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## **Municipal Council Meeting Agenda**

**Tuesday, November 14, 2023 – 9:00 a.m.**

**MODL Council Chambers – 10 Allée Champlain Drive, Cookville**

<b>1.</b>	<b>Call to Order</b>	
1.1	Mi'kma'ki Territorial Acknowledgement	
<b>2.</b>	<b>Announcements, Acknowledgements, Recognition</b>	
<b>3.</b>	<b>Public Input (15 Minutes)</b>	
<b>4.</b>	<b>Changes/Approval of Agenda (as circulated)</b>	
<b>5.</b>	<b>Approval of Minutes - October 24, 2023</b>	
<b>6.</b>	<b>Business Arising from Minutes</b>	
<b>7.</b>	<b>Nomination &amp; Election by Ballot – Deputy Mayor</b>	
7.1	MODL Policy 011- Deputy Mayor .....	1-2
<b>8.</b>	<b>Awarding of Tenders/RFPs - Nil</b>	
<b>9.</b>	<b>Presentations/Scheduled Times – Nil</b>	
<b>10.</b>	<b>Consideration of Correspondence - Nil</b>	
<b>11.</b>	<b>Recommendations from Committees &amp; Boards</b>	
<b>11.1</b>	<b>Nominating Committee .....</b>	<b>3</b>
11.1.1	Annual Appointments to Committees & Boards	
11.1.2	Appointments to Sawpit Wharf Advisory Committee .....	4
<b>11.2</b>	<b>Heritage Advisory Committee .....</b>	<b>5</b>
11.2.1	Proposed Amendments to Policy 027 Heritage Property.....	6-15
<b>11.3</b>	<b>Police Advisory Board .....</b>	<b>16</b>
11.3.1	Letter to NS Public Works re Installation of Speed Radar Signs.....	17-18
<b>11.4</b>	<b>Fire &amp; Emergency Services Committee .....</b>	<b>19</b>
11.4.1	Proposed Amendment to Annual Registration Package re Self-contained Breathing Apparatus .....	20-22
11.4.2	Annual Budget re Regional Fire Training Facility .....	20-22

- 11.4.3 Re-appointment of Member at Large Position
- 11.4.4 Proposed Increase of Fire Service Grants 2024/2025

**12. Staff Reports**

**12.1 Administration**

- 12.1.1 Extended Producer Responsibility, Gabe Welsh, Director of Operations, MJSB..... 23-25

**12.2 Building & Planning Department**

- 12.2.1 Proposed Amendment to Village of Hebbville SPS & LUB & Rezoning..... 26-27

**13. Mayor's/Deputy Mayor's/Councillors' Matters**

- 13.1 Hebbville Village Commission Update - Councillor Oickle
- 13.2 MJSB Update
- 13.3 Deputy Mayor's Update
- 13.4 Mayor's Update

**14. Added Items**

**15. In Camera**

- 15.1 Contract Negotiations under Section 22(2)(e) of the MGA
- 15.2 Contract Negotiations under Section 22(2)(e) of the MGA
- 15.3 Contract Negotiations under Section 22(2)(e) of the MGA
- 15.4 Contract Negotiations under Section 22(2)(e) of the MGA
- 15.5 Potential Litigation under Section 22(2)(f) of the MGA

**16. Adjournment**

## Municipality of the District of Lunenburg POLICY

Title: <b>Deputy Mayor</b>	
Policy No. <b>MDL-11</b>	
Effective Date: <b>November 6, 2008</b>	Amended Date:

### Purpose

This policy establishes rules governing the election of Deputy Mayor by the members of Council defines the duties of the Deputy Mayor and identifies the term of office.

### Authority

Section 16, Municipal Government Act, as amended.

#### 1 Term – MGA Section 16(2)

- a) The term of office of the Deputy Mayor shall be for one (1) year, and will expire at the call to order of the regular Council Session in November or when the term of office of the Council expires following a general municipal election, whichever comes first.
- b) The Deputy Mayor shall serve no more than one year within a four year term unless there are no other Council members wishing to fill this position.
- c) This term of one (1) year shall continue until this policy is amended, or otherwise changed.

#### 2 Selection - MGA Section 16(1)

The Council shall select one of its members to be Deputy Mayor in accordance with this policy.

#### 3 Absence or Inability of Deputy Mayor– MGA Section 16(3)

The Deputy Mayor shall act in the absence or inability of the Mayor or in the event of the office of the Mayor being vacant.

**4 Power and Authority of Deputy – MGA Section 16(5)**

The Deputy Mayor has all the power and authority and shall perform all the duties of the Mayor when the Deputy Mayor is notified that the Mayor is absent or unable to fulfill the duties of Mayor or the office of the Mayor is vacant.

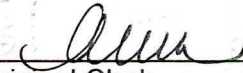
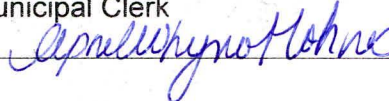
**5 Effective Date**

Policy MDL-11 approved on November 22, 2000 is hereby repealed and replaced with this amended Policy MDL-11, effective on the first Council session or Special Council session, whichever event occurs first following the general Municipal Election of October, 2008.

**Clerk's Annotation for Official Policy Book**

Date of Adoption	<u>November 6, 2008</u>
Date of Notice to Council Members off Intent to Consider Amendments	<u>May 1, 2008</u>
Date of Passage of Amendments:	<u>May 13, 2008</u>

I certify that this "Deputy Mayor" policy was adopted by Council as indicated above.

  
Municipal Clerk  


May 30, 2008  
Date



## Municipality of the District of Lunenburg

10 Allée Champlain Drive Cookville Nova Scotia Canada B4V 9E4  
Phone: 902.543.8181 Fax: 902.543.7123 Web Site: [www.modl.ca](http://www.modl.ca)

October 24, 2023

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

Dear Mayor and Councillors:

The Nominating Committee, met on Wednesday, October 18, 2023, and made the following  
recommendations to Council:

- 1 **“That Municipal Council accept the recommendation of the Nominating Committee and approve the appointments to the Sawpit Wharf Advisory Committee:**
  - **David Silver, Bill Towndrow, Richard Mosher for 3 year terms,**
  - **Angus Morris, Ian Fraser, 2 year terms and**
  - **Hal West for a 1 year term”.**
  
- 2 **“That Municipal Council accept the recommendation of the Nominating Committee and approve the appointments to Committees and Boards for the period of November 2023 to November 2024, as presented”.**

Respectfully submitted,

Councillor Cathy Moore  
Chairperson and Members Nominating Committee

**Council**  
Item: #11.1.2  
Date: November 14, 2023  
Authorization: T. MacEwan



## Municipality of the District of Lunenburg

### MEMO

**Report to:** Nominating Committee Chair, Cathy Moore  
**Submitted by:** Trudy Payne, Director of Recreation, Parks & Tourism  
**Date:** October 17, 2023  
**Re:** Sawpit Wharf Advisory Committee Appointments

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#### Background

On April 24, 2012, the Municipal Council approved the terms of reference for the newly formed Sawpit Wharf Advisory Community Committee. During a community consultation, which resulted in Council created the committee, public members were asked to sign a sheet if they were interested in sitting on the committee. As a result, nine people indicated that they would be interested and hence when the terms of reference were created it was agreed that nine people would form the committee.

This year when staff advertised for 8 of the 9 vacancies only 4 people applied. Another call for volunteers to serve on this committee was made which resulted in one more application. Since this time, we received one late application.

At the September 21, 2023, Council meeting, Council approved changes to the Sawpit Wharf Advisory Committee terms of reference which included changing the membership to seven from nine. There are currently 6 vacant positions out of the seven, and six applications have been received. Of the six applications, five have served in the past and one is a new applicant. The seventh position will expire November 2024.

#### Executive Summary

If the Committee agrees with staff's recommendation the following motion would be forwarded to Council for consideration to fulfill the membership for the Sawpit Wharf Advisory Committee.

**Council**  
Item: #11.2  
Date: November 14, 2023  
Authorization: T. MacEwan



## Municipality of the District of Lunenburg Planning & Development Services

October 26, 2023

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

Dear Mayor and Councillors:

The Heritage Advisory Committee, in session on Thursday, October 26, 2023, made the following recommendation to Municipal Council:

**“That Municipal Council adopt the new revisions to Policy 027 - Heritage Property Policy”.**

Respectfully submitted,

The Chair and Members  
of the Heritage Advisory Committee

/jh

Attachments

**Council**  
Item: #11.2.1  
Date: November 14, 2023  
Authorization: T. MacEwan



## **Municipality of the District of Lunenburg**

### **Report to Council**

**Planning Advisory Committee**  
Item:# 7.1  
Date: October 26, 2023  
Authorization: J. Merrill

**Report To: Heritage Advisory Committee**

**Submitted By: Ella R. Gindi, Planner I/ Heritage Planner**

**Date: October 26, 2023**

**Re: Policy 027- Heritage Property Policy Review**

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### **Recommendation**

Staff recommends that the Heritage Advisory Committee consider making a positive recommendation to Council, approving the proposed amendments to Policy 027- Heritage Property Policy.

### **Background**

On June 27, 2023, Council directed staff to review the heritage property policy. The primary objective is to explore a viable solution for classifying the replacement of roofing material with metal as a non-substantial alteration. This strategic approach is designed to streamline the process, eliminating the need for staff to present each proposed alteration to the heritage advisory committee and seek council's approval. The overarching goal of the policy review is to foster a smoother and more efficient decision-making process in which the heritage planner will assume the responsibility of making decisions while still ensuring the preservation of the property's historical significance and character-defining elements are maintained. In addition, to softening the provisions of metal roof installation, another critical observation made by the staff during the review process was the absence of the phrase "character-defining element" from the policy. This phrase is crucial as it aligns with Canada's Standards and Guidelines for the Conservation of Historic Places and is the benchmark for assessing heritage and historic properties and places. By adopting these revisions, there can be a balance between expediting the process and safeguarding the property's heritage value.

## **Discussion**

### **Section 5 of the Heritage Property By-law:**

Section 5 of the heritage property by-law does not explicitly mention the replacement of roof materials as a substantial alteration. However, it does outline various alterations that are considered substantial, which include changes to the building's original style, roof shape, skylights, and dormers. These alterations are crucial to preserving the architectural and historical character defining elements and the integrity of heritage properties.

### **Section 6 of the Heritage Property By-law:**

Section 6 of the heritage property by-law discusses alterations that are deemed non-substantial. Section 6(b) specifically mentions repairs or replacements of existing materials where no change in size, style, placement, orientation, or materials will occur. For instance, replacing wood clapboard with the same exposure to the weather or asphalt shingles with asphalt shingles is considered a non-substantial alteration.

### **Interpretation of the Policies:**

Following a thorough analysis of the policy provisions outlined in Section 5 and Section 6(b), it has been determined that the replacement of roofing material constitutes a substantial alteration. While the specific list of alterations deemed substantial in Subsection 5 does not explicitly include roofing material changes, it is vital to note that Subsection 6 of the policy explicitly identifies a change of materials as falling within the category of substantial alterations. Therefore, based on the combined interpretation of these sections, it is evident that the alteration of roofing material is to be deemed as substantial alteration and thus subject to the corresponding guidelines and approval processes.

### **Standards and Guidelines for the Conservation of Historic Places in Canada:**

The Standards and Guidelines for the Conservation of Historic Places in Canada are essential references in making informed decisions regarding the preservation of heritage properties. The guidelines emphasize a preference for repair over replacement, and if replacement is necessary, it should be "in kind" based on historical evidence.

Roofs and their elements play a vital role in defining the heritage value of a building. This includes not only visible features such as cupolas, turrets, chimneys, and gables but also critical components like cladding, insulation, and ventilation, which ensure the building's weatherproofing and structural integrity.

Roofing materials have different lifespans, and their regular replacement can impact the heritage value of the property. The guidelines recommend preserving durable materials whenever possible to extend the building's service life and historical significance.

## **The guidelines propose different approaches based on the condition of the roof:**

**Repairing:** Reinforcing the character of the roof may involve limited replacement-in-kind of deteriorated or missing elements, provided there are surviving prototypes available (e.g., cupola louvers, dentils, dormer roofing, slates, tiles, or wood shingles).

**Preserving:** For roofs with elements of significant heritage value, preservation should be prioritized to maintain their historical integrity.

**Rehabilitating:** If the overall condition of the roof necessitates more than preservation, a comprehensive rehabilitation plan should be undertaken.

**Restoring:** In cases where the roof requires reconstruction to a specific historical period, a restoration approach is appropriate.

Please see appendix I for the exhaustive list of general guidelines for preservation, rehabilitation, and restoration for roofs.

## **Character- Defining Elements:**

The purpose of the Character-defining Elements policy section is to identify the key features of a historic place that contribute to its heritage value. These elements give tangible form to the heritage value and offer guidance to property owners, planners, municipal council, and others involved in the conservation or management of heritage properties and places.

Character-defining elements encompass both tangible and intangible features that express the heritage values associated with the historic place. They include materials, forms, location, spatial configurations, uses, and cultural associations or meanings that must be preserved to maintain its heritage value. These elements are crucial in conveying the significance and importance of the place, and without them, the heritage value may be lost.

## **Conclusion**

To enhance the effectiveness of Policy 027-Heritage Property Policy, planning staff recommends the following revisions to sections 5 and 6:

### **Section 5:**

We propose a rewording of this section to explicitly include the mention of "character-defining elements." To achieve this, we suggest adding the phrase "**character-defining element of a**" after the word "A," highlighting its crucial significance. Furthermore, to stress that the listed elements are not exhaustive, we recommend adding the phrase "**but not limited to**" after the word "include."

## Section 6:

It is recommended to introduce a new clause in subsection (b) specifically addressing roof material alterations. The proposed clause will state that replacing an existing roofing material with metal roofs will be permissible if the selected roof material is not deemed a character-defining element of the heritage property.

Please refer to the attached document in Appendix I for a detailed overview of the proposed amendments to the heritage property policy. The main objectives of these revisions are to enhance the clarity and effectiveness of Policy 027-Heritage Property Policy, enabling improved preservation and adaptation of heritage properties. Additionally, the suggested changes provide some flexibility in roofing material alterations, benefiting the community. These revisions aim to strike a fair balance between heritage preservation and adaptability, safeguarding the municipality's cultural heritage legacy while promoting sustainable development.

Report Preparation	
Department	Planning and Development
Report Prepared by	Ella R. Gindi, Planner I / Heritage Planner
Report Approved by	
Date Reviewed by C.A.O.	

## Appendix I Municipality of the District of Lunenburg POLICY

<b>Title:</b> Heritage Property Policy	
<b>Policy No.</b> 027	<b>Legislative Authority:</b> Heritage Property By-law, Sections 6 and 9
<b>Effective Date:</b> May 11, 2004	<b>Amended Date:</b> April 27, 2021

Amended April 27, 2021, by deleting sections 1, 2, 3, 4 and 5 and replacing them with the new sections 1 – 7 below.

## Short title

- 1 This Policy may be cited as the Heritage Property Policy.

## Definitions

- 2 In this Policy, the Heritage Advisory Committee is as defined in subsection 5(2) of the Heritage Property By-law.

## Minimum threshold

- 3 (1) The Heritage Advisory Committee may recommend to the Municipality that a building be registered as a municipal heritage property in the Registry of Heritage Property, if the heritage value of the recommended building is scored at least 75 out of 100 points.  
  
(2) The Heritage Advisory Committee may recommend to the Municipality that a public-building interior, streetscape, cultural landscape, or area be registered as a municipal heritage property in the Registry of Heritage Property, if the Heritage Advisory Committee deems the heritage value of the recommended public-building interior, streetscape, cultural landscape, or area as significant.

## Evaluation guidelines

- 4 (1) The score in subsection 3(1) is calculated by combining all the points of the criteria stated in the evaluation guidelines in Schedule A.  
  
(2) The criteria in Section 3 must not be inconsistent with the Standards & Guidelines for the Conservation of Historic Places in Canada.

## Substantial alterations

- 5 Substantial alterations to a character defining element of a municipal heritage property may include but limited to
  - (a) demolition;
  - (b) addition;
  - (c) changing the colour scheme of the structure;
  - (d) alterations that change the massing of the building;
  - (e) alterations that change the building's original style, such as
    - (i) building form with respect to orientation, proportion, and height,
    - (ii) roof shape with respect to style, pitch, and the addition of roof elements such as towers and dormers,

- (iii) visual balance with respect to the arrangement of parts or elements of the building including, but not limited to, windows, doors, bays, porches, and dormers,
- (iv) windows with respect to size, style, placement, orientation, and materials,
- (v) doors with respect to size, style, placement, materials and the addition of sidelights and transoms,
- (vi) cladding with respect to style, placement, orientation, and materials,
- (vii) moulding or trim with the respect to style, placement, materials and the removal or addition of,
- (viii) stairs, porches, decks, balconies, verandahs, and porticos with respect to style, materials, and the removal or addition of all or part of the structure,
- (ix) skylights with respect to the addition, removal, or replacement of, and
- (x) dormers with respect to size, style, and placement.

### **Non-substantial alterations**

**6** Municipality deems the following alterations as non-substantial:

- (a) painting using the same colour scheme;
- (b) repairs to or the replacement of existing materials where no change in size, style, placement, orientation, or materials is to occur, such as wood clapboard with wood clapboard of the same exposure to the weather, and asphalt shingles with asphalt shingles.
  - (i) Changing to metal roof materials is permitted as long as the roof material is not deemed to be character defining element.

### **Alteration approval process**

**7** After receiving an application in Section 10 of the Heritage Property By-law, the heritage officer must issue a letter to the owner of the municipal heritage property, stating that

- (a) under the criteria in Section 6, the application is a non-substantial alteration; or
- (b) the approval from the Council is required for the proposed alteration.

## Standards and Guidelines for the Conservation of Historic Places in Canada:

General Guidelines for Preservation, Rehabilitation and Restoration: Roofs		
	Recommended	Not Recommended
1	<b>Understanding</b> the roof and how it contributes to the heritage value of the historic building.	
2	<b>Understanding</b> the properties and characteristics of the roof as well as changes and previous maintenance practices.	<b>Failing</b> to consider the impact of previous changes and maintenance practices on the roof.
3	<b>Documenting</b> the form, materials, and condition of roof assemblies before undertaking an intervention, including the roof's pitch, shape, decorative and functional elements, and materials, and its size, colour and patterning.	Undertaking an <b>intervention that affects character defining roofs and roof elements</b> , without first documenting their existing character and condition.
4	<b>Assessing</b> the condition of the roof assembly and materials early in the planning process so that the scope of work is based on current conditions.	
5	<b>Determining</b> the cause of a roof's distress, damage or deterioration through investigation, monitoring and minimally invasive or non-destructive testing techniques.	
6	<b>Protecting and maintaining</b> a roof by cleaning and maintaining the gutters, downspouts, and flat roof drains, and replacing deteriorated flashing in kind. Roof sheathing should also be checked	Failing to maintain roofs on a cyclical basis. Failing to replace deteriorated flashing, or to clean and properly maintain gutters and downspouts and flat roof drains so that water

	for proper venting to prevent moisture condensation and water penetration, and to ensure that materials are free from insect infestation.	and debris collect and damage roof fasteners, sheathing and the underlying structure
8	<b>Stabilizing</b> deteriorated roofs by structural reinforcement, weather protection or correcting unsafe conditions, as required, until repair work is undertaken.	Removing deteriorated roof elements that could be stabilized or repaired.
9	<b>Repairing</b> parts of roofs by patching, piecing-in, consolidating, or otherwise reinforcing, using recognized conservation methods. Repair may also include the limited replacement in kind, or with a compatible substitute material, of extensively deteriorated or missing parts of the roof. Repairs should match the existing work as closely as possible, both physically and visually.	
10	<b>Protecting</b> adjacent character-defining elements from accidental damage or exposure to damaging materials during maintenance or repair work.	
11	<b>Replacing</b> in kind extensively deteriorated or missing parts of roof assemblies where there are surviving prototypes.	Replacing an entire roof element, such as a dormer, when limited replacement of deteriorated and missing parts is possible. Using a substitute material for the replacement part that neither conveys the same appearance as the surviving parts of the roof element, nor is physically or visually compatible
12	<b>Testing</b> proposed interventions to establish appropriate replacement materials, quality of workmanship and	

	methodology. This can include reviewing samples, testing products, methods, or assemblies, or creating a mock-up. Testing should be carried out under the same conditions as the proposed intervention.	
13	<b>Documenting</b> all interventions that affect the building’s roof, and ensuring that the documentation is available to those responsible for future interventions	
<b>Additional Guidelines for Rehabilitation Projects</b>		
14	<b>Repairing</b> a roof assembly, including its functional and decorative elements, by using a minimal intervention approach. Such repairs might include the limited replacement in kind, or replacement with an appropriate substitute material, of irreparable or missing elements, based on documentary or physical evidence.	Replacing an entire roof element, such as a cupola, dormer, or lightning rod, when the repair of materials and limited replacement of deteriorated or missing elements is feasible. Failing to reuse intact roofing materials when only the roofing structure or sheathing needs replacement.
15	<b>Improving</b> the detailing of roof elements, following recognized conservation methods, to correct faulty details. For example, adjusting the slope of a cornice to prevent ponding, or introducing a new drip edge at the eave to better direct water runoff away from a masonry wall. Such improvements should be physically and visually compatible.	
16	<b>Replacing</b> in kind an entire element of the roof that is too deteriorated to repair — if the overall form and detailing are still evident — using the	Removing a roof element that is irreparable, such as a chimney or dormer, and not replacing it, or replacing it with a new element that does not convey the same appearance or

	<p>physical evidence as a model to reproduce the element. This can include a large section of roofing, a dormer, or a chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered</p>	<p>serve the same function. Replacing deteriorated roof elements and materials that are no longer available with physically or visually incompatible substitutes.</p>
17	<p>Replacing missing historic features by designing and constructing a new roof feature, based on physical and documentary evidence, or one that is compatible in size, scale, material, style or colour.</p>	<p>Creating a false historical appearance because the replicated feature is incompatible or based on insufficient physical and documentary evidence.</p>

Copy

Council  
Item: #11.3  
Date: November 14, 2023  
Authorization: T. MacEwan



## Memorandum

**To:** Mayor and Municipal Council

**From:** Chris Kennedy, Fire Services Coordinator

**Date:** October 25, 2023

**Re:** Recommendation from the Police Advisory Board

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The Police Advisory Board, in session on Wednesday, October 25, 2023 made the following recommendation to Council:

**That Municipal Council write a letter to the Provincial Minister responsible for Public Works, Kim Masland, and copy the local MLAs and Public Works office, requesting they revisit, loosen, or remove the process for installation of speed radar signs in the interest of public safety.**

Respectfully submitted,

Chairman and Members  
Police Advisory Board

**Council**  
Item: #11.3.1  
Date: November 14, 2023  
Authorization: T. MacEwan



## **Municipality of the District of Lunenburg**

### **Report to Council**

**Report To:** Mayor Carolyn Boliver-Getson and Municipal Council

**Submitted By:** Chris Kennedy, Fire Services Coordinator

**Date:** November 14, 2023

**Re:** Request by Police Advisory Board for a letter be written to Minister, MLA and NS Public Works Area Manager

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#### **Recommendation**

**That Municipal Council write a letter to the Minister, (copy to MLA and local Public Works office), requesting they revisit, loosen, or remove the process for installation of speed radar signs in the interest of public safety.**

#### **Background**

The Municipality has purchased several speed radar signs to be placed strategically in areas of high traffic as a pro-active means to reduce speeds of the motoring public with the aid of the RCMP. Nova Scotia Public works has application process and policy PO1060 Use of Speed Display Devices (SDD) on Provincial Highways.

The application is submitted with the area of interest to place an SDD, then a traffic study is completed. It is then assessed by the traffic authority. If it meets the requirements, permission is given to place the SDD at the said location in accordance with policy PO1060. This process typically takes a minimum of 6 to 8 weeks. If it does not meet the requirements, the application is rejected and a new location needs to be applied for, which requires a new application submission. We had one such instance where another location needed to be found.

Traffic studies determine if vehicles meet a certain threshold, and this could then result in the speed limit being adjusted to meet new parameters.

## Desired Outcome

The hope is that by working with the Minister and NS Public Works Area Manager this process can be streamlined. The intent of the Police Advisory Board and RCMP is not to request any adjustment of current posted speed limits but rather have a proactive approach to highlight to motorists their current speed versus the posted speed limit. This in turn will help slow traffic in areas where excessive speeds are questioned. The process to apply for a speed study and then have the request denied is counterintuitive.

It would be helpful if the process was simplified by emailing the local NS Public Works Area Manager identifying the requested location of installation of the sign for approval. The policy for the installation would be followed to ensure the safety of the motoring public.

Report Preparation	
Department	Administration
Report Prepared by	Chris Kennedy, Fire Services Coordinator
Report Approved by	
Date Reviewed by C.A.O.	

**Council**  
Item: #11.4  
Date: November 14, 2023  
Authorization: T. MacEwan



## Municipality of the District of Lunenburg

10 Allée Champlain Drive, Cookville, Nova Scotia, Canada, B4V 9E4  
Phone: 902.543.8181 Fax: 902.543.7123 Web Site: [www.modl.ca](http://www.modl.ca)

November 3, 2023

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

Dear Mayor and Councillors:

The Fire & Emergency Services Committee, in session on Thursday, November 2, 2023 made the following recommendations to Council:

- 1. That Municipal Council approve the addition of “Functional testing of self-contained breathing apparatus” to the annual registration package as a mandatory requirement.**
- 2. That Municipal Council approve the amount of at least \$100,000 to be placed in the account created for a Regional Fire Training Facility as an annual budget amount going forward.**
- 3. That Municipal Council reappoint Herbert Seymour as a Member-At-Large to the Fire & Emergency Services Committee for a 3-year term, expiring on October 31, 2026.**
- 4. That Municipal Council increase the annual Fire Service grants by 2% for 2024/25.**

Respectfully submitted,

Chairman and Members  
Fire & Emergency Services Committee

/  
Attachments

**Council**  
Item: #11.4.1  
Date: November 14, 2023  
Authorization: T. MacEwan



## **Municipality of the District of Lunenburg**

### **Report to Fire and Emergency Services Committee**

Fire & Emergency Services Committee  
Date: November 2, 2023  
Item: 4.1  
Authorization: Alex Dumaresq

**Report To:** The Chair and members of the Fire & Emergency Services Committee  
**Submitted By:** Chris Kennedy, Fire Services Coordinator  
**Date:** November 02, 2023  
**Re:** Fire & Emergency Services Committee Strategic Priorities

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#### **Background**

The FESC has been engaged in a process for developing strategic priorities. The process began with committee workshops in late 2022/early 2023, which were followed by presentations to the committee and at the annual general meeting of the fire service. A survey of fire departments was then completed on these topics during the summer of 2023. This report aims to identify the actions the committee wishes to pursue.

#### **Draft Priorities**

Through the workshops and committee discussion, a preliminary list of priority areas were identified for consultation with the broader fire service. these categories included:

- Safety
- Capacity & Governance
- Recruitment & Retention
- Regional Training Facility

#### **Survey Results**

The committee developed a survey to gauge interest in various priorities from the fire service. All departments were encouraged to complete the survey and a prize draw was completed to incentivize the departments to respond. Thirteen departments completed the survey. Two

firefighters from Hemford and District department won the draw to be sponsored to attend the 2024 Atlantic Fire Leadership Conference to be held in one of the Atlantic provinces. A copy of the survey is included in the appendix of this report. The list below represents the survey items with the most support:

- Include Self-Contained Breathing Apparatus (SCBA) functional testing as an annual mandatory requirement of registration (100%).
- More support for training (repeated commentary)
- Adoption of standardized basic GOGs across departments (over 70%)
- Adoption of standard application process across departments (over 80%)
- Additional training on personnel matters (over 90%)
- Recognition for businesses that allow volunteers to leave work (over 70%)
- Regional training facility (over 80%)
- Revisit grant formulas (70%) (\*note all comments indicated concern/hesitation)

## Proposed Workplan

- **Safety**
  1. FESC recommends to Council for SCBA functional testing to be added as a mandatory requirement for the 2024 registration cycle starting in June of 2024
  2. A section be added to the registration package by the Fire Service Coordinator for capturing the number of level 1 trained/certified firefighters.
  3. Consult with departments/LRFES on what standardized GoGs should be adopted across all departments.
- **Capacity & Governance**
  1. Work with LRFES to develop a training strategy to address gaps and priority areas.
    - Level 1 firefighter training
    - Leadership and Human resources skills
    - Enhanced opportunities for regional training
  2. Continue MODL's current leadership training program:
    - November 04, 2023, Group Training session
    - Planned Spring session.
    - Grant to support department specific leadership training events
  3. Work with LRFES to develop a standard personnel policy that could be adopted by MODL fire depts.

4. Encourage Automatic Mutual Aid:
    - Gather data on existing number and types of automatic mutual aid; and
    - Present data, benefits, and process to FDs.
- **Recruitment & Retention**
    1. Continue with the implementation of the existing Recruitment & Retention Strategy.
    2. Work with LRFES for a template for intake policy and application process, including diversity, equity & inclusion.
    3. Promote existing business/community group recognition certificate.
  - **Regional Training Facility**
    1. Begin discussions with regional partners on concept, component’s location etc.
    2. Recommend annual contribution to MODL reserve for facility.

**Recommendations**

1. That the Fire & Emergency Services Committee **approve the proposed workplan, as presented.**
2. That the Fire & Emergency Services Committee recommend to Municipal Council: **“Functional testing of self-contained breathing apparatus be added to the annual registration package as a mandatory requirement starting in the 2024 registration cycle”**
3. That the Fire & Emergency Services Committee Recommends to Municipal Council: **“Municipal Council approve the amount of \$100,000.00 to be placed in the account created for a Regional Fire Training Facility as an annual budget amount going forward.”**

Report Preparation	
<b>Department</b>	Administration
<b>Report Prepared by</b>	Chris Kennedy, Fire Services Coordinator
<b>Report Approved by</b>	
<b>Date Reviewed by C.A.O.</b>	



Municipal Joint Services Board, Lunenburg Region

131 North St, PO Box 209, Bridgewater, NS B4V 2W8 /Phone (902) 543-2991 Fax: (902) 530-5189

**Council**

Item: #12.1.1

Date: November 14, 2023

Authorization: T. MacEwan

**To:** Tom MacEwan (CAO, Municipality of the District Lunenburg)  
Tammy Crowder (CAO, Town of Bridgewater)  
Dylan Heide (CAO, Town of Mahone Bay)

**From:** Gabe Welsh, Director of Waste Management Shared Services

**Date:** Oct 17, 2023

**Subject:** EPR Regulation Changes

**Recommendation**

That each of the MJSB partner municipalities approve opting-in to Extended Producer Responsibilities (EPR) for Packaging, Paper Products and Packaging Like Products (PPP), and direct MJSB to work with municipal staff to ensure the opt-in submission requirements have been met prior to the January 1, 2024 deadline.

**Background**

On August 2, 2023, New Extended Producer Responsibility (EPR) for Packaging, Paper Products and Packaging Like Products (PPP) regulations were announced. The implementation date will be December 1, 2025.

EPR regulates industry responsibility for both the operational and financial management of certain recyclable materials. This will typically cover most products found in the current NS curbside recyclable program.

EPR is designed to shift accountability for end-of-life management of these products from the municipalities to the producers. This also helps to incentivize industry to create easily recyclable packaging.

Producers of PPP materials will be required to operate the collection program for their products. In other jurisdictions, producers have designated a Producer Responsibility Organization (PRO) to develop and operate the program, and this is also the approach that is anticipated in Nova Scotia. New Brunswick and Ontario use the company Circular Materials, who is positioning themselves as the front-runner in Nova Scotia as well. The PRO collects fees from the producers and may contract municipalities for collection/processing and education services.

Divert NS will act as the administrator for EPR for PPP. They will manage registrations and data collection for producers and municipalities. They will oversee the program and ensure compliance with regulatory requirements. Municipalities opting-in are required to register with Divert NS and provide current collection data by January 1, 2024.

This program only directly affects the collection of recycling materials (ie blue and clear bags) for residential dwellings and facilities such as schools and apartment/condo complexes. Municipalities will still be responsible for the collection of Industrial, Commercial and Institutional (ICI) recycling waste.

## **Analysis**

MJSB has been working with the appropriate personnel from each of the partner municipalities to compile the required data to submit by the January 1, 2024 deadline.

Choosing to opt-in keeps a seat at the table to continue to participate in the discussion of the EPR model that will be put in place. This retains the ability to raise questions and concerns and gather information on whether the EPR program will be beneficial to your municipality and specify how each municipality will choose to implement the program. Opting in by January 1, 2024 is simply expressing intention to participate in the program and is not a binding agreement.

By opting in, municipalities agree to work within an industry led EPR program. This would mean that industry becomes responsible for residential, curbside recycling in their municipality, and that industry would be responsible for disposal of recyclable materials collected from the residents. Industry may contract municipalities to continue curbside collection or provide these services.

Opting out at this time would mean that the municipality will continue to be responsible for collection and processing of all PPP material and would not be eligible to receive any reimbursement from the PRO when the new EPR program is implemented.

By October 1, 2024, the PRO must submit a readiness report to Divert NS. They will be responsible for consulting with every municipality in NS in preparation for this report. It will contain a description of how they are going to meet the standards laid out in regulations pertaining to collection, management, reporting and education. It will also contain information on how feedback from the municipalities was addressed.

## **Financial Implications**

NSFM has estimated the savings to NS municipalities at around \$20-\$25 million annually. However, the direct financial implications to our MJSB partners are yet to be determined. There are still many unknown factors in the implementation of EPR.

Opting in presents an opportunity to be reimbursed for costs that are currently the responsibility of the municipality. Opting out would mean that the municipalities would continue to bear these costs and be responsible for the disposal of the waste materials.

MJSB will continue to closely monitor this program throughout the next phase and provide analysis of the cost implications for various options as the full extent of the regulations become clearer.

Cc: MJSB COO Lesley McFarlane

**Attachments**

2023-139 – EPR Regulations

PPP Material Management Standard

Divert NS – EPR Power Point Presentation – December 2022

**Council**  
Item: #12.2.1  
Date: November 14, 2023  
Authorization: T. MacEwan



## **Municipality of the District of Lunenburg**

### **Request for Decision**

**Report to: Municipal Council**

**Submitted by: Ella R. Gindi, Planner I**

**Date: November 14, 2023**

**Re: Proposed amendment to the Village of Hebbville Secondary Planning Strategy and Land Use By-law and Land Use By-Law Rezoning of PID# 60289634**

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#### **Recommendation**

**That Council direct staff to meet with the Hebbville Area Advisory Committee to review the proposed amendment to the Village of Hebbville Secondary Planning Strategy and Land Use By-Law rezoning application of property ID (PID) 60289634 from Rural Use (RU) Zone to High Density Residential (HDR) Zone.**

#### **Discussion**

Panger Properties Inc has presented a development proposal for the property at 11 Century Drive, Hebbville. Fathom Studio and ABLE Engineering Services Inc. have prepared the development master plan encompassing critical elements, including servicing considerations and a conceptual layout. Notably, the plan outlines the construction of a total of 1412 residential units, comprising a combination of 15 multi-unit dwellings, 156 townhouses, and 208 single-unit dwellings.

The preliminary objective of this project is to seek a revision of the land use by-law through a rezoning application. Most of the land is currently zoned as a rural use (RU), a small section is zoned as a General Commercial (GC), and some are un-zoned. However, the proposed land use needs to meet the zone standards and thus needs to be rezoned as High Density Residential (HDR) to align the land's usage with the project's comprehensive development plan, thereby enabling the intended density.

The current HDR zoning classification must be adjusted to accommodate the envisioned mixed-use development. In conversations between the development team and staff, the potential of introducing commercial usage on the ground floors of the multi-unit structures was explored.

This strategic adjustment to the current zone can enhance the project's sustainability, density, and potential to become a notable community destination.

Consequently, this approach necessitates an amendment to the Village of Hebbville Secondary Planning Strategy and Land Use By-Law, encompassing provisions for commercial usage within the High Density Residential (HDR) zone.

The proposed development at 11 Century Drive, Hebbville, led by Panger Properties Inc, represents a significant and transformative endeavour. The forthcoming application for land use by-law rezoning and integrating mixed-use elements underlines the project's objective to increase density and establish a new designated growth centre in MODL.

Staff recommends that Council refer the proposed Secondary Planning strategy and land Use by law amendment application and rezoning application to 11 Century Drive to the Village of Hebbville Area Advisory Committee for review and recommendation and further direct staff to hold an information session for the amendment application per MODL Policy 066 – Public Engagement Policy and Municipal Government Act Section Subsection 200(4).

<b>Report Preparation</b>	
<b>Department</b>	Planning and Development Services
<b>Report Prepared by</b>	Ella R. Gindi, Planner I
<b>Report Approved by</b>	Jeff Merrill MCIP LPP, Director of Planning and Development Services
<b>Date Reviewed by C.A.O.</b>	