was suggested that the requests for additional funds be brought forward at a separate meeting.

**The Motion to amend was voted on and defeated. Those opposed: Councillors Bell, Veinot, Ernst, Carver, Garland, Deputy Mayor Hustvedt, and Mayor Bolivar-Getson**

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

**Moved by Councillor Ernst, seconded by Councillor Bell that any late or special grant applications be considered at the next Finance Committee meeting. Carried. Those Opposed: Councillors Nauss and Garland.**

## **7. ADJOURNMENT**

**There being no further business at 11:33 a.m., it was moved by Councillor Moore, seconded by Councillor Whynot that the meeting adjourn. Carried.**

# Planning Policy Review

PL190055

Byung Jun Kang, Planner

June 23, 2020



# Origin

## Legislative Authority

- **October 9, 2018**
- **December 3, 2019**
- **May 19, 2020**

Subsection 201(1) of the **Municipal Government Act**.

Council directed staff to review Policy MDL-21 (Establishment of AAC).

Province of Nova Scotia mandated minimum planning.  
This is the biggest planning change since 1999.

Council held a workshop to discuss a planning model for mandatory planning.  
Staff recommends moving towards the PAC-only model.



# Policy Recommendation

Staff recommends moving towards the PAC-only model for the following reasons:

- Change in provincial planning direction
  - Planning for the entire Municipality – much larger area
  - Generally, one advisory committee for one planning strategy
- Efficient municipal administration
  - Faster processing time for developers
  - Much less workload for staff (4-6 times lesser than the current model)
- Availability of alternative options
  - Live video streaming of Council meetings
  - New engagement website
  - Public information sessions before PAC meetings
  - PAC meetings in local communities
  - Existing options for public engagement



# Proposed Motions

## **Area Advisory Committees**

1. Repeal and replace Policy MDL-66 (Public Engagement Policy)
2. Repeal Policy MDL-21 (Establishment of Plan Area)
3. Repeal Policy MDL-56 (Membership Selection of Area Advisory Committee – AAC)
4. Amend planning strategies of Hebbville, Riverport, Blockhouse and Princes Inlet

## **Planning Advisory Committee**

5. Adopt Policy MDL-90 (Planning Advisory Committee – PAC Policy)
6. Amend Policy MDL-02 (Committees of Council)
7. Amend Policy MDL-04 (Non-Council Appointments and Honorarium)

**= Changes to 6 policies and 4 by-laws**



# Policy MDL-66 (Public Engagement Policy)

## Purpose of repeal & replace

- reflects the current practice of public engagement in the planning process;
- refers to the new Municipal Planning Strategy for the general direction; and
- integrates best practices of online engagement.
- clarifies the power of Council to enhance public engagement
  - Opinion polls
  - Public information sessions
  - Public notices
  - Public input periods at all Council and PAC meetings

## Consideration

- New provisions will be included as per Section 204A of the **MGA** (Engagement with Abutting Municipalities Program) in 2021.



# Policy MDL-21 (Establishment of Plan Area Policy)

## **Purpose of repeal**

- The entire municipal jurisdiction is to become one plan area under the new Municipal Planning Strategy.
- Establishment of an Area Advisory Committee, along with plan adoption, require heavy staff resources.

## **Important notes**

- All 6 existing AAC will continue to exist after the repeal.
- Separate policy is required for dissolving an AAC.



# Policy MDL-56 (AAC Membership Selection Policy)

## **Purpose of repeal**

- Same as Policy MDL-21
- Repeal will be in effect starting October 2020, instead of July 2020, to allow one last appointment if needed.
  - i.e. Hemford Forest AAC may require an extension of appointments until its plan adoption.

## **Important note**

- Terms of all AAC members will expire in November 2020.



# AAC Policy Amendment By-law

## Purpose of adoption

- This by-law amends the Secondary Planning Strategies in Riverport, Hebbville, Blockhouse and Princes Inlet.
- All roles assumed by AAC will be transferred to the PAC.
  - Local planning advisory
  - Planning application review
  - These roles are already assumed by the PAC – no increase in work.



# Policy MDL-90 (Planning Advisory Committee Policy)

## Purpose of adoption

- To have an independent policy for the Planning Advisory Committee (PAC) to serve as terms of reference.
- To clarify the procedure of running a PAC meeting
  - Meetings open to public
  - Seeking public input in all items
  - Meetings dedicated for public discussion
  - Roles of staff
  - Meetings held on as-needed basis

## Important note

- PAC is established under Section 202 of the **MGA**, contrast to most other committees of Council (Section 24).



# Policy MDL-02 (Committees of Council Policy)

## **Purpose of amendment**

- To repeal Section 4 (Planning Advisory Committee roles and responsibility)
- Section 4 is becoming the basis of Policy 90.



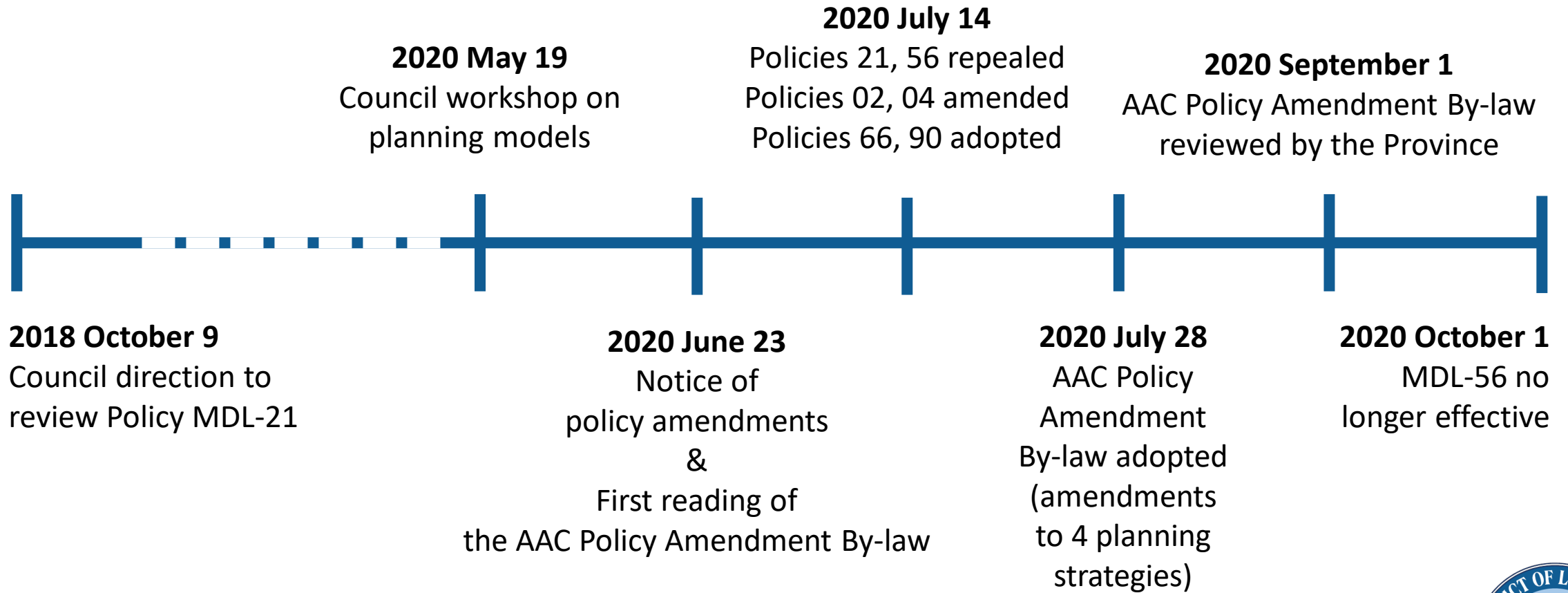
# Policy MDL-04 (Non-Council Appointments Policy)

## **Purpose of amendment**

- To strike out the term “Area Advisory Committee” as an exemption to this Policy.
- Policy MDL-56 is being repealed, so the exemption is no longer required.



# Timeline



# Recommendations

## **Motion 1**

that Municipal Council gives seven (7) days notice of its intention to repeal Policy MDL-66 respecting the Public Participation Program in the Planning Process, and to adopt a new Policy MDL-66 respecting the Public Engagement as presented in Appendix B of staff report at the July 14, 2020 Council meeting.

## **Motion 2**

that Municipal Council gives seven (7) days notice of its intention to repeal Policy MDL-21 respecting the Procedure for the Formation, Extension, and Abolishment of Plan Areas, at the July 14, 2020 Council meeting.

## **Motion 3**

that Municipal Council gives seven (7) days notice of its intention to repeal Policy MDL-56 respecting the Membership Selection of Area Advisory Committee, at the July 14, 2020 Council meeting, effective October 1, 2020.

## **Motion 4**

that Municipal Council give notice of intention to adopt the AAC Policy Amendment By-law, and conduct First Reading of the same; and further that Municipal Council give notice of Second Reading and Public Hearing at 8:30 a.m. on Tuesday, July 28, 2020.



# Recommendations (cont.)

## **Motion 5**

that Municipal Council gives seven (7) days notice of its intention to amend Policy MDL-02 respecting the Committees of Council, by repealing Section 4, at the July 14, 2020 Council meeting.

## **Motion 6**

that Municipal Council gives seven (7) days notice of its intention to adopt Policy MDL-90 respecting the Planning Advisory Committee, as presented in Appendix G of staff report, at the July 14, 2020 Council meeting.

## **Motion 7**

that Municipal Council gives seven (7) days notice of its intention to amend Policy MDL-04 respecting the Non-Council Appointments and Honorarium, by striking out “(excluding Area Advisory Committee)” in Section 1, at the July 14, 2020 Council meeting.

