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Municipal Council Meeting Agenda

Tuesday, July 11, 2023 – 9:00 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

- 1. Call to Order**
 - 1.1 Mi'kma'ki Territorial Acknowledgement
- 2. Announcements, Acknowledgements, Recognition**
- 3. Public Input (15 Minutes)**
- 4. Changes/Approval of Agenda (as circulated)**
- 5. Approval of Minutes - June 13, 2023**
- 6. Business Arising from Minutes**
- 7. Awarding of Tenders/RFPs**
 - 7.1 Award of RFP #2023-05-400 Active Transportation Plan Renewal 1-3
- 8. Presentations/Scheduled Times - Nil**
- 9. Consideration of Correspondence - Nil**
- 10. Recommendations from Committees & Boards**
 - 10.1 Planning Advisory Committee..... 4**
 - 10.1.1 First Reading - Proposed Amendments to Osprey Village Land Use By-law 5-14
- 11. Staff Reports**
 - 11.1 Administration**
 - 11.1.1 Potable Water Supply Upgrade Lending Program By-law – Second Reading 15-24
 - 11.2 Recreation, Parks & Tourism**
 - 11.2.1 Designated Communities Fund-Friends of Cherry Hill Old Community Cemetery.. 25-26
- 12. Mayor's/Deputy Mayor's/Councillors' Matters**
 - 12.1 Federation of Canadian Municipalities Update – W. Oickle
 - 12.2 MJSB Update
 - 12.3 Deputy Mayor's Update
 - 12.4 Mayor's Update
- 13. Added Items**

14. In Camera

14.1 Contract Negotiations under Section 22(2)(e) of the MGA

15. Adjournment

Council
Item: #7.1
Date: July 11, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Council

Submitted by: Andrew LeBlanc, Active Living Coordinator

Date: July 4, 2023

Re: Request for Proposal Award 2023-05-400 Active Transportation Plan

Recommendation

That Council award RFP 2023-05-400 Active Transportation Plan Renewal to Urban Systems Ltd. in the amount of \$60,761, excluding HST.

Executive summary

MODL's current Active Transportation Plan was created in 2010. Since then, many projects aligning with the strategy have been completed. The renewal of the Active Transportation plan will serve as a framework for future development of active infrastructure and key linkages connecting existing open space assets, neighborhoods, and community destinations. Using a holistic approach, a community based AT plan will be developed. The resulting 10 year-plan, with a 5-year evaluation component, will enhance AT and connectivity throughout the Municipality.

Discussion

An RFP for the Active Transportation Plan renewal was issued May 3, 2023, and closed May 29, 2023. Five (5) submissions were received, with all of them meeting the mandatory criteria to be accepted by the Municipality. Outlined in the table below is the criteria used to grade each submission:

Award of Active Transportation Plan

July 11, 2023

Page 2 of 4

Table 1 Criteria used to grade submissions

| Category | Maximum Points Awarded |
|---|------------------------|
| Cost Evaluation | 10 |
| Methodology and Workplan | 30 |
| Community Engagement & Accessibility Plan | 30 |
| Previous Work Experience & References | 30 |

After reviewing each proposal, and grading the submissions individually, the AT Steering Committee consisting of staff from various departments conducted interviews with the two firms that scored the highest, Urban Systems Ltd. And CIMA+. The shortlisted consultants provided a brief follow-up presentation to some members of the Steering Committee. After each presentation and checking the references for Urban Systems Ltd., the Steering Committee recommends awarding the work to develop an AT Plan for MODL to Urban Systems Ltd.

Table 2 Proposed costs from each submission

| Consultant | Cost Excluding HST | Cost with Net HST | Scoring |
|----------------------|--------------------|-------------------|---------|
| Urban Systems Ltd. | \$60,761 | \$69,875.15 | 97 |
| CIMA+ | \$64,631 | \$74,325.65 | 95 |
| Stuckless Consulting | \$64,782 | \$74,499.30 | 88 |
| UPLAND | \$63,000 | \$72,450.00 | 86 |
| CBCL | \$55,000 | \$63,250.00 | 83 |

Budget implications

The Active Transportation Plan was included in the 2023/24 Capital Budget at \$50,000 and \$25,000 was allocated in the operating budget, in which \$50,000 represents a grant from the Federal Government. The price including net HST for the compliant bid does not exceed the combined budget.

Strategic plan

The Active Transportation Plan renewal addresses two of MODL's 2023-2025 Strategic Priorities: Re-Create! Parks and Climate Change Action Plan and aligns with actions outlined in the Active Living Strategy. The plan will provide connectivity to our established parks and recreation facilities, provide AT opportunities in MODL communities, as well as providing modal transportation opportunities that reduce carbon emissions.

Specifically, the Climate Change Action Plan 20230 under category 2: Low Carbon Transportation, action 10 is to develop an Active Transportation Strategy and the timeline identified is now.

The Mission Statement in the Active Living Strategy is “The Municipality of the District of Lunenburg is committed to improving opportunities and creating supportive environments for physical activity and movement to foster healthy communities and citizens.” A number of the actions also speak to active transportation such as the following:

“Reduce barriers to participation in active living and daily movement to help ensure equitable access and “enhance opportunities for safe and active routes within communities across MODL.”

Equity, diversity, accessibility, and inclusion are key pillars throughout all phases of the Active Transportation Plan renewal.

Work plan

The Active Transportation Plan Renewal project will be completed by Spring 2024. Recommendations for the 2024/25 capital budget plan will be prepared.

Conclusion

Updating the AT Plan is an action outlined in the Climate Change Action Plan and aligns with the Re-Create Parks priority and the Physical Activity Strategy; therefore, staff are recommending that Council award RFP 2023-05-400 Active Transportation Plan Renewal to Urban Systems Ltd. In the amount of \$60,761, excluding HST to help inform future AT decisions.

| Report Preparation | |
|-------------------------|--|
| Department | Recreation, Parks and Tourism Department |
| Report Prepared by | Andrew LeBlanc, Active Living Coordinator |
| Report Approved by | Trudy Payne, Director of Recreation, Parks & Tourism |
| Date Reviewed by C.A.O. | |

Council
Item: #10.1
Date: July 11, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg Planning & Development Services

June 22, 2023

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

Dear Mayor and Councillors:

The Planning Advisory Committee, in session on Thursday, June 22, 2023, made the following recommendation to Municipal Council:

- 1. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone and,**
- 2. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow the following secondary uses so long s they are in support of a primary Institutional use:**
 - a. Office**
 - b. Café**

Respectfully submitted,

The Chair and Members
of the Planning Advisory Committee

/jh

Attachments

Council
Item: #10.1.1
Date: July 11, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Staff Report

Report to: Council
Submitted by: Jacob Macpherson, Planner I
Date: July 11, 2023
Re: Amendment Application: Lumia Care Centre Side Yard Parking – PID 60631009

Origin

The Planning Advisory Committee (PAC), at its meeting of Thursday, June 22, 2023, made the following recommendation to Municipal Council:

- 1. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone and,**
- 2. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow the following secondary uses so long as they are in support of a primary Institutional use:**
 - a. Office**
 - b. Café**

If Council wishes to conduct First Reading, the following motion is in order:

That Council accept the recommendation of the Planning Advisory Committee and conduct first reading of the proposed amendments to the Osprey Village Land Use Bylaw and that Council sets the date and time of September 12, 2023 at 8:30 a.m. for a Public Hearing.

Background

The Lumia Care Centre amendment concerns if and how side yard parking should be permitted in Osprey Village's Institutional (IN) Zone.

On November 1, 2022, The Municipality of the District of Lunenburg's Planning & Development Services department announced that they were partnering with Partners for Care, an independent service partner of Nova Scotia Health (NSH), on the creation of the Lumia Health Collaborative Health Centre and MODL's Community Hub in Osprey Village. The planned two-story, 45,000 square foot facility would feature a mixture of health-related businesses supported by a farmer's market, community kitchen, café, and office space. Open space and community activities such as the farmer's market would be located at the front of this development, which would require parking space to be relocated to the rear and side yard of the proposed development.

Policy 7.2.7.2, i) of the Osprey Village Land Use By-law states that "Where a lot has frontage on a street, parking and loading areas shall be located in the rear yard", but this policy does not currently permit side yard parking. Additionally, the Institutional Zone does not currently support the commercial and office uses that accompany a collaborative care centre. Appendix C considers all policies within Osprey Village and their conformity with this amendment. The Analysis section considers how the Osprey Village Land Use By-law can be altered to permit side yard parking in the Institutional Zone.

As the request for amendment is being made by the Municipality, and Osprey Village does not currently maintain an Area Advisory Committee, planning staff brought the application directly to the Planning Advisory Committee (PAC) on June 22nd, 2023. Notice of the amendment was sent on June 8th, 2023, public postings were also made on MODL's website, Facebook page, and engage website.

Site Profile

The subject property is situated on PID 60631009 in Osprey Village at the intersection of Nathan Cirillo Road and Allée Champlain Drive, across from the Stonemont Retirement Lifestyle Community. It is currently zoned Institutional (IN).

A preliminary site map and rendering can be found in Appendix A and B respectively.

Primary Uses

Medical uses make up the majority of uses within the care centre, including:

- Pharmacy
- Mental Health Services
- Optometrist
- Dietitian
- Physio
- Massage Therapy
- Chiropractor
- Orthopedics
- Naturopath
- Oxygen Therapy

- Sexual Health Clinic
- Cryotherapy/Medi-Spa
- Hearing Therapy
- Senior Health and Home Health Care
- Dentist

Supporting Uses

In addition to the primary medical uses, the care centre will also include the following secondary uses which are intended to support the primary use:

- Farmers' market
- Café
- Offices

Analysis

To accommodate the proposed parking configuration of the Lumia Collaborative Care Centre development, two options are available:

- Option 1: Amending the Osprey Village Land Use By-Law with the following changes:
 1. Permitting the use of side yard parking in the Institutional (IN) Zone.
 2. Allowing the following uses in the Institutional (IN) Zone so long as they are considered to be accessory to the main use:
 - a. Office
 - b. Café
- Option 2: Rezoning of the property from Institutional (IN) to General Commercial (GC) which would permit side yard parking and all proposed secondary uses, along with additional permissions associated with the General Commercial Zone.

Option 2 provides the most direct way of permitting the uses and parking standards of the Lumia Collaborative Care Centre but is also more permissive of uses that fall outside of the scope and identity of the proposed development like warehousing and car sales. A rezoning to General Commercial would also permit front yard parking that would reduce walkability and pedestrian access compared to a front yard dedicated to open space or community use. In comparison, Option 1 requires changes to both parking and land use regulations but maintains the overall intention of the Lumia Collaborative Care Centre as a primarily institutional service supported by light commercial and office use.

Summary of Planning Advisory Committee Meeting:

On June 22nd, 2023, the MODL Planning Advisory Committee met in council chambers. Notice was sent seven days in advance including postings made on MODL's website, Facebook page,

and engage website to encourage members of the public to attend and ask questions. Staff prepared a short slideshow presentation introducing the amendment, providing options, and giving a staff recommendation. The Planning Advisory Committee echoed staff's recommendations with the following motion:

The Planning Advisory Committee, in session on Thursday, June 22, 2023, made the following recommendation to Municipal Council:

1. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone and,
2. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow the following secondary uses so long s they are in support of a primary Institutional use:

- a. Office
- b. Café

Relevant Municipal Policies (MPS)

A table of relevant municipal policies for consideration, and the status of not applicable, satisfied, or pending can be found in Appendix C.

Conclusion

Staff's recommendation to Council is to approve the proposed amendments to the Osprey village Land Use Bylaw to allow side yard parking in the Institutional (IN) Zone and approve the proposed amendments to allow office and café use so long as they are in support of a primary Institutional Zone use.

| Report Preparation | |
|---------------------------|--|
| Department | Planning & Development |
| Report Prepared by | Jacob Macpherson, Planner I |
| Report Approved by | Jeff Merrill, MCIP, LPP, Director of Planning & Development Services |

References

Municipality of the District of Lunenburg. (2020). Osprey Village Secondary Planning Strategy & Land Use Bylaw. Retrieved from

Amendment Application Lumia

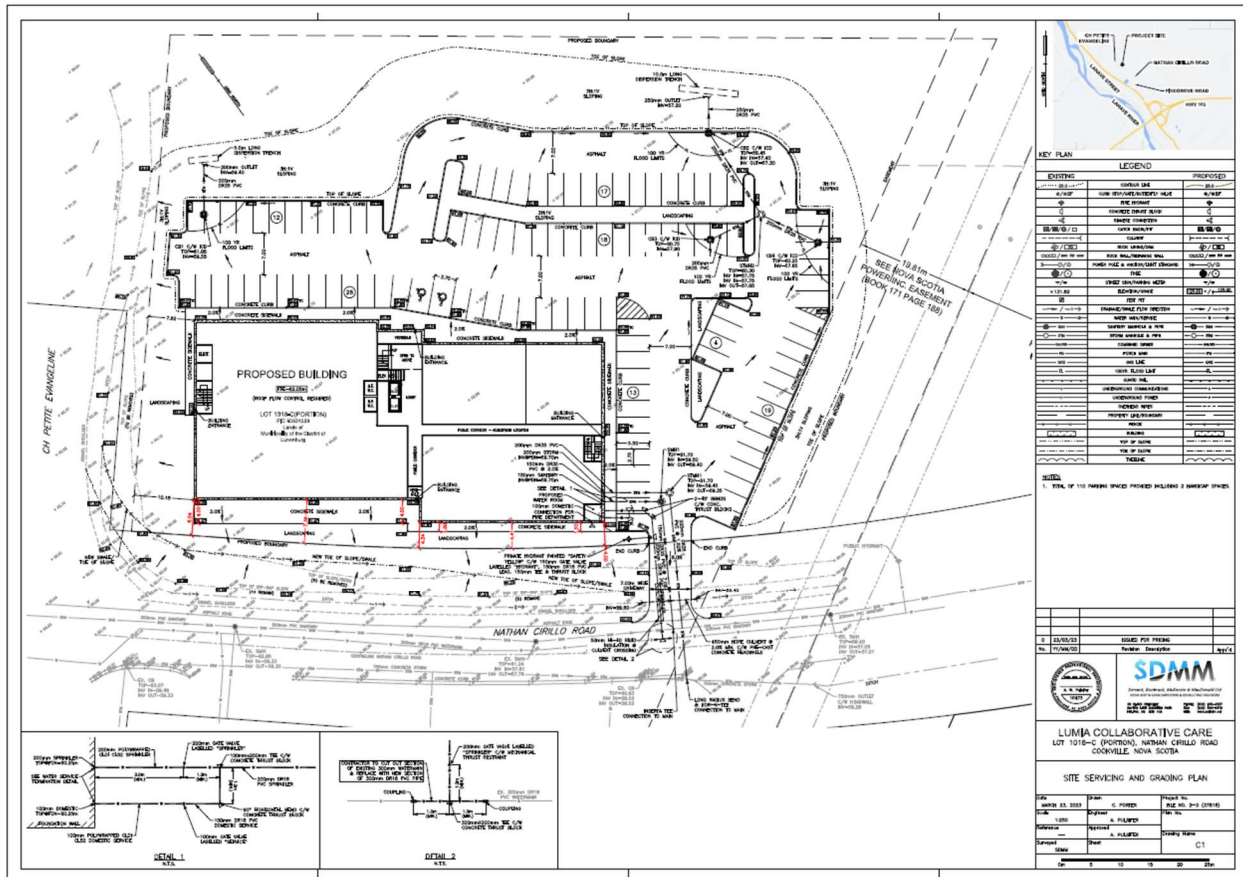
July 11, 2023

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https://www.modl.ca/index.php?option=com_docman&view=download&alias=6688-osprey-sps-lub&category_slug=osprey-village-planning-area&Itemid=102 Municipality of the District of Lunenburg. (2022).

Municipality of the District of Lunenburg. (2022). **MODL Policy 066 – Public Engagement Policy.**

Appendix A: Preliminary Site Map



Appendix B: Preliminary Rendering of the Lumia Collaborative Care Centre



Appendix C: Table of Relevant Municipal Polices for Consideration

| Table 1 <i>General Goals and Objectives of the Osprey Village Secondary Planning Strategy</i> | | | |
|---|--|--|------------------------|
| Legislative Authority | Considerations | Evaluation | Result |
| 2.2.1 | establish land use designations and zones which will encourage economic development activity by providing for a variety of commercial and light industrial lands uses. | Allowing some secondary commercial uses, such as a café, encourages a variety of commercial uses. | Satisfied. |
| 2.2.3 | establish site layout and architectural requirements which will manage development in a manner that will promote a sense of community and civic pride, and which is reflective of unique culture and heritage of the Municipality. | The amendment intends to allow side yard parking to open up community-oriented space such as the farmer’s market along the front yard. | Satisfied. |
| 2.2.4 | provide for open space and passive recreational opportunities within the Planning Area. | Open space along the front yard necessitates that side-yard parking be used. | Satisfied. |
| 2.2.5 | manage land use and development in a manner that will minimize land use conflicts. | Offices and cafés which support primarily institutional uses are not expected to cause additional land use conflict. | Not applicable. |
| Table 2 <i>Policies of the Institutional (IN) Zone, Osprey Village Secondary Planning Strategy</i> | | | |
| 3.3.4 | permit cultural, educational, medical, recreational, and public institutional uses along with supporting residential institutional, and commercial uses. | Permitting “supportive commercial and institutional uses” supports the prospect of permitting office and café space. | Satisfied. |
| Table 3 <i>Implementation Policies of the Osprey Village Land Use By-Law</i> | | | |
| 4.0.7 | Council shall adopt no amendment unless the application is for a specific development proposal. | This amendment is attached to the Lumia Collaborative Care Centre proposal. | Satisfied. |

| | | | |
|---------------|--|--|------------------------|
| | | | |
| a) | the impact of the proposed use and uses permitted in the zone on traffic with respects to traffic hazards, congestion, and pedestrian hazards; | The facing of the parking lot would not pose additional traffic or pedestrian hazards. | Not applicable. |
| 4.0.10 | a Public Participation Program (MDL-66) shall be held prior to any proposed amendment to the Secondary Planning Strategy, as well as in conjunction with the review of this Planning Strategy and Land Use By-law. | This amendment would only apply to the Land Use By-law and so does not require this level of public participation. | Not applicable. |

Municipality of the District of Lunenburg

| Amending By-law Details | |
|------------------------------|---|
| Name | Amendments to the Osprey Village Land Use By-Law 2023 |
| Number | 021H |
| Legislative Authority | Municipal Government Act, Section 205 |
| Effective Date | |

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority of Section 205 of the **Municipal Government Act**, as follows:

Title

- 1 This By-law is titled the Amendments to the Osprey Village Land Use By-law and may be cited as the Lumia Collaborative Care Centre Amendment By-Law(2023).

Amendments to the Land Use By-Law (By-law 021)

- 2 Part 1 of By-law 021 is amended by adding within section 7.2.7.2 a) i) the addition of the words “and side” before the word “yard”.
- 3 Section 7.2.5 Permitted Developments is amended by adding subsection (l) which permits “an office use that is accessory to a permitted use”.
- 4 Section 7.2.5 Permitted Developments is amended by adding subsection (m) which permits “a café use that is accessory to a permitted use”.

| By-law Adoption | |
|---|--------------|
| Date of first reading of amending by-law | July 11 2023 |
| Date of second reading of amending by-law | |
| Date of advertisement of passage of amending by-law Effective date of the by-law unless otherwise specified in the text of this by-law. | |
| Date of mailing a certified copy of amending by-law to Minister | |
| I certify that this “Amendments to the Osprey Village Land Use By-Law (2023)” was adopted by Municipal Council and published as indicated above. | |
| Signature of Municipal Clerk | Date |

Council
Item: #11.1.1
Date: July 11, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Report to Council

Report To: Municipal Council
Submitted By: April Whynot-Lohnes, Municipal Clerk
Date: July 11, 2023
Re: Second Reading – Potable Water Supply Upgrade Lending Program By-law

Municipal Council, in session on June 6, 2023 conducted First Reading of the Potable Water Supply Upgrade Lending Program by-law and gave notice of its intention to adopt the By-law. Council set a date for Second Reading to be held at the July 11, 2023 Council meeting.

Notice was given through local media and on the MODL website that Municipal Council would be conducting Second Reading to adopt the Potable Water Supply Upgrade Lending Program By-law at the July 11, 2023 meeting.

If adopted, the By-law will enable households to complete upgrades to their potable water supply through a municipal financing program. To adopt the proposed by-law, the following motion is required:

“that Municipal Council conduct Second Reading and adopt By-law 047 Potable Water Supply Upgrade Lending Program, as presented”.

| Report Preparation | |
|-------------------------|--------------------------------------|
| Department | Administration |
| Report Prepared by | April Whynot-Lohnes, Municipal Clerk |
| Report Approved by | |
| Date Reviewed by C.A.O. | |

Municipality of the District of Lunenburg

| By-law Details | |
|------------------------------|--|
| Name | Potable Water Supply Upgrade Lending Program |
| Number | 047 |
| Legislative Authority | Municipal Government Act, Section 81A(1)(c) |
| Effective Date | |

Title

- 1 This By-law is titled the Potable Water Supply Upgrade Lending Program By-law.

General

- 2 (a) Sections 81A(1)(c) of the **Municipal Government Act** permits the Municipality of the District of Lunenburg to provide financing to eligible property owners for improving the supply of potable water to properties within the Municipality.

(b) Council recognizes that southwest Nova Scotia has a high rate of shallow wells and that the impacts of human-caused climate change have resulted in longer and more pronounced dry periods, which has a greater impact on homes with shallow wells.

(c) To help address this issue, council hereby enacts the Potable Water Supply Upgrade Lending Program By-law, to facilitate the upgrade of potable water supply systems in residences in the Municipality.

Definitions

- 3 In this By-law,
 - (a) **CAO** means the Chief Administrative Officer for the Municipality, or their designate.
 - (b) **Contractor** means an insured person or corporation licensed by the Department of Environment and retained by the Qualifying Property Owner to complete the Water Supply Upgrade.
 - (c) **Clean Energy Upgrade** means the same as defined in MODL By-law 031 Clean Energy Financing.
 - (d) **Director of Finance** means the Director of Finance & Treasurer for the Municipality, or their designate.

- (e) **Financing Agreement** means a written, signed agreement between the owner of a Qualifying Property and the Municipality for financing of a Water Supply Upgrade.
- (f) **Maximum Eligible Amount** means the maximum amount that the Municipality will lend to a Qualifying Property Owner for a Water Supply Upgrade which is set at the lesser of \$20,000 or 15% of the total assessed value of the Qualifying Property.
- (g) **Municipality** means the Municipality of the District of Lunenburg, and includes its employees, agents, or designated third party contractor.
- (h) **Qualifying Property** means an existing, owner-occupied single unit or two-unit residential property, or a building owned by not-for-profit organization, located within the Municipality that meets the eligibility criteria for participation in the Water Supply Upgrade Lending Program. Multi-unit residential buildings with more than two units, new construction, and business/industrial premises are **not** eligible for this Program.
- (i) **Qualifying Property Owner** means the individual, individuals, or entity in possession of the title for the Qualifying Property. The Qualifying Property Owner may also be the person responsible for paying taxes in relation to the Qualifying Property.
- (j) **Water Supply Upgrade** means the installation and/or construction of equipment or systems to improve the supply of potable water to the property including: the digging of a new well, installation of rainwater collection and/or storage systems and equipment (e.g. cisterns); installation of a well pump, water line, and/or electrical connection to support the function of a water system; or other systems and equipment designed to improve the supply, use, and conservation of potable water.
- (k) **Water Supply Upgrade Loan** means the local improvement charge levied on the Qualifying Property pursuant to section 81A of the **Municipal Government Act**.

Administration

- 4 (a) A Property Owner may apply to the Municipality for financing of a Water Supply Upgrade to a Qualifying Property within the Municipality.
- (b) Lending will be subject to the approval and agreement in writing of the Director of Finance on behalf of the Municipality, which will be subject to the execution of a Financing Agreement and the following conditions:
 - (i) The Qualifying Property Owner is not in default of any municipal taxes, rates or charges;

- (ii) The property currently does not have a loan with the municipality for any other program (e.g. Clean Energy Financing, LaHave program septic system)
 - (iii) the proposed Water Supply Upgrade must follow applicable provincial and/or federal regulations;
 - (iv) the proposed Contractor must have a valid Department of Environment license to carry out a Water Supply Upgrade as applicable;
 - (v) compliance with other conditions as shown in the Financing Agreement; and
 - (vi) a signed statement by the Qualifying Property Owner outlining the Qualifying Property's potable water issues, that the Water Supply Upgrade is necessary.
- (c) The Water Supply Upgrade Loan may consist of:
- (i) The cost of the Water Supply Upgrade and all associated labour costs, permit fees, and applicable taxes;
 - (ii) interest charges, including any additional interest arising due to any default of payment; and
 - (iii) an administrative fee as set by council to cover costs of administering the program.
- (d) The Water Supply Upgrade Loan is provided for the benefit of the Qualifying Property Owner in the form of the Municipality paying all eligible Contractor invoices for the completed work up to the Maximum Eligible Amount. The Qualifying Property Owner will sign the Contractor's invoices and submit them to the Municipality for payment. As the Municipality pays the Water Supply Upgrade invoices, the resulting loan amount advanced to date is a lien against the Qualifying Property.
- (e) Interest will begin accruing on any approved Water Supply Upgrade invoice paid by the Municipality thirty (30) days from the date that the Municipality paid that invoice.
- (f) The Water Supply Upgrade Loan will become payable on the completion of the contract for the installation of the Water Supply Upgrade in accordance with the Financing Agreement and on the Director of Finance's receipt of the dated and signed Certificate of Completion.

- (g) The Qualifying Property Owner will make equal payments of the principal over a maximum period of 15 years to repay the outstanding Water Supply Upgrade Loan, on which interest will be payable as set out in the Financing Agreement.
- (h) The Municipality will not be responsible for ongoing maintenance and operating costs of the Water Supply Upgrade. The Water Supply Upgrade is owned and maintained by the Qualifying Property.
- (i) The Director of Finance will maintain a separate account of all monies due for the Water Supply Upgrade Loan, identifying the following for the Qualifying Property:
 - (i) The names of the property owners, assessment account number, PID, and civic addresses;
 - (ii) the original amount of the Water Supply Upgrade Loan advanced;
 - (iii) the scheduled amounts paid to the Municipality to repay the Water Supply Upgrade Loan, with principal and interest paid clearly distinguished; and
 - (iv) an annual statement of account on the anniversary date of the Water Supply Upgrade Loan, showing the principal balance owing at the end of the previous year, total amount paid during the year, amount of interest included in the payments, and balance of the principal owing at the end of the year.

Clean Energy Upgrades

- 5 A Property Owner may choose to also complete clean energy upgrades as set out in MODL By-law 031 Clean Energy Financing concurrent with the water supply upgrades provided that:
 - (a) The upgrades meet the conditions of the Clean Energy Financing Bylaw;
 - (b) The upgrades are completed concurrently with the water supply upgrades so that the work forms a single loan with the municipality; and
 - (c) The total value of the loan does not exceed the Maximum Eligible Amount as set out in this bylaw.

Lien

- 6 (a) The Water Supply Upgrade Loan advanced in the form of the Municipality paying the Contractor's invoices when submitted for payment will become a lien levied on the Qualifying Property in accordance with the **Municipal Government Act**.

- (b) The Water Supply Upgrade Loan advanced pursuant to this By-law constitutes a first lien on the property and has the same effect as rates and taxes under the **Assessment Act**.
- (c) The lien provided for in this By-law will remain in effect until the total Water Supply Upgrade Loan, including any accrued interest and administrative charges, has been paid in full.
- (d) In the event of default, the Water Supply Upgrade Loan will be collected in the same way as overdue taxes in accordance with the **Municipal Government Act**.

Interest

- 7 (a) Interest will begin accruing on any portion of the Water Supply Upgrade Loan thirty (30) days from the date that the Municipality pays the Contractor invoice for that portion.
- (b) Interest is payable on the amount of the Water Supply Upgrade Loan deemed outstanding at the rate set out in MODL Policy 068 Clean Energy Financing Program Lending Rate.

| By-law Adoption | |
|---|--------------------|
| Effective date of original by-law | |
| Date of first reading | June 13, 2023 |
| Date of advertisement of notice of intent to consider | June 21 & 28, 2023 |
| Date of second reading | July 11, 2023 |
| Date of advertisement of passage of by-law Effective date of the by-law unless otherwise specified in the text of this by-law. | |
| Date of mailing a certified copy of by-law to Minister | |
| Date of Ministerial Approval | |
| I certify that this “Potable Water Supply Upgrade Lending Program’ by-law was adopted by Municipal Council and published as indicated above. | |
| Signature of Municipal Clerk | Date |

| Version | Amendment Description | Approval Date |
|----------|--|---------------|
| Original | 047 Potable Water Supply Upgrade Lending Program | |
| | | |
| | | |
| | | |
| | | |
| | | |

Council
Item: 11.2.2
Date: June 13, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Council
Submitted by: Alex Dumaresq, Deputy CAO
Zander Zwicker, Policy & Records Management Assistant
Date: June 6, 2023
Re: First Reading - Draft Water Supply Upgrade Lending Program By-law

Recommended Motions

Move that Council conduct first reading on the Water Supply Upgrade Lending Program By-law.

Background

Leading up to the 2010's, droughts and periods of drought-like weather have been infrequent in Southwestern Nova Scotia. Unfortunately, projections suggest that our region will increasingly see drier conditions. By 2050, the Federal Government projects that precipitation deficits, that being periods of abnormally low rainfall compared to the historical record, will be 36% more frequent.

Compounding the issue, MODL is a rural area where the majority of households source water from private wells, and there is a greater rate of shallow, dug wells in Southwest Nova Scotia compared to the rest of the province, resulting in a higher susceptibility to dry wells during precipitation deficits.

Council has been aware of and responding to the issue of drier summers since 2016. That year, the province experienced extreme periods of drought-like conditions resulting in more than 1,000 homes experiencing water shortages in Southwest Nova Scotia. In response, Council initiated a program to provide jugs of potable water to residents who were struggling with dry wells and worked with partners such as the LCLC to provide shower facilities.

The **Municipal Government Act** explicitly authorizes municipalities with the discretion to create lending programs for homeowners to address low water supply (MGA, s.81A(1)(c)). In February of 2023, Council directed staff to investigate the development of a financing program for

households to complete upgrades to their potable water supply. This draft bylaw attached to this report sets out the program parameters as follows:

- Eligibility:
 - Existing homes experiencing water supply issues
 - Owner occupied
 - Maximum of 2 units
 - No outstanding loans or taxes with the municipality
- Qualifying Upgrades:
 - Digging/drilling a new well
 - Rainwater collection systems
 - Cisterns
 - Water pumps & lines
 - Electrical connections
 - Other systems and equipment designed to improve the supply, use, and conservation of potable water
- Financing terms
 - Maximum loan of \$20,000 or 15% of the assessed value
 - Interest rate of 2% (tied to CEF policy)
 - Administrative fee set through council policy (recommended \$250 to align with CEF program)
 - Allow Clean energy upgrades up to maximum loan amount

Budget Implications

Council included \$50,000 in this year's budget for a well financing program. Should Council adopt a \$250 processing fee, there would be sufficient funds in Council's overall water strategy operating budget to cover the additional \$400 per property for Clean Foundation costs.

Workplan/Timeline

The use of the Clean Foundation as administrators will reduce time required to establish the program and will reduce municipal staffing time demands. Should Council decide to pursue in-house administration, the launch of the program would have to be slightly delayed, and additional staff resources in the administration department would have to be diverted from other projects.

Finance staff are currently in a position to manage the small increase in the number of loans being administered, provided that there is a limit of one loan per property and all loans must be paid in full if a property is sold.

Conclusion

Increasingly dry weather has created major hardships for residents with little water supply. Council's strategy to address this climate change issue includes a by-law and program to finance

water supply upgrades in private residences. The pre-existence of MODL’s CEF program and neighboring units’ well financing program provide excellent blueprints for the creation of a water supply financing program for MODL residents.

| Report Preparation | |
|----------------------------|---------------------------|
| Department | Administration |
| Report Prepared by | Alex Dumaresq, Deputy CAO |
| Report Approved by | |
| Date Reviewed by C.A.O. | |

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Council
Item: #11.2.1
Date: July 11, 2023
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Report to Council

Report To: Municipality of the District of Lunenburg Council
Submitted By: Trudy Payne, Director of Recreation, Parks and Tourism
Date: July 11, 2023
Re: Designated Community Fund Project – Friends of Cherry Hill Old Community Cemetery

Recommended Motion

That the Municipality of the District of Lunenburg grant the Friends of Cherry Hill Old Community Cemetery \$3,995.00 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48.

Background

Friends of Cherry Hill Old Community Cemetery are raising capital funds to cover costs to restore, preserve and maintain the Cherry Hill Old Community Cemetery. Recently, there was one donation of \$4,000.00. The amount of \$3,995.00 is being recommended as \$5.00 (\$5.00 per contribution) will be retained by MODL for administrative charges as per Policy MDL-48.

Budget Implications

There would be no implications to the budget.

Alternatives

The alternative would be to not issue the Friends of Cherry Hill Old Community Cemetery this grant.

Conclusion

The Designated Community Project Fund was developed and approved by MODL to aid non-profit groups in raising capital funds for projects.

| Report Preparation | |
|--------------------------------|--|
| Department | Recreation, Parks & Tourism |
| Report Prepared by | Trudy Payne, Director of Recreation, Parks & Tourism |
| Report Approved by | |
| Date Reviewed by C.A.O. | |