APPROVED by Municipal Council

Date: October 10, 2023

Municipality of the District of Lunenburg

Minutes of a Special Meeting of Municipal Council

Held in Council Chamber, 10 Allée Champlain Drive, Cookville, N.S.
Tuesday, August 29, 2023 – 9:00 a.m.

Attendance
Mayor Carolyn Bolivar-Getson
Deputy Mayor Pam Hubley, District 4
Councillor Leitha Haysom, District 1
Councillor Martin Bell, District 2
Councillor Wendy Oickle, District 3
Councillor Cathy Moore, District 5 via Teams
Councillor Sandra Statton, District 6
Councillor Michelle Greek, District 7 via Teams
Councillor Kacy DeLong, District 8
Councillor Reid Whynot, District 9
Councillor Chasidy Veinotte, District 10

Staff
Tom MacEwan, Chief Administrative Officer
April Whynot-Lohnes, Municipal Clerk
Jennifer Harrietha, Administrative Assistant

1. Call to Order

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

2. Public Input (15 Minutes) - Nil

3. Approval of Agenda

Moved by Councillor DeLong, seconded by Councillor Hubley that the agenda be approved as circulated. Carried unanimously.

4. Staff Reports

4.1 Planning & Development Services

4.1.1 What We Heard Report – Cluster Developments

A report titled "What We Heard Report – Cluster Developments" providing details on the various ways the Municipality engaged the public to ensure they were well informed on the topic of Cluster Developments and the results of the survey conducted, was circulated with the agenda.

Jacob Macpherson, Planner I, gave a presentation titled "What We Heard Report – Cluster Developments", (attached to the Minutes) and reported that cluster developments, also known as grouped or cluster dwellings, are residential developments located on the same property not created through the subdivision process, and provided details on the following topics around the public engagement:

Servicing and infrastructure
- Emergency response
- Water and sanitation

Imposing standards
- Flexibility while imposing standards.

In-progress cluster development
- Standards
- Environment concerns

4.1.2 What We Heard Report – Coastal Protection

A report titled "What We Heard Report – Coastal Protection" providing details on the various ways the Municipality engaged the public to ensure they were well informed on the topic of Coastal Protection and the results of the survey conducted, was circulated with the agenda.

Elizabeth Carr, Planner I, gave a presentation titled "What We Heard Report - Coastal Protection", (attached to the Minutes) and summarized the feedback collected from the public during the initial round of public engagement for the coastal protection project. She reported that the proposed new regulations would prevent construction on coastal areas that are vulnerable to flooding and erosion and protect coastal ecosystems from the harm caused by development. Ms. Carr provided details on the following key points received from the public feedback:

- Moderate to high level of protection required.
- Support for different regulations,
- Protection of the ecosystems,
- Public education and awareness,
- Public interest in widespread land use planning,

Discussions followed regarding the following:
- Number of coastal property and vacant lot owner responses
- Provincial Coastal Protection Act
- Enforcement and collaboration (including professionals and other levels of government),
    - Expertise in the subject
- Potential for incentives for shoreline protection

5. Adjournment

There being no further business, the meeting adjourned at 9:42 a.m.

What We Heard Report

Coastal Protection

August 29, 2023

Agenda

01
How We Engaged

02
Who We Heard From

03
What We Heard

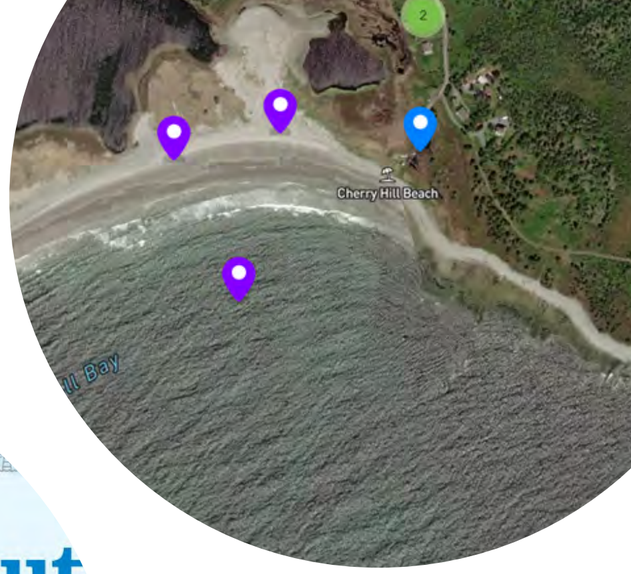
- Within the Scope
- Emerging from Engagement

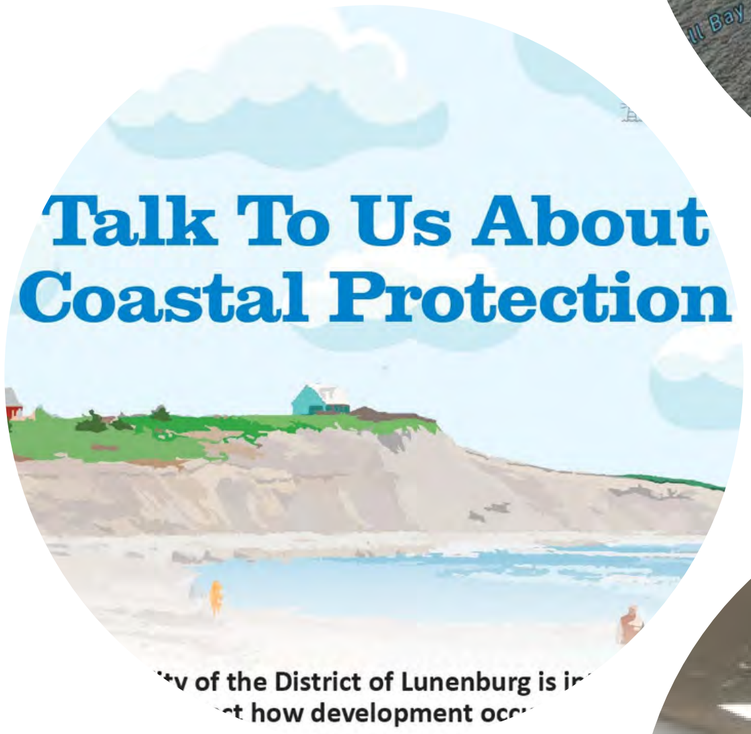
04
Key Takeaways

05
Next Steps

01 How We Engaged

- **Postcard**
- **Engagement Website**
  - Fact Sheets
  - FAQ
  - Expert Interview Series
  - Survey
  - Interactive Map
- **Open House Events**





02 Who We Heard From

- 2,060 Engagement Website visits from June-August
- 369 Survey responses
- 240 + Open House attendees
- 42 Interactive Online Map pins

02 Who We Heard From

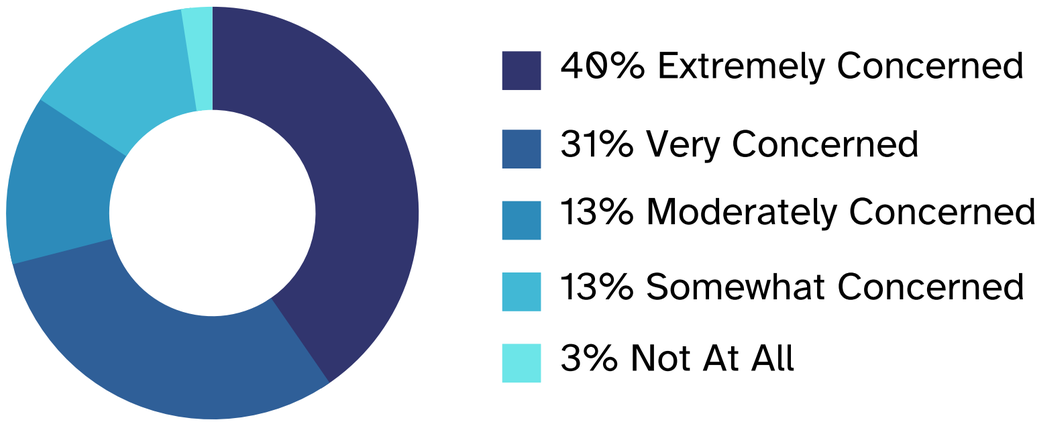
	Community Name	Open House Date	# of Recorded Attendees
1.	Dayspring	June 13, 2023	29
2.	LaHave	June 14, 2023	28
3.	Virtual Open House	June 14, 2023	7
4.	Blockhouse	June 19, 2023	30
5.	Big Tancook Island	June 20, 2023	25
6.	Cherry Hill	June 21, 2023	57
7.	Riverport	July 12, 2023	64

03 What We Heard: Within the Scope

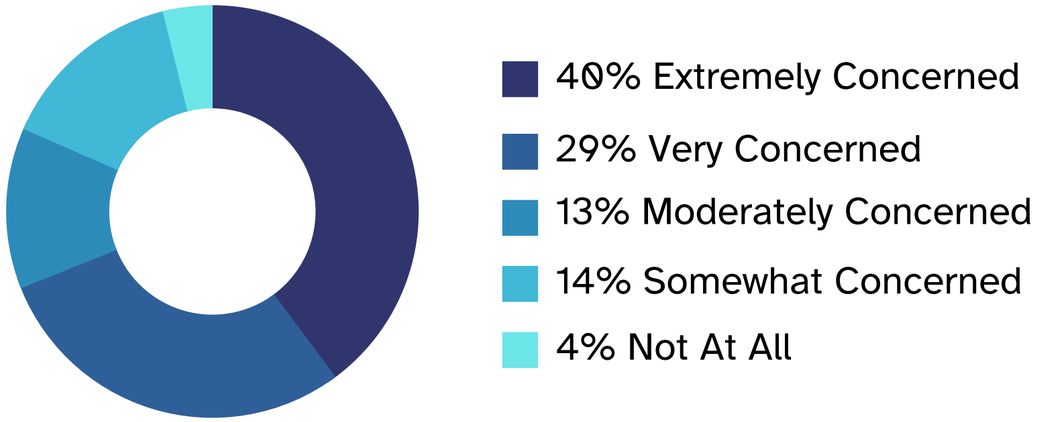
- **Coastal Flooding and Sea Level Rise**
- **Coastal Erosion**
- **Coastal Ecosystems**

Coastal Flooding and Sea Level Rise

- **40% of survey respondents indicated extreme concern and 31% indicated they were very concerned about coastal flooding.**



Concern for Coastal Flooding (All Respondents)

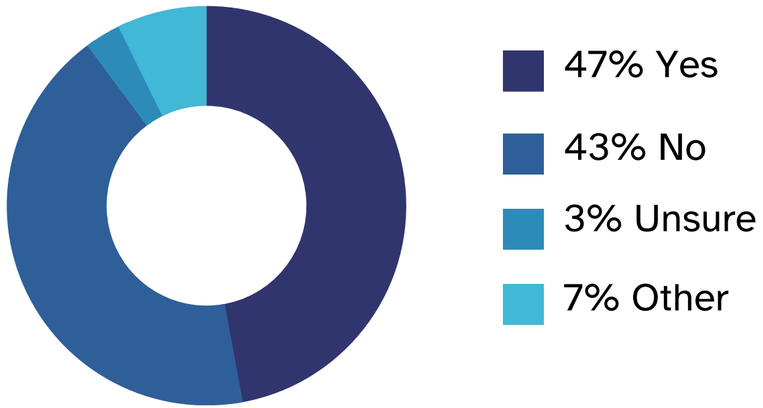


Concern for Coastal Flooding (All Waterfront Property Owners)

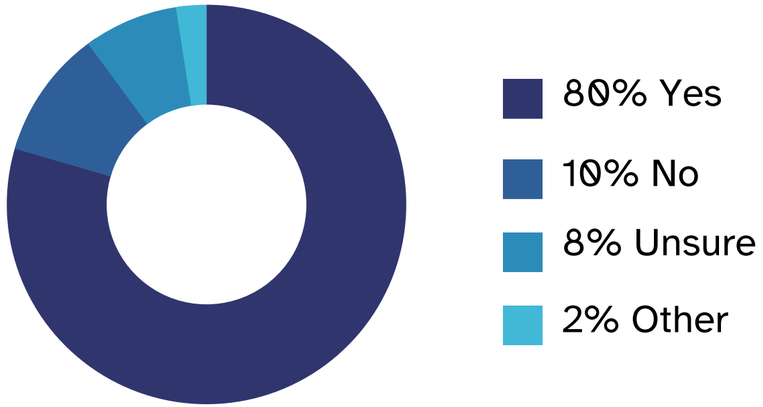
Coastal Flooding and Sea Level Rise

- **47% of coastal property owners felt that their property is currently being impacted by coastal flooding.**

- **80% of all survey respondents indicated that coastal flooding affects other properties within their community.**



Is your property currently being impacted by coastal flooding caused by storms, hurricanes, etc? (All Waterfront Property Owners)



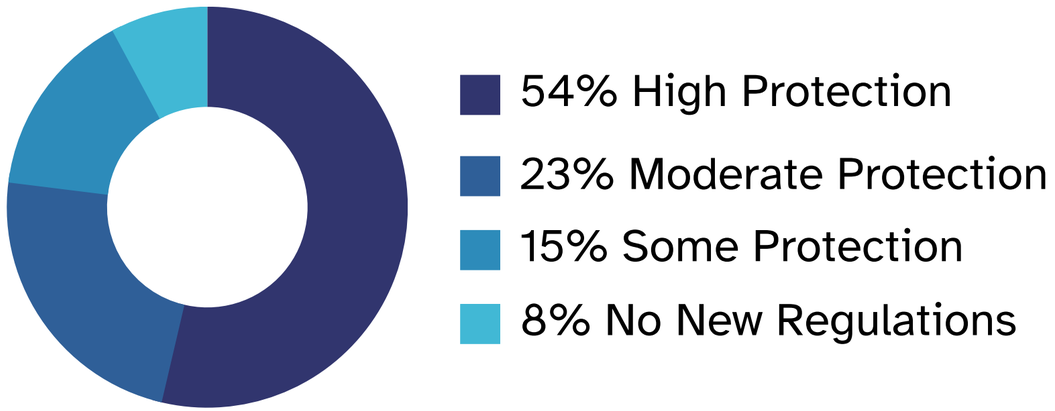
Do you believe coastal flooding impacts other properties in your community? (All Respondents)

Coastal Flooding and Sea Level Rise

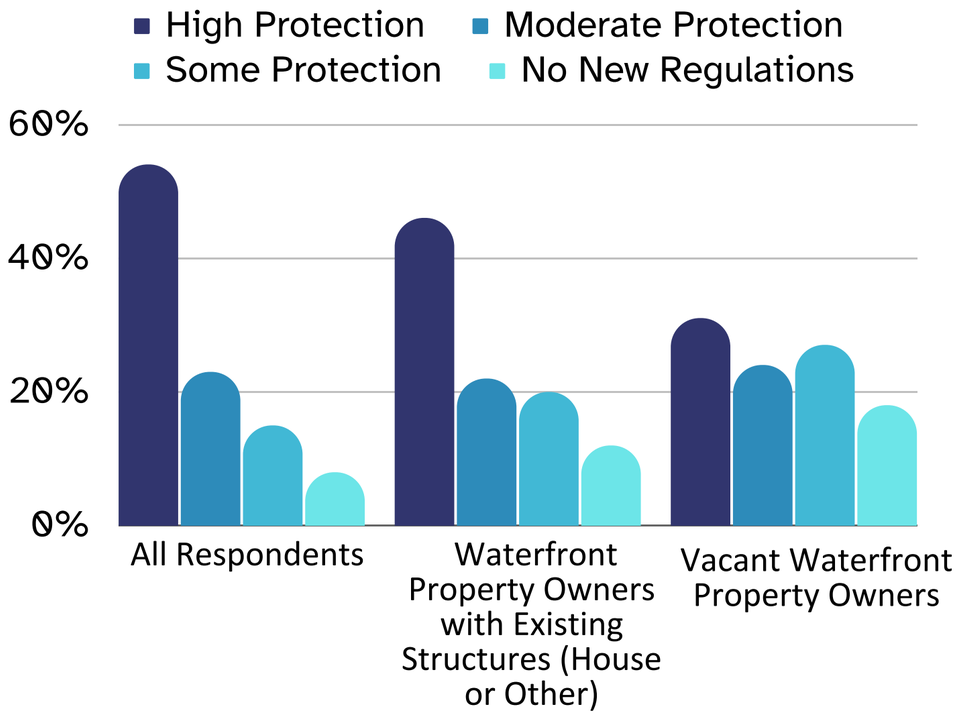
Coastal Flooding and Sea Level Rise

- **65% of survey respondents believe that existing land use regulations do not provide appropriate protection from coastal flooding.**

- **54% indicated the need for high protection with 23% selecting moderate protection.**



Level of Protection Against Coastal Flooding (All Respondents)



Level of Protection Against Coastal Flooding (Respondent Comparison)

Coastal Flooding and Sea Level Rise

- **Staff outlined methods of protection for coastal flooding including vertical elevation setbacks and many people indicated support.**

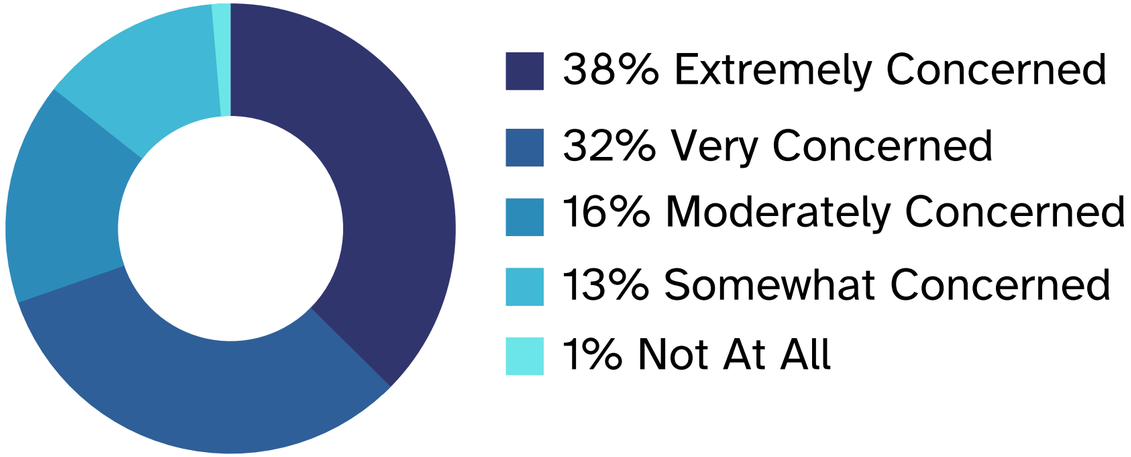
- **Some were concerned about the development potential of their property and the affect that setbacks will have on insurance coverage.**

"Definitive setbacks and clear acceptance of known and unknown risks and costs by developers."
(Anonymous Respondent)

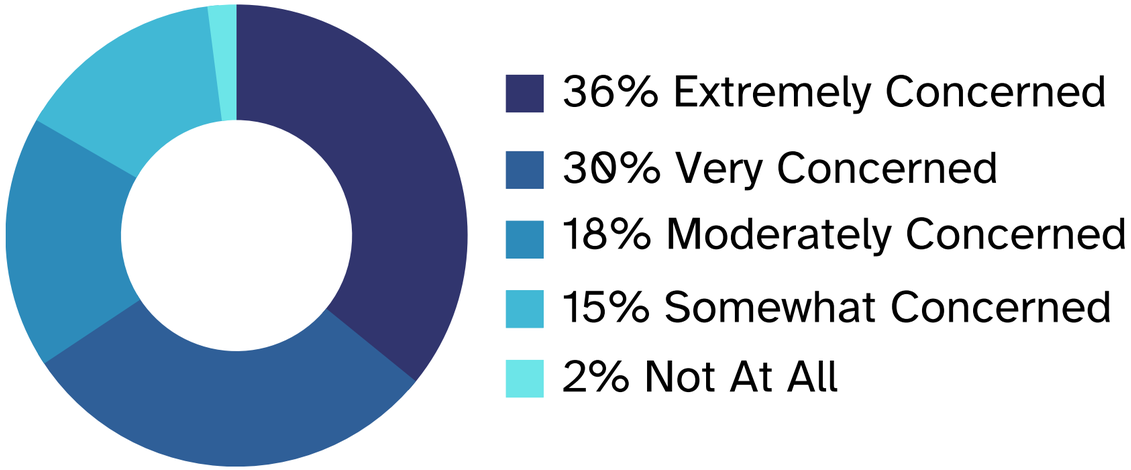
"We have worked hard to own our property and wish for it to remain in our family for many generations moving forward. Strict and restrictive rules will affect our property value and possibly increase insurance rates and insurability."
(Anonymous Respondent)

Coastal Erosion

- **38% indicated extreme concern and 32% indicated they were very concerned about coastal erosion.**



Concern for Coastal Erosion (All Respondents)

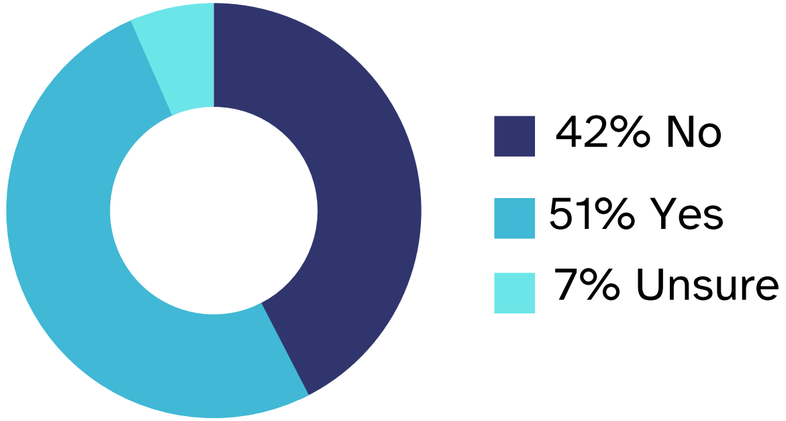


Concern for Coastal Erosion (All Waterfront Property Owners)

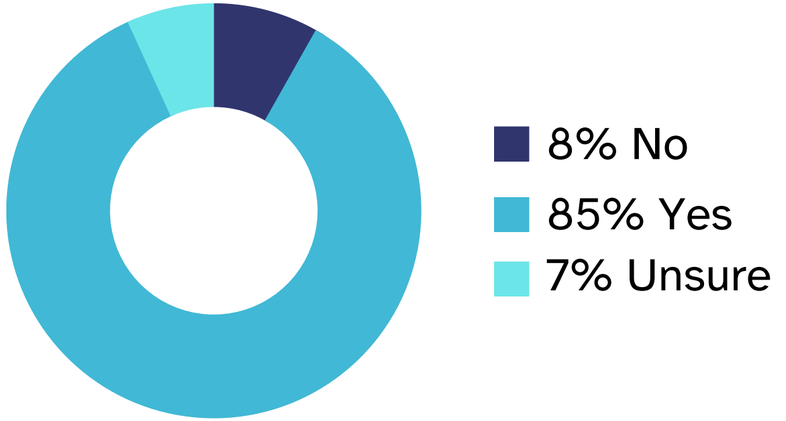
Coastal Erosion

- **42% of coastal property owners indicated that their property is currently experiencing coastal erosion.**

- **85% indicated that they believe erosion impacts other properties within their community.**

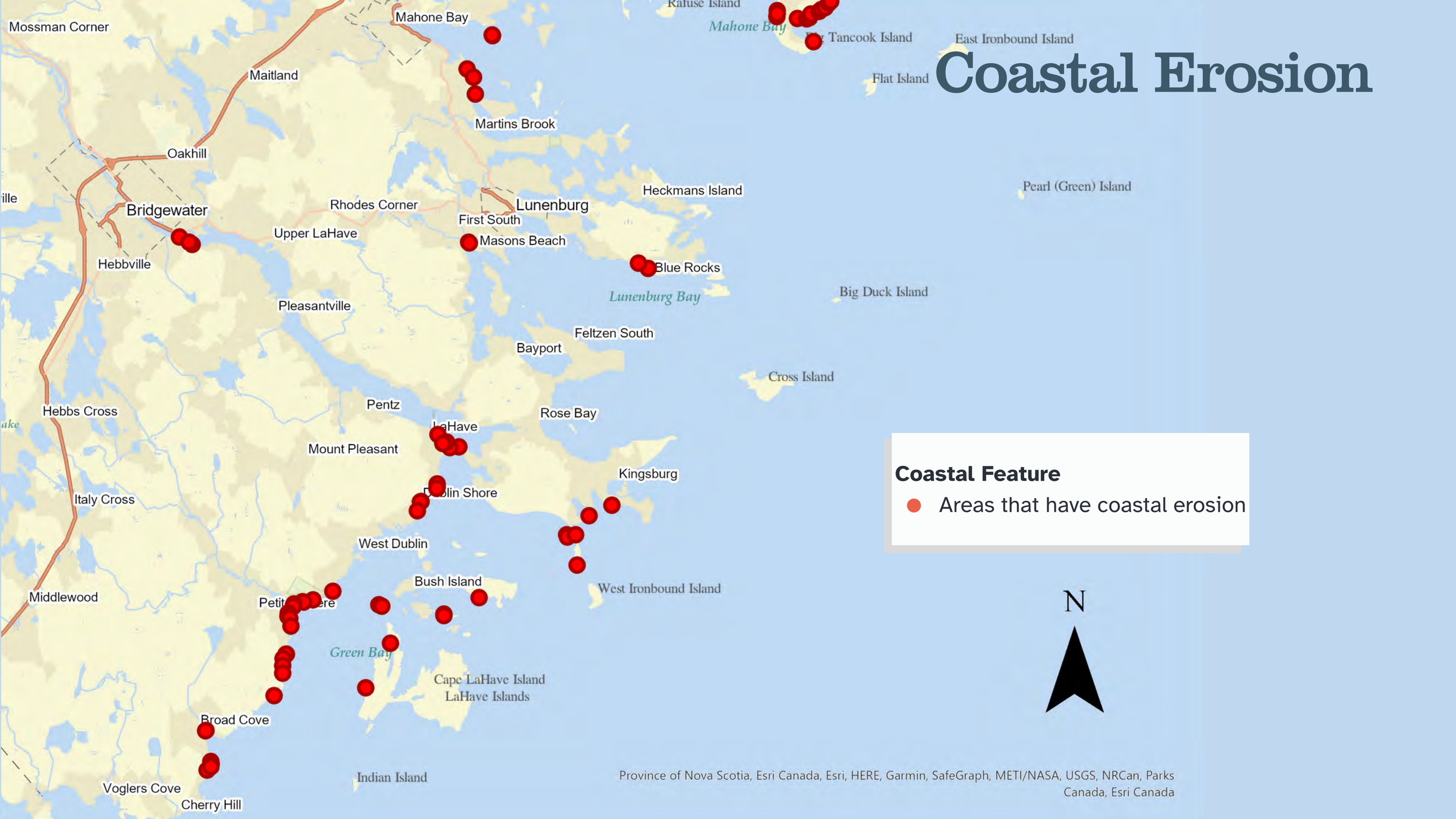


Is your property currently experiencing the effects of Coastal Erosion (All Waterfront Property Owners)



Do you believe that erosion impacts other properties within your community? (All Respondents)

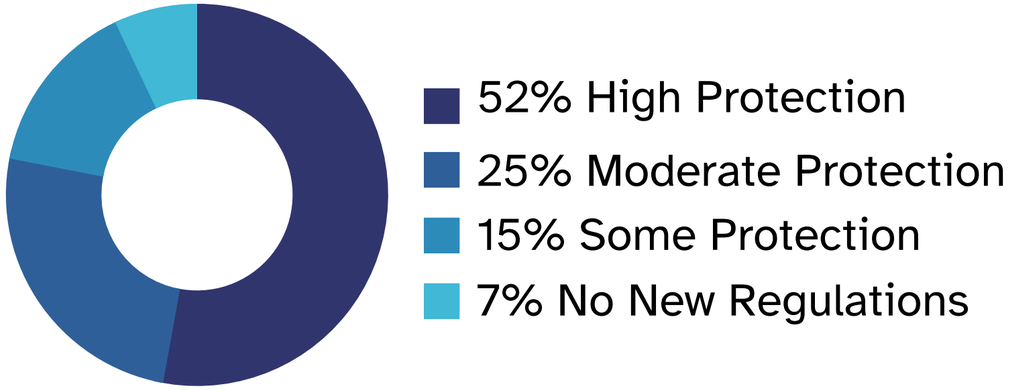
Coastal Erosion



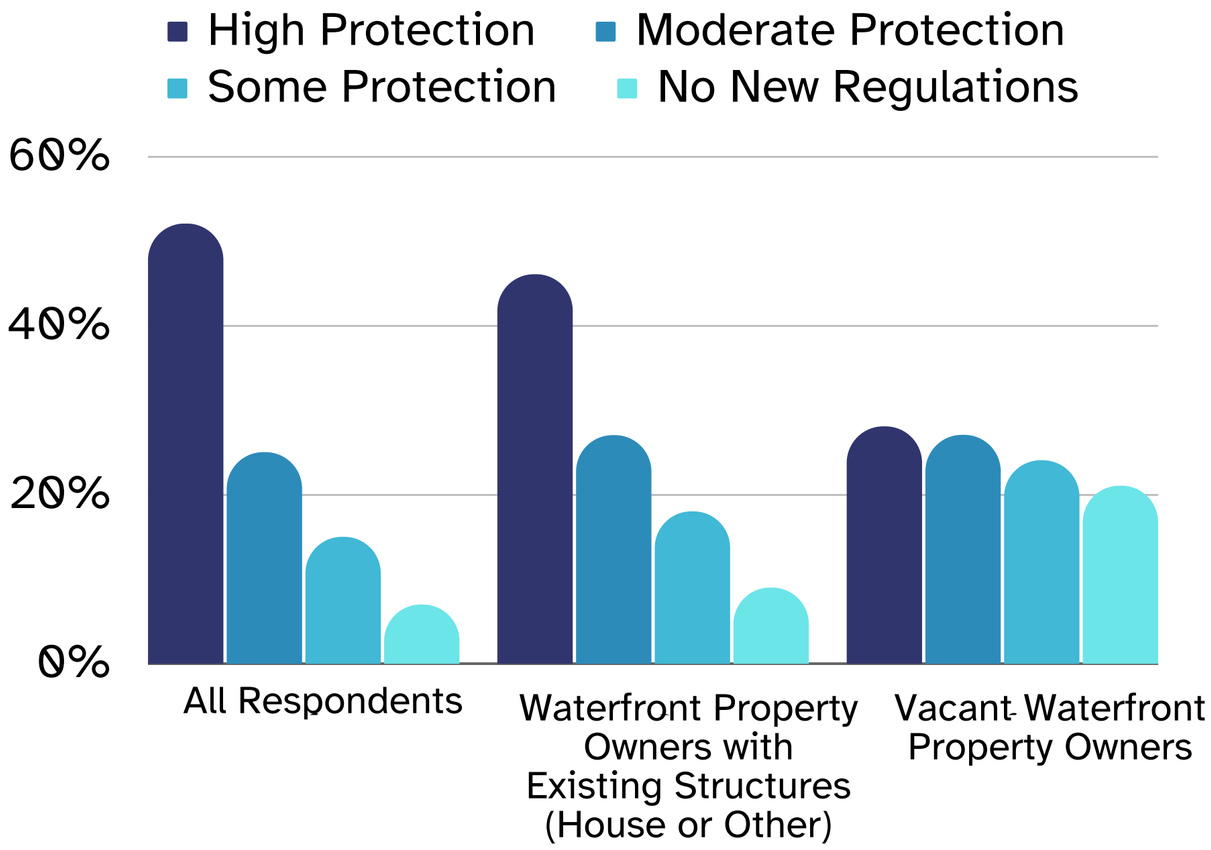
Coastal Erosion

- **66% of survey respondents believe that existing land use regulations do not provide appropriate protection from coastal erosion.**

- **52% indicated the need for high protections against coastal erosion.**



Level of Protection Against Coastal Erosion (All Respondents)



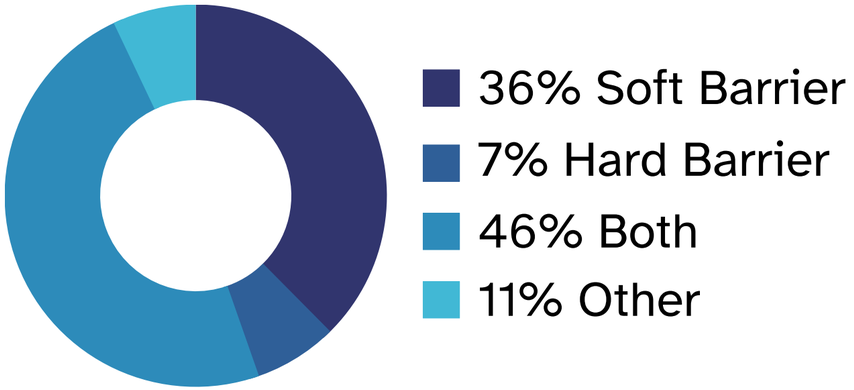
Level of Protection Against Coastal Erosion (Respondent Comparison)

Coastal Erosion

- **46% selected a combination of soft and hard barriers to combat coastal erosion. 36% selected soft barriers only.**

- **Some noted the need for more information to make a decision/experts should make the call.**

- **A few mentioned the desire for informational materials or educational programming to learn more about both hard and soft barriers.**

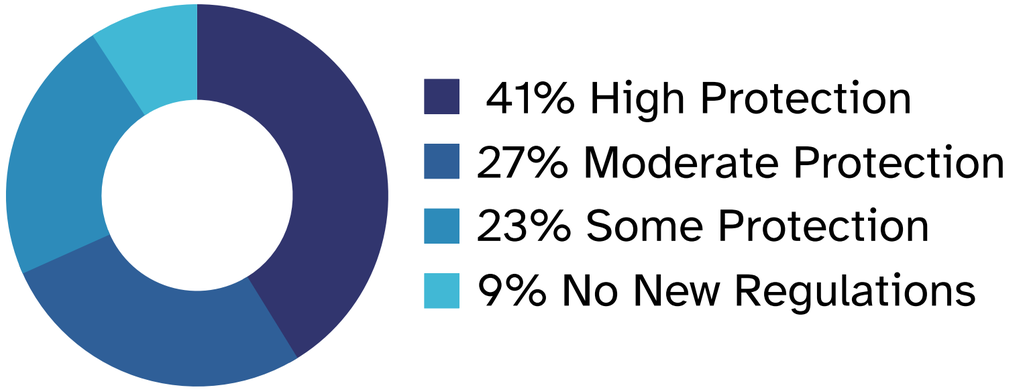


What Would Best Protect the Coast? (All Respondents)

"Provide ideas to help homeowners prevent erosion - what materials, plants are best. Also what kind of hard landscaping is allowed?"
(Anonymous Respondent)

Coastal Erosion

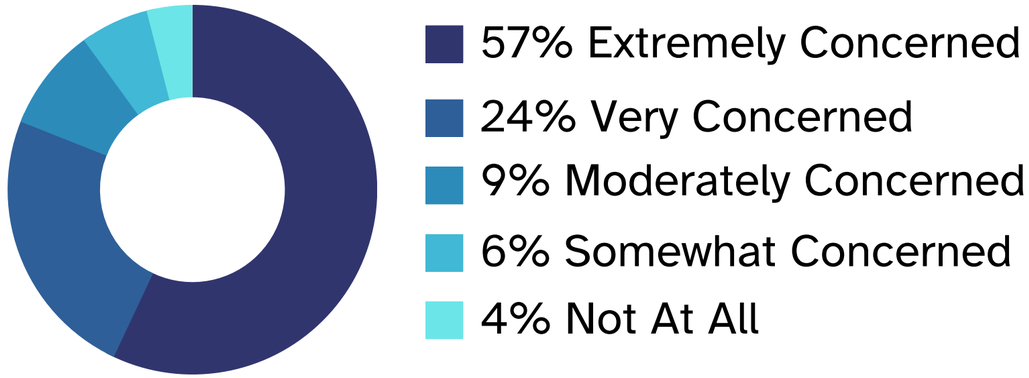
- **41% indicated a desire for high protections, 27% for moderate protection, and 23% for some protections.**



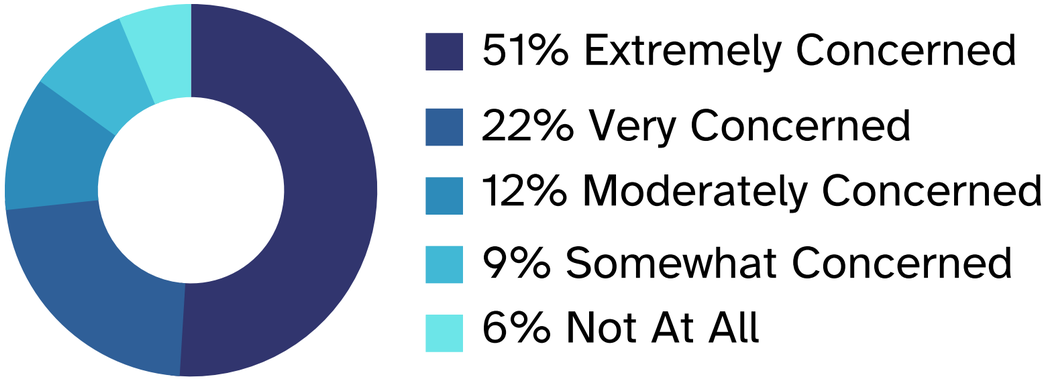
Level of protection for Shoreline Armouring and Protection (All Respondents)

Coastal Ecosystems

- **57% of survey respondents indicated extreme concern and 24% indicated they were very concerned about losing environmental features.**



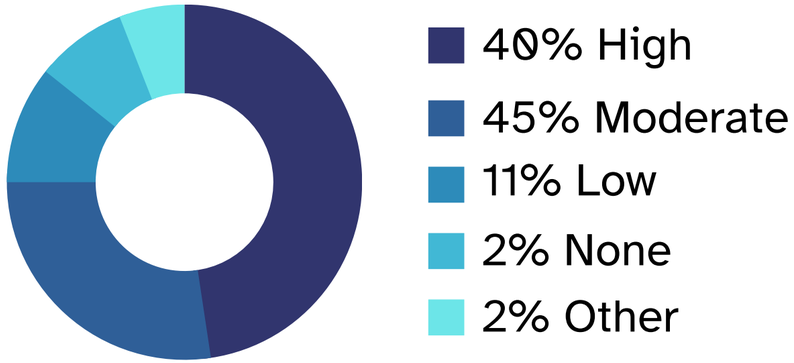
Concern for Loss of Sensitive Coastal Ecosystems (All Respondents)



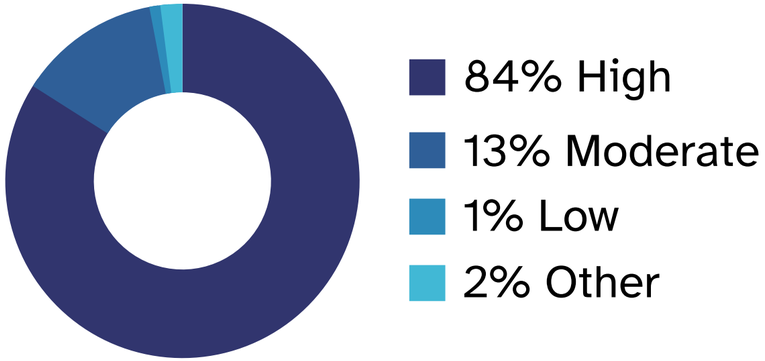
Concern for Loss of Sensitive Coastal Ecosystems (All Waterfront Property Owners)

Coastal Ecosystems

- **85% identified as having a moderate to high understanding of the benefits.**
- **84% ranked protecting areas deemed ecologically sensitive as highly important.**

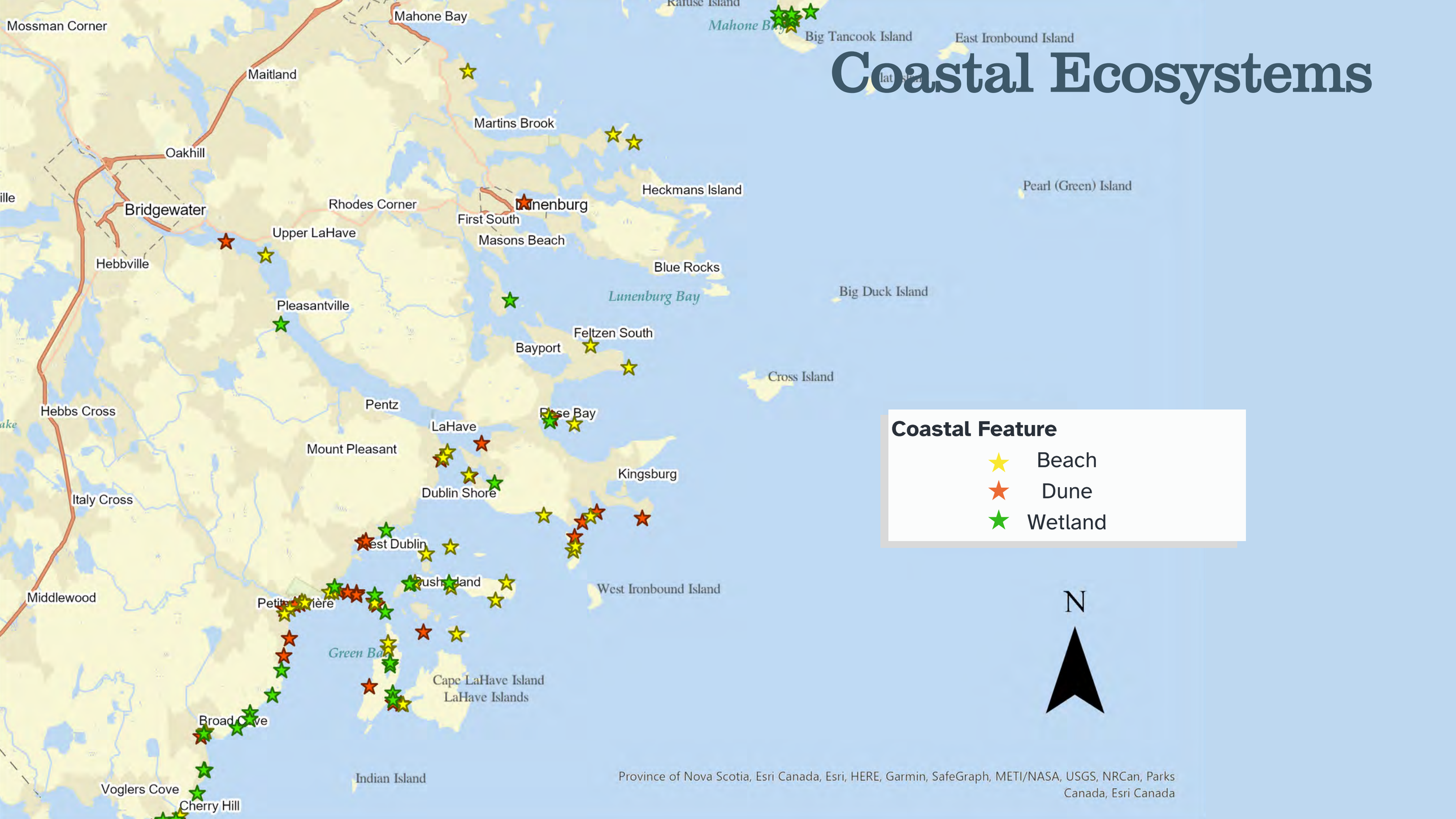


What is Your Understanding of the Benefits Associated With Sensitive Coastal Ecosystems? (All Respondents)



How Much Do You Value Protecting These Areas That Are Deemed Ecologically Sensitive Along the Coast (All Respondents)

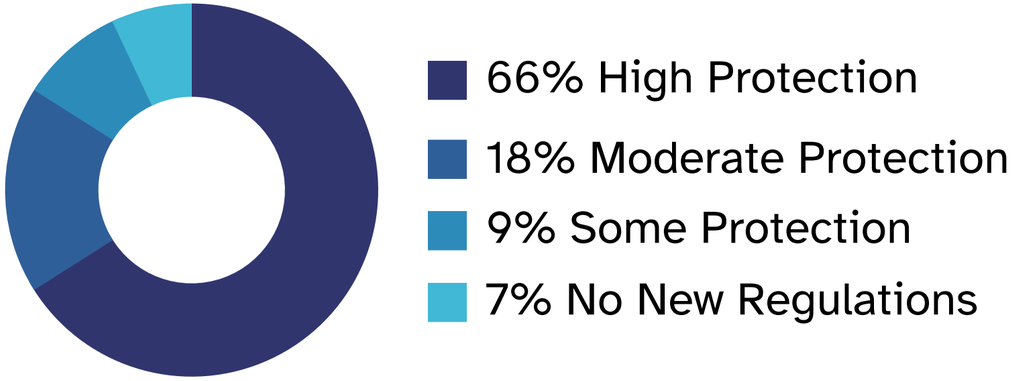
Coastal Ecosystems



Province of Nova Scotia, Esri Canada, Esri, HERE, Garmin, SafeGraph, METI/NASA, USGS, NRCan, Parks Canada, Esri Canada

Coastal Ecosystems

- **66% of survey respondents indicated the need for high protections with 18% selecting moderate protections.**



Level of Protection to protect Sensitive Coastal Ecosystems (All Respondents)

What We Heard: Topics Emerging From Engagement

- **Collaboration Between Levels of Government**
- **Public Access to the Coast**
- **RV Parks and Campgrounds**

Collaboration Between Levels of Government

“The debacles at Crescent Beach, Cherry Hill, and Eagle's Head demonstrate we need to have a much more integrated approach to managing coastline development. Specifically, we need greater collaboration amongst all levels of government to ensure appropriate enforcement of whatever by-laws are put in place.”

(Anonymous Respondent)

“It is terrific that MODL is taking action on this subject. However this really should be a provincial matter with provincial regulations dictating the fundamentals of a coastal protection strategy.”

(Anonymous Respondent)

Public Access to the Coast

"...is part of this plan to include permission for public access to the beaches? Aren't beaches here crown land?"
(Anonymous Respondent)

"**When I think of coastal protection, I feel strongly about the need to protect the eco-systems, at the same time as ensuring appropriate public access to the shoreline."**
(Anonymous Respondent)

"Public pedestrian access to beaches and shorelines shouldn't be further limited by private development."
(Anonymous Respondent)

"It [coastal development] impedes public access and harms coastal ecosystems."
(Anonymous Respondent)

"I'm concerned about resulting damage to coastal ecosystems and habitats, as well as losing public access to coastal and beach sites."
(Anonymous Respondent)

"Lack of accessing our coast lines for the general population and losing our harvesting rights for sacred medicines.. sweetgrass."
(Anonymous Respondent)

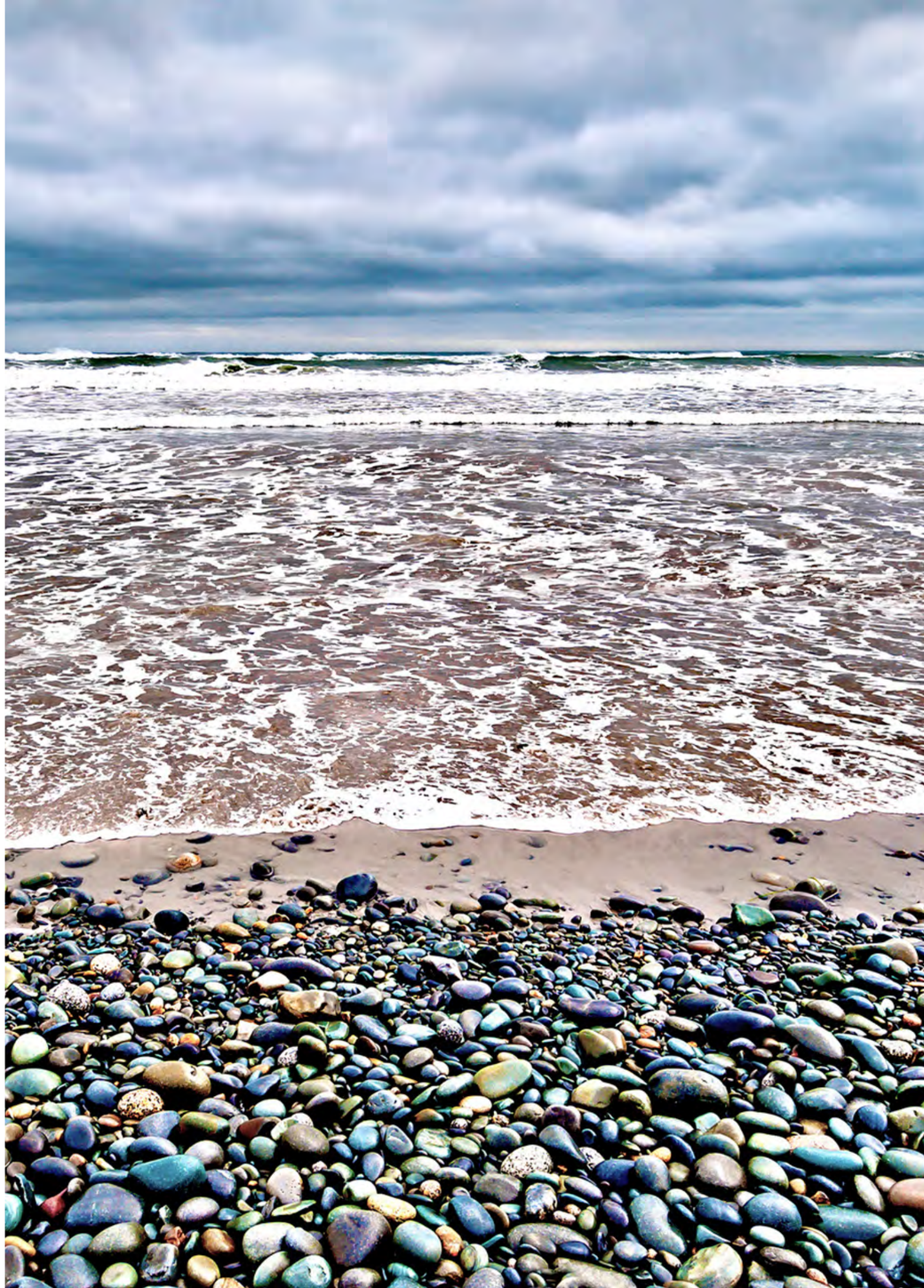
RV Parks and Campgrounds

"Rv parks while not creating structures should not be immune from regulations or taxation."
(Anonymous Respondent)

"**One specific area of concern is the fact that commercial activities such as campgrounds and RV parks can be setup on or in close proximity to our coastline with no oversight, regulation or permitting by MoDL."**
(Anonymous Respondent)

04 Key Takeaways

1. **Moderate-high level protection desired.**
2. **Support for different types of regulations.**
3. **Protecting ecosystems is highly valued.**
4. **Education and awareness is desired.**
5. **Strong interest in widespread land use planning issues.**



05 Next Steps

Initial Public Engagement
Spring/Summer 2023

Staff Writes and Presents WWHR to Council
Summer 2023

Staff Drafts Regulations
Summer 2023

Staff Presents Draft Regulations to Council
Fall 2023

Public Engagement Round 2
Fall 2023

Staff Revises Draft Regulations
Fall 2023

Staff Presents Final Regulations to Council for Approval
Fall 2023

What We Heard Report

Cluster Development

August 29, 2023

Agenda

01
Engagement Process

02
What we Heard: Major Themes

03
Next Steps

Engagement Process

- **Engagement Website**
  - FAQ + Survey
  - 698 Engagement Website visits from June-August
  - 137 Survey responses
  - 42% of respondents live near a cluster development (completed or proposed)
- **Open House Event**
  - 69+ open house attendees

137

Survey responses

69+

Open house attendees

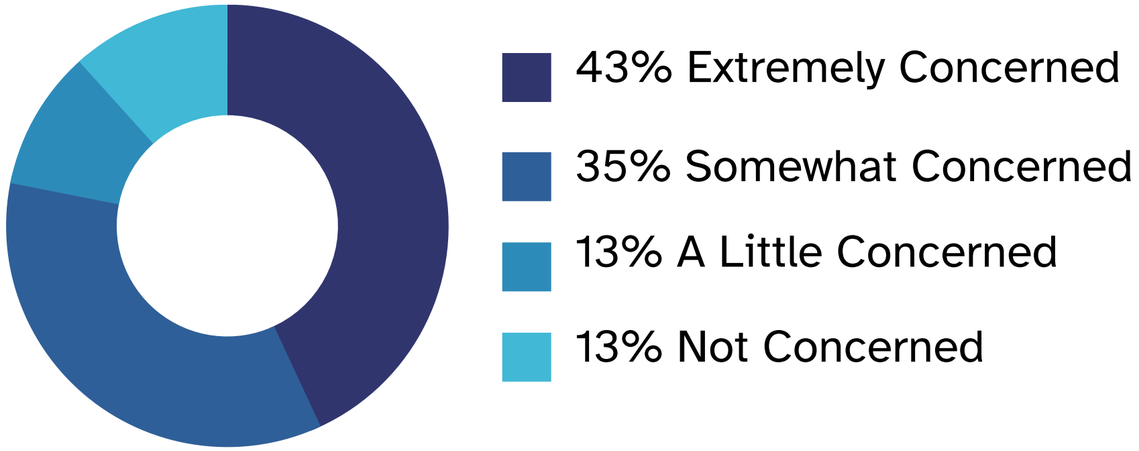
What we Heard: Major Themes

- **Road Construction and Access**
- **Approvals and regulations**
- **Density**
- **Servicing and infrastructure**
- **New cluster development standards and existing developments**
- **Environment**

Road Construction and Access

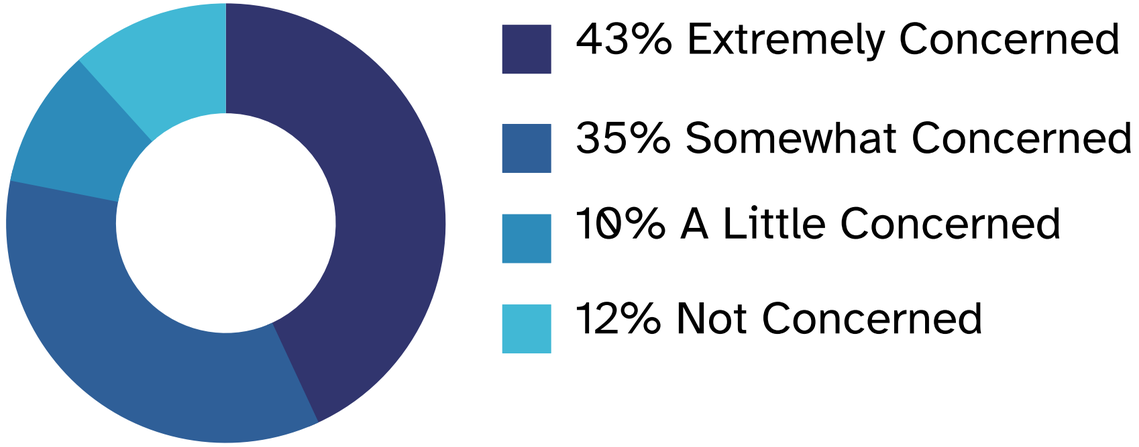
Level of Concern

- Out of all the survey respondents, 43% indicated extreme concern and 35% indicated they were very somewhat concerned about road construction/access.



Concern for Road Construction/Access for Cluster Development (All Respondents)

- Results were similar when just looking at responses from people who live near a proposed or completed cluster development.



Concern for Road Construction/Access for Cluster Development (Near a CD)

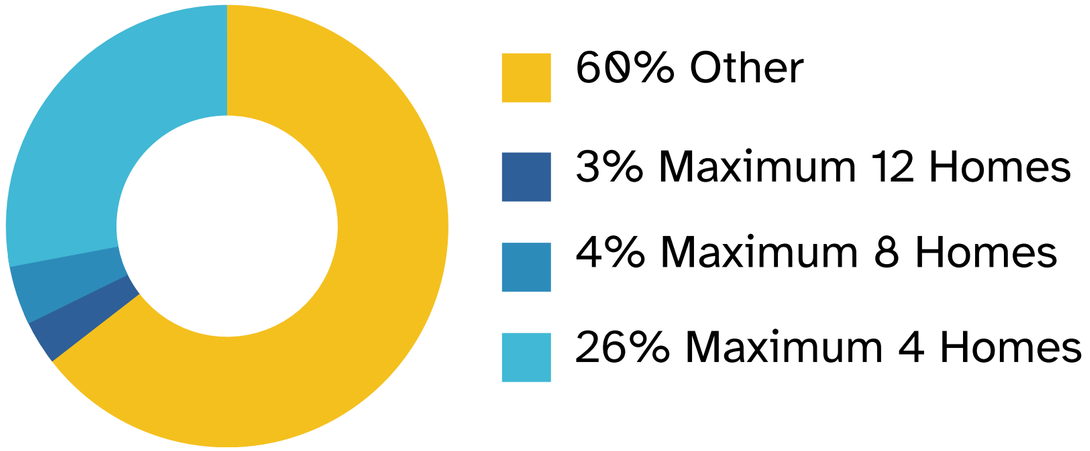
Approvals and Regulations

Many residents expressed that the trigger for an approval process should be context-dependent:

- Amount of available land to develop
- Capacity of the land to provide adequate onsite water and wastewater treatment
- Existing levels of housing density in the area

What Number of Cluster Units Should be Proposed Before an Approvals Process is Triggered?

- Out of all the survey respondents, 60% indicated other.
  - 'The number of units be based on the size of the specific lot in question.'
  - 'The number should be 2 or 3 units.'
- Some Open House noted that a low trigger could impede housing development.



Number of Units Before Approvals Process (All Respondents)

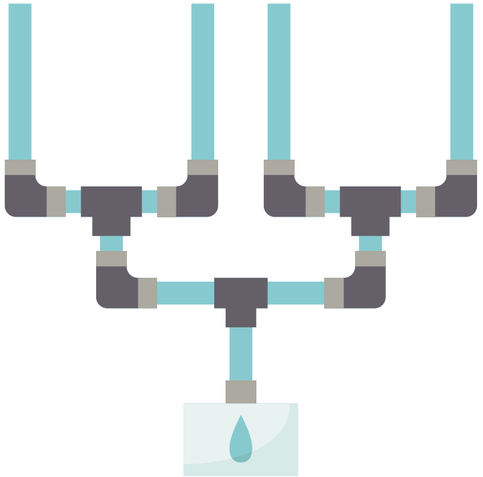
Density

Open House

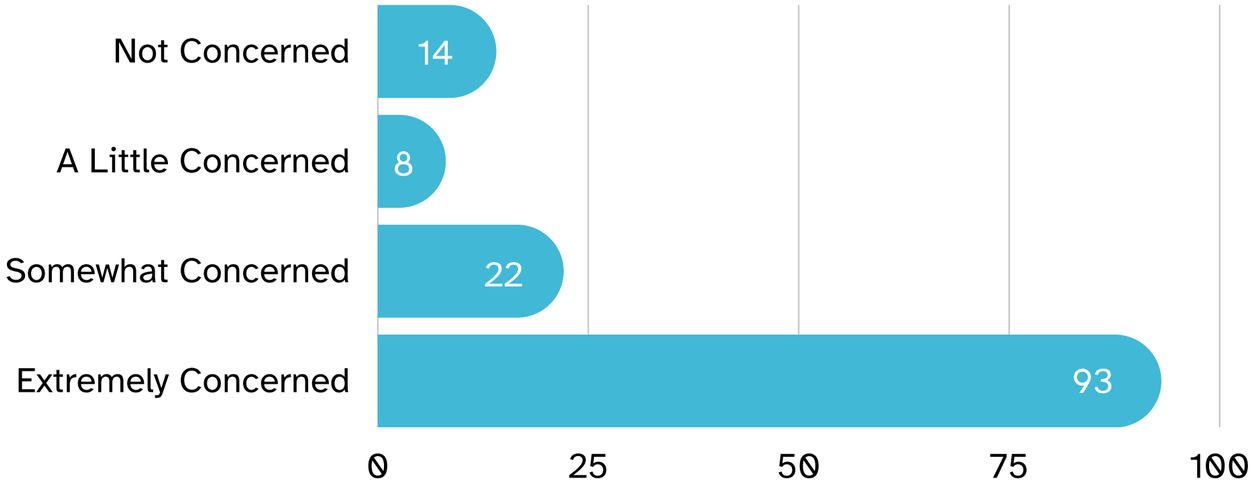
Mixed response regarding the ability of cluster developments to achieve higher levels of density compared to traditional subdivisions.

Higher density than typical subdivisions

- Disruption of rural character
- Cluster developments provide housing variety for MODL
- The cluster development model allows for natural space conservation
- Developments grouped together can make use of collective waste and water systems



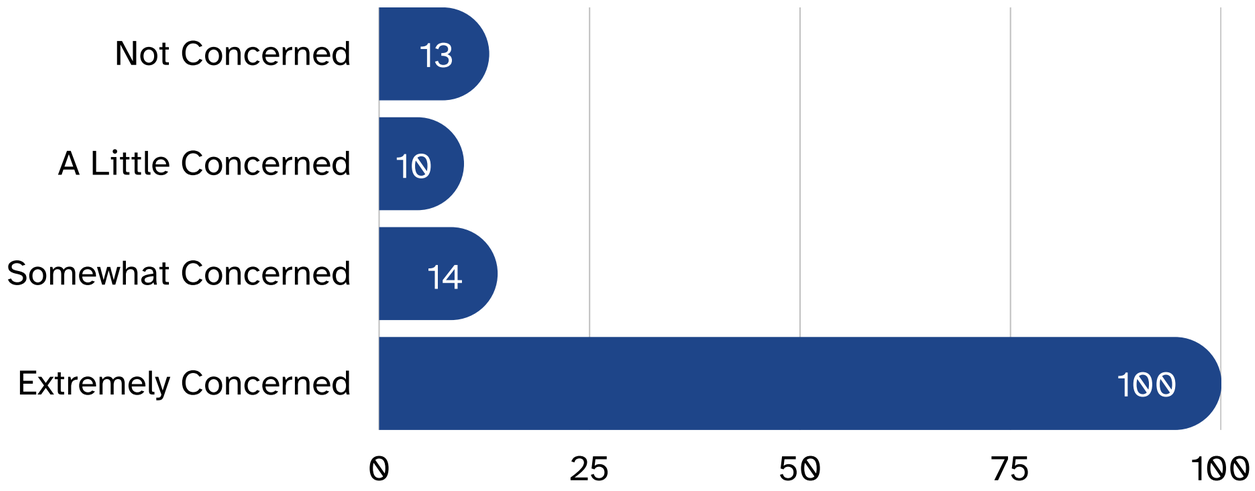
Servicing and Infrastructure



How concerned are you about the following aspects of cluster developments? - Water Quality and Quantity

A specific concern surrounding cluster developments was the necessity for sewer and water capacity available regardless of what approval processes are set in place.

These concerns were reflected in the survey questions in which the majority of respondents were extremely concerned about water quality and quantity, as well as sewage treatments for cluster developments.



How concerned are you about the following aspects of cluster developments? - Sewage treatment

Applying new cluster development standards to existing developments

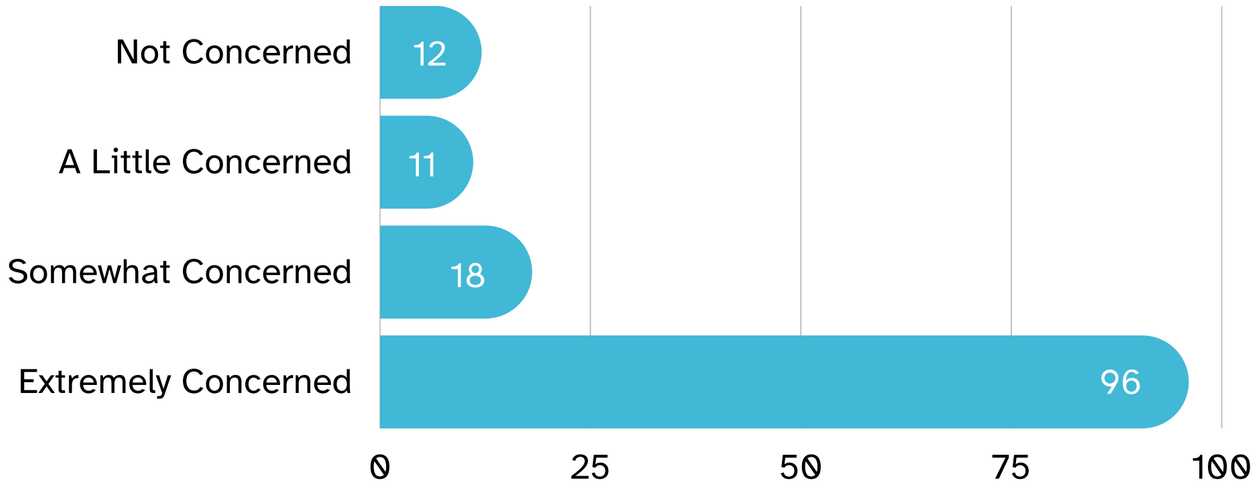
How will new regulations for cluster developments affect the approvals process for developments already in progress?

- Some cluster developments appear to bypass standards set out in the subdivision by-law rather than making meaningful use of the cluster development model.
    - ‘Should developers yet to submit building permits be subject to a new special approval process?’
    - ‘Should a moratorium be placed on new cluster developments until the regulations have been put in place at the end of 2023?’

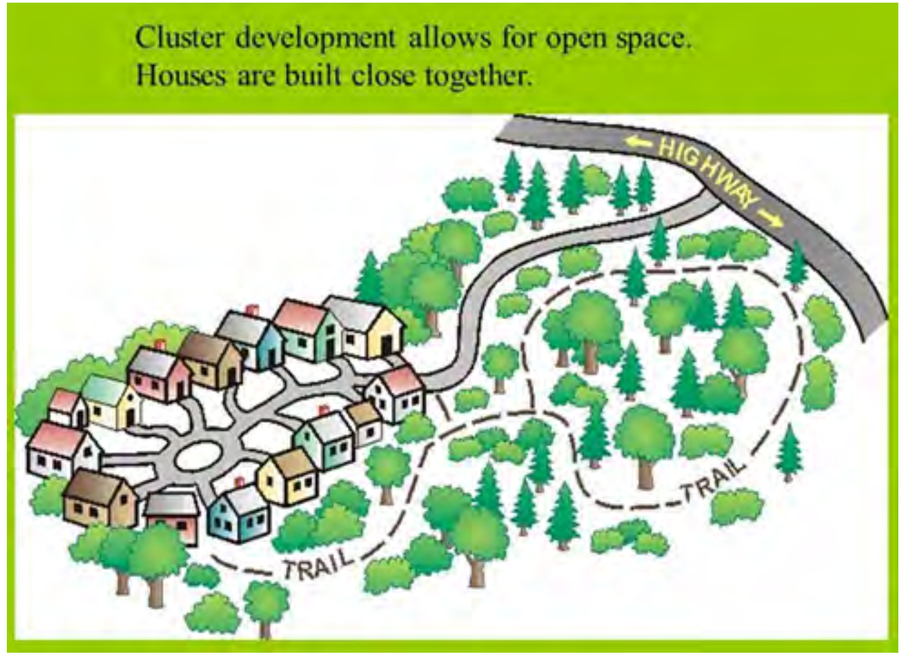
Environmental Concerns and Opportunities

Concerns

- 96 out of 137 are extremely concerned about the environmental impacts of cluster developments.
  - Concerns over development in watershed areas



How concerned are you about the environmental impacts of cluster developments?



Opportunities

- Others noted the potential positive of using cluster development to conserve the remaining natural space surrounding the property.

Key Takeaways

1. **Servicing and Infrastructure** - Capacity should be front of mind
2. **Imposing Standards** - Flexibility per project
3. **Effect on In-Progress Cluster Development**

04 Next Steps

Initial Public Engagement
Spring/Summer 2023

Staff Writes and Presents WWHR to Council
Summer 2023

Staff Drafts Regulations
Summer 2023

Staff Presents Draft Regulations to Council
Summer 2023

Public Engagement Round 2
Fall 2023

Staff Revises Draft Regulations
Fall 2023

Staff Presents Final Regulations to Council for Approval
Fall 2023