

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

### **Minutes of a Meeting of Municipal Council**

Held in Council Chamber, 10 Allée Champlain Drive, Cookville, N.S.  
Tuesday, November 28, 2023 – 9:00 a.m.

#### **Attendance**

Mayor Carolyn Bolivar-Getson  
Deputy Mayor Wendy Oickle, District 3  
Councillor Leitha Haysom, District 1 (left at 3:57 p.m.)  
Councillor Martin Bell, District 2  
Councillor Pam Hubley, District 4  
Councillor Cathy Moore, District 5 (via TEAMS)  
Councillor Sandra Statton, District 6  
Councillor Michelle Greek, District 7 (left at 3:12 p.m.)  
Councillor Kacy DeLong, District 8 (via TEAMS)  
Councillor Reid Whynot, District 9 (left at 3:25 p.m., returned at 3:56 p.m.)  
Councillor Chasidy Veinotte, District 10

#### **Staff**

Alex Dumaresq, Deputy CAO  
April Whynot-Lohnes, Municipal Clerk (left at 2:45 p.m.)  
Tina Robichaud-Bond, Executive 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. Announcements/Acknowledgements/Recognition**

##### **2.1 International Day of People with Disabilities**

Mayor Bolivar-Getson recognized December 3 as the International Day of People with Disabilities and noted that it was a Day to celebrate and recognize the value of diversity and to learn from experiences of those living with a disability.

#### **3. Public Input**

Karen Dempsey, Crescent Beach, was in attendance for public input. Ms. Dempsey thanked Municipal staff, Council, and members of the Planning Advisory Committee for leadership action around the issue of Coastal Protection. Ms. Dempsey spoke on the measures taken to date and noted that the recommendations from the Planning Advisory Committee regarding Coastal Development were reasonable.

Karen Reinhardt, New Cumberland, was in attendance for public input. Ms. Reinhardt spoke on the push for coastal protection regulations and concerns around the activities taken place at

Crescent Beach earlier in the year. Ms. Reinhardt noted the public support for developing a coastal protection land use by-law and regulations.

Ms. Reinhardt submitted a Petition in support of land use regulations.

#### **4. Approval of Agenda**

**Moved by Councillor Hubley, seconded by Councillor Greek that the Agenda be approved as circulated. Carried unanimously.**

#### **5. Approval of Minutes – November 14, 2023**

Councillor Veinotte noted that her recent appointment to the NSFM Board was as “South Shore Representative” and asked that the Minutes reflect the correct title.

**Moved by Councillor Haysom, seconded by Deputy Mayor Oickle that the Minutes of the November 14, 2023 Council meeting be approved with the correction noted above. Carried unanimously.**

#### **6. Business Arising from Minutes- Nil**

#### **7. Awarding of Tenders/RFPs - Nil**

#### **8. Presentations/Scheduled Times**

##### **8.1 New Housing in MODL**

Morgan MacDonald and Greg House, MODL residents with collective backgrounds in business, construction, environmental science, and housing related non-profits, were in attendance. Mr. MacDonald and Mr. House gave a presentation on “New Housing in The Municipal District of Lunenburg” (circulated with the agenda) to provide information on their initiative to incorporate a business partnership for creating a housing development corporation.

The presentation provided details on the following:

- What is affordable housing?
- Nova Scotia Housing Needs Report
- Challenges, risks & opportunities to support new housing
- CMHC affordable programs
- Challenges of new CMHC programs
- New approach to creating affordable housing
- Local benefits and local solutions
- Support for proposed regulations regarding large developments (i.e. cluster developments)

**9. Consideration of Correspondence - Nil**

**10. Recommendations from Committees & Boards**

**10.1 Planning Advisory Committee**

**10.1.1 Municipal Planning Strategy & Land Use By-law Amendments re Coastal Protection**

Reid Sheppard, Senior Planner, and Ella Gindi, Planner I, were in attendance to give a presentation on, "PAC Recommendations Coastal Protection", (attached to Minutes) detailing the recommendations received from the Planning Advisory Committee regarding Coastal Protection.

It was noted that the Staff Recommendation section of the October 12, 2023 staff report, at page 19 of the circulated agenda contained an incorrect elevation amount under Area B. A corrected staff recommendation was circulated at the meeting and is attached to the Minutes. A clean copy of "Table 1: Option 1 – PAC Coastal Protection Regulations" was also circulated at the meeting and is attached to the Minutes.

Mr. Sheppard and Ms. Gindi reviewed each of the following Planning Advisory Committee recommendations with respect to "Coastal Flooding" and Council provided comments on each:

1. Utilize 1.57m Elevation Reference for Sea Level Rise
2. Employ a Two-Zone Coastal Flooding Approach

Council recessed at 10:35 a.m. and resumed at 10:47 a.m.

3. Specific Exemptions from vertical setback
4. Non-conforming allowances
5. Flexibility for Existing Development
6. Public Awareness & Education
7. Conduct 3 year policy review

Mr. Sheppard and Ms. Gindi reviewed each of the following Planning Advisory Committee recommendations with respect to "Coastal Erosion" and Council provided comments on each:

1. Implement 50m Erosion Risk Area
2. Allow Erosion Risk Area Reduction

Council recessed at 12:28 p.m. and resumed at 1:04 p.m.

3. Vegetative Setback Requirement
4. Flexibility for Existing Developments

5. Exemptions for Water-Related Uses & Activities
6. Public Awareness & Education
7. Conduct 3 year policy review

Mr. Sheppard and Ms. Gindi reviewed each of the following Planning Advisory Committee recommendations with respect to “Sensitive Coastal Ecosystems” and Council provided comments on each:

1. Establish 30m horizontal setback for coastal wetlands
2. Require vegetative buffer
3. Collaboration with environmental non-governmental organizations
4. Public awareness & Education
5. Conduct 3 year policy review

Mr. Sheppard and Ms. Gindi reviewed the Planning Advisory Committee recommendation with respect to “Regulations Boundary” and Council provided comments and their recommended changes as follows:

- Apply a vertical elevation setback for Coastal Flooding.
- Minimum elevation of 3.97m relative to Canadian Geodetic Vertical Elevation (CGVD) 2013.
- Ensure residents are notified during permit application process that they are in flood risk area.
- 5 year review process with annual updates versus 3 year review.
- Implement a 30m erosion risk area measured from top of bank and allow erosion risk area reduction down to a minimum of zero metres.
- Allow erosion risk area to a minimum of zero metres by engaging a qualified person.
- Use of “Recommend” versus “Require” for 15m vegetative buffer.
- Allow legal non-conforming uses such as existing structures to expand beyond their existing footprint even if addition does not meet the elevation requirement.
- Allow legal non-conforming structures to expand within erosion risk area as long as they engage with a qualified person to assess erosion risks.
- Recommend 30m horizontal setback and vegetative buffer from provincial designated wetlands.
- Remove coastal protection requirements on LaHave River, mouth of the LaHave from Fort Point, Martins River bridge and Petite Riviere bridge.

Councillor Greek left the meeting at 3:12 p.m.

Council provided suggested amendments to the recommendations reviewed above.

Councillor Whynot left the meeting for fire call.

**2023-178 Moved by Deputy Mayor Oickle, seconded by Councillor Hubley that Municipal Council direct Staff to prepare alternative options for coastal protection land use policy recommendations based on the public consultation, PAC recommendation and Council deliberations. Carried. Those opposed: Councillors Statton, Haysom, Moore, and DeLong**

### **10.1.2 Municipal Planning Strategy & Land Use By-law Amendments re Cluster Developments**

The discussion on municipal planning strategy & land use by-law amendments on cluster developments was deferred to a future Council meeting.

## **10.2 Policy & Strategy Committee**

### **10.2.1 Protect MODL's Old Growth Forests**

A report from Abhi Jain, Climate Change and Sustainability Manager, titled "Letter to Premier of Nova Scotia to Protect MODL's Old Growth Forests" providing details on a presentation by George Buranyi regarding old growth forests and the province's environmental commitments was circulated with the agenda.

Mr. Dumaresq reported that more information had come forward from stakeholders on various perspectives since the recommendation from the Policy & Strategy Committee was made, and recommended that Council refer the matter to staff for further research.

**2023-179 Moved by Councillor Hubley, seconded by Councillor Moore that Municipal Council refer the Policy & Strategy Committee motion regarding Old Growth Forests back to staff for further research and consultation with stakeholders.**

It was noted that the Department of Natural Resources & Renewables had a strong old growth forests policy for Crown Land and a request was made that Council be provided information on the policy.

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

### **10.2.2 Hydrant Charge Proposed Policy 096**

A report from Elana Wentzell, Director of Finance, titled "Hydrant Charge Proposed Policy 096" providing details on the proposed policy was circulated with the agenda.

**2023-180 Moved by Councillor Statton, seconded by Deputy Mayor Oickle that Municipal Council accept the recommendation of the Policy & Strategy Committee and adopt MODL Policy 096 Hydrant Charge, as presented. Carried unanimously.**

### **10.2.3 Declaration on Gender Based Violence**

**Moved by Councillor Haysom, seconded by Councillor Hubley that Municipal Council accept the recommendation of the Policy & Strategy Committee and prepare a declaration stating Council's support in declaring Gender Based Violence to be an epidemic.**

A concern was raised on what supporting evidence was available to determine that gender-based violence could be declared an "epidemic".

It was suggested that the motion on the floor was not reflective of when the declaration would be read.

#### **Motion to Amend**

**Moved by Councillor Haysom, seconded by Councillor Hubley that the motion on the floor be amended to include that the declaration of gender-based violence being an epidemic be made during the yearly acknowledgement and remembrance of December 6 being National Day of Remembrance and Action on Violence Against Women. Carried unanimously.**

#### **Amended Motion**

**2023-181 Moved by Councillor Haysom, seconded by Councillor Hubley that Municipal Council accept the recommendation of the Policy & Strategy Committee and prepare a declaration stating Council's support in declaring Gender Based Violence to be an epidemic and that the declaration be made during the yearly acknowledgement and remembrance of December 6, 2023, the National Day of Remembrance and Action on Violence Against Women.**

It was noted that the Final Report from the inquiry examining the 2020 mass shooting in Nova Scotia describes gender-based violence as an epidemic.

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

### **10.3 REMO Advisory Committee**

#### **10.3.1 Approval of Additional Funds to 2023/2024 REMO Budget**

Mr. Dumaresq reviewed the recommendation from the REMO Advisory Board, (circulated with the agenda) explaining that the 2023/2024 REMO budget was close to depletion due to extra expenditures in the current fiscal year, such as flash flooding, training, and salary administration.

It was clarified that the amount in the motion was for the full amount required and that MODL's portion was approximately \$10,000.

**2023-182 Moved by Councillor Statton, seconded by Councillor Veinotte that Municipal Council accept the recommendation of the REMO Advisory Committee and approve an additional \$20,200 for the 2023/2024 budget. Carried unanimously.**

## **11. Staff Reports**

### **11.1 Administration**

#### **11.1.1 MODL Priorities for Municipal Capital Growth Program**

Mr. Dumaresq reviewed the report, “Municipal Capital Growth Program” (circulated with the agenda).

**2023-183 Moved by Councillor Bell, seconded by Councillor Haysom that Municipal Council endorse the following projects as funding priorities for the Municipal Capital Growth Program:**

**Priority # 1— Cookville Wastewater Treatment Plant Upgrades; and,  
Priority # 2 — Sidewalk Accessibility Upgrades along Nathan Cirillo and Pine Grove Road  
Carried unanimously.**

### **11.2 Recreation, Parks & Tourism**

#### **11.2.1 Sawpit Wharf Park Community Plan RFP #2023-05-405**

The discussion on Sawpit Wharf Park Community Plan RFP #2023-05-405 was deferred to a future Council meeting.

### **11.3 Planning Services**

#### **11.3.1 Approval of Amendments to Policy 027 Heritage Property**

A report from Ella Gindi, Planner I, titled “Policy 027 – Heritage Property Policy Review” was circulated with the agenda.

**2023-184 Moved by Councillor Veinotte, seconded by Councillor Hubley that Municipal Council approve the amendments to MODL Policy 027 Heritage Property, as presented.  
Carried unanimously.**

#### **11.3.2 Renewal of Rocky Lake Charge Area Road Management Agreement**

A report from Norma Schiefer, Municipal Development Officer, titled “Request for Renewal of Rocky Lake Charge Area Road Maintenance Agreement” was circulated with the agenda.

**2023-185 Moved by Deputy Mayor Oickle, seconded by Councillor Hubley that Municipal Council renew the Rocky Lake Charge Area Road Maintenance Agreement of March 25, 2021 for an additional three (3) years with all terms and conditions of the original agreement remaining in place. Carried unanimously.**

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

**12.1 LCLC Update**

The LCLC update was deferred to a future Council meeting.

**12.2 Deputy Mayor's Update**

The Deputy Mayor's update was deferred to a future Council meeting.

**12.3 Mayor's Update**

The Mayor's update was deferred to a future Council meeting.

**13. Added Items – Nil**

Councillor Whynot returned to the meeting.

Councillor Haysom left the meeting.

**14. In Camera**

**At 3:58 p.m., it was moved by Councillor Whynot, seconded by Deputy Mayor Oickle that Municipal Council go In Camera to discuss Item 14.1 Contract Negotiations under Section 22(2)(e) of the MGA. Carried.**

Municipal Council In Camera in session.

**At 4:17 p.m., it was moved by Councillor Whynot, seconded by Councillor Bell that Municipal Council come out of In Camera and return to open session. Carried.**

Municipal Council in session.

**14.1 Waste Collection Contract Extension**

**2023-186 Moved by Councillor Hubley, seconded by Councillor Whynot that Municipal Council extend the Curbside Waste Collection Services Agreement of July 4, 2019 for an additional two years beginning April 1, 2024, as discussed in camera, and as permitted in clause 1.1.2 of the Agreement Carried unanimously.**

**15. Adjournment**

**There being no further business, the meeting adjourned at 4:18 p.m.**

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**01 Background**

**What's been completed to date:**

- Initial Council direction
- Background research and engagement with experts
- Public engagement
  - Advertising
  - Engagement website
  - Open houses
- Reporting back
  - WWH Report
- Recommendations drafted
  - Discussions with Council
  - PAC direction

**2,060 Website Visits & 369 Survey Respondents**

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**01 Today's Objectives**

**Staff overview of PAC recommendations**

**Questions and answers**

**Council direction on coastal protection**

- Staff require clarity on next steps:
  - Option to accept PAC recommendations
  - or-
  - Option to not accept PAC recommendations - but provide adequate feedback

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## 01 Next Steps

**Council supports PAC recommendations:**

- January: Full set of policies and by-law drafted to be reviewed with Council
- Council moves to 1st Reading (rules in effect)
- Additional public info sessions
- Public Hearing and 2nd Reading

**Council doesn't support PAC recommendations**

- Detailed feedback on the recommendations is needed today
- Dec 12: Staff come back with another recommendation based on feedback today
- January: Full set of policies and by-law drafted to be reviewed with Council
- Council moves to 1st Reading (rules in effect)
- Additional public info sessions
- Public Hearing and 2nd Reading

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## 01 Overview of PAC Recommendations

**Coastal Flooding**

- Two Zone Coastal Flooding Approach
- Exemptions for Accessory Uses
- Non-Conforming Allowances
- Flexibility to relocate structures
- Public Awareness and Education
- 3-year policy Review

**Sensitive Coastal Ecosystem**

- 30m horizontal setback and vegetative buffer
- Collaboration
- Public Awareness and Education
- 3-year policy Review

**Coastal Erosion**

- 50m erosion risk area
- Erosion Risk Area Assessments
- 15m Vegetative Buffer
- Flexibility to existing structures
- Public Awareness and Education
- 3-year policy review

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## 02 Coastal Flooding

**Regulatory Tools**

- Vertical Elevation Setback
- Coastal Flood Risk Zoning
- Education & Public Awareness

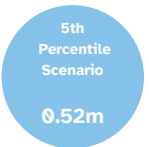


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## 02 Coastal Flooding: Estimating Sea Level Rise

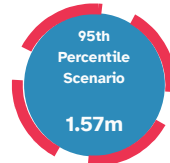
**Based on the Provincial study and Natural Resource Canada Dataset**

- **5th Percentile** (low emissions) with a 95% probability that actual outcome will be higher
- **95th Percentile** (high emissions) with a 5% probability that actual outcome will be higher
- **Enhanced Scenario** introduces an additional 65cm to the 95th percentile prediction




5th  
Percentile  
Scenario

0.52m



95th  
Percentile  
Scenario

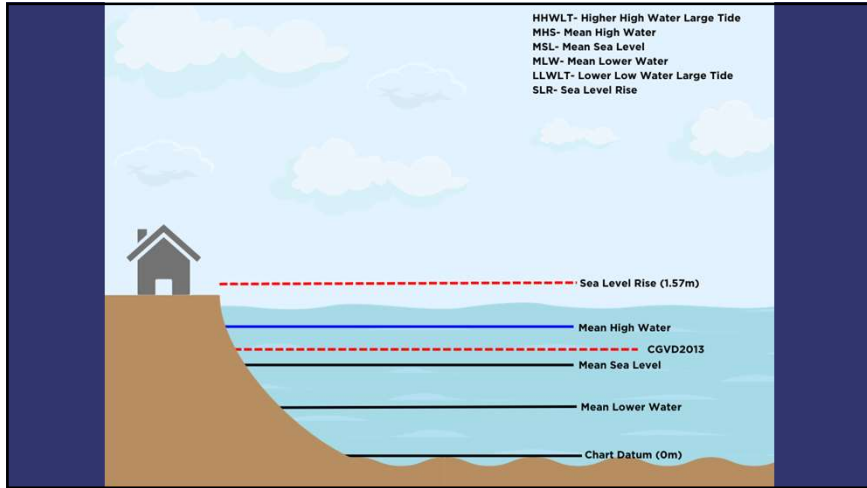
1.57m



Enhanced  
Scenario  
1.57cm+65cm

2.39m

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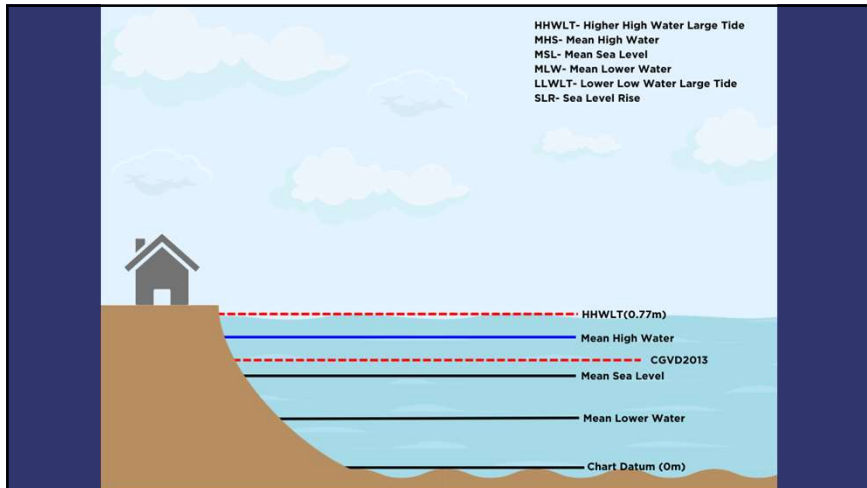
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## 02 Coastal Flooding: Projections for MODL

**Higher High Large Tide is estimated at 0.77m**

- HHWLT occurs during "winter spring tides."
- Occur multiple times monthly, not exclusively in winter or spring.
- Associated with full or new moons, happening approximately every two weeks.
- Based on data provided by Fisheries and Oceans Canada  
 HHWLT for MODL small craft harbors: 0.77m relative to CGVD2013.

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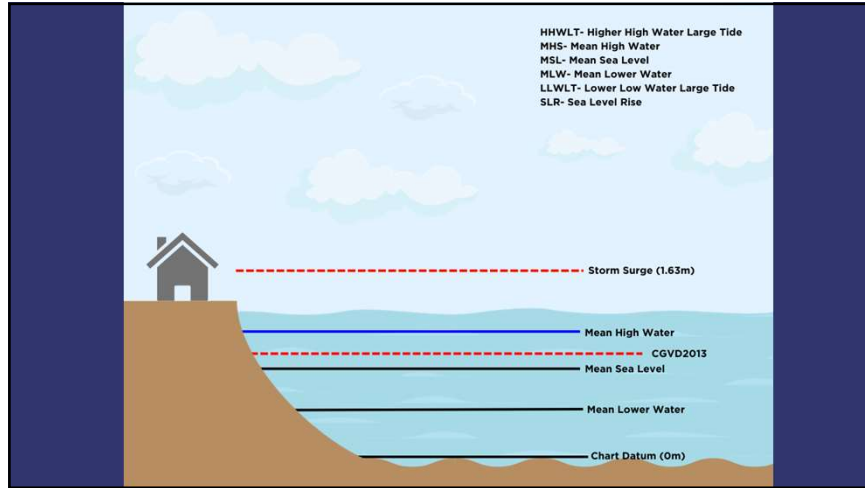
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## 02 Coastal Flooding: Projections for MODL

**Storm Surge is estimated at 1.63m**

- Storm surges raise water levels in extreme weather due to strong winds and low air pressure.
- They exceed HHWLT or concurrent tide levels.
- Nova Scotia's highest recorded storm surge: 1.63m during Hurricane Juan in 2003.

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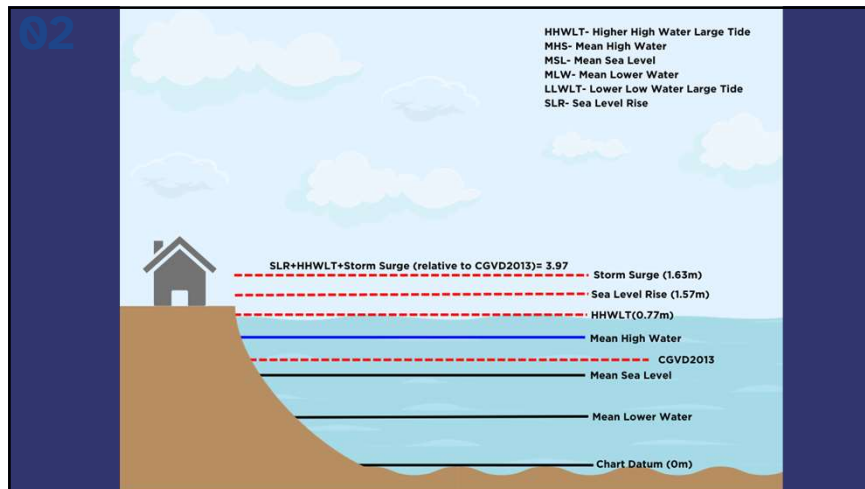
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## 02 Coastal Flooding: Projections for MODL

- Higher High Large Tide is estimated at **0.77m**
- Sea Level Rise (95th Percentile) is estimated at **1.57m**
- Total Sea Level Rise (SLR+ HHWLT) is estimated at **2.34m**
- Storm Surge is estimated at **1.63m**

**The final projection for MODL is 3.97m**

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## 02 Coastal Flooding: Staff Recommendations

### Utilize 1.57m Elevation Reference for Sea Level Rise

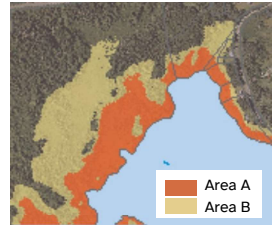
- All calculations to be based on an elevation of 1.57 meters relative to the 2013 CGVD.
- Provides a standardized assessment basis, in line with expert recommendations.
- Aligns with the 95th percentile of the IPCC report on sea level rise by 2100.

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## 02 Coastal Flooding: Staff Recommendations

### Employ a Two-Zone Coastal Flooding Approach

- Area A (Orange): Coastal Inundation (0-2.34m)
  - Prohibit new Residential and Institutional uses
  - Allow infilling except for new Residential or Institutional uses
- Area B (Yellow): Storm Surge (2.34m-3.97m)
  - Prohibit new Institutional uses
  - Residential uses permitted, but habitable space must meet 3.97m elevation



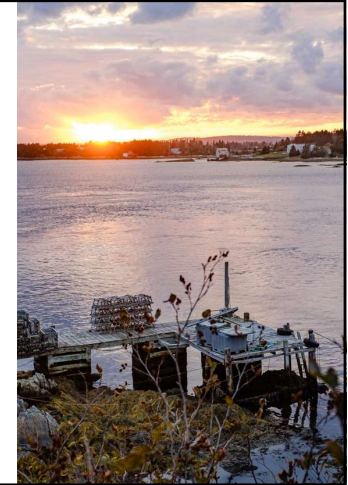
Coastal Flooding Constraint Areas - Example

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## 02 Coastal Flooding: Staff Recommendations

### Specific Exemptions

- Non-habitable accessory structures e.g., sheds, decks, piers, boardwalks, gazebos, boathouses etc.
- Marine related activities
  - Activities such as boat building, fish shacks, marinas, wharves, and similar enterprises.



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## 02 Coastal Flooding: Staff Recommendations

### Non-Conforming Allowances

- Allow renovations, rebuilding, or relocation for non-conforming developments.
- Includes all structures on a lot.
- Area A: No increase in the structure's footprint for additions.
- Area B: Additions permitted as long as the habitable space meets the minimum elevation requirement.

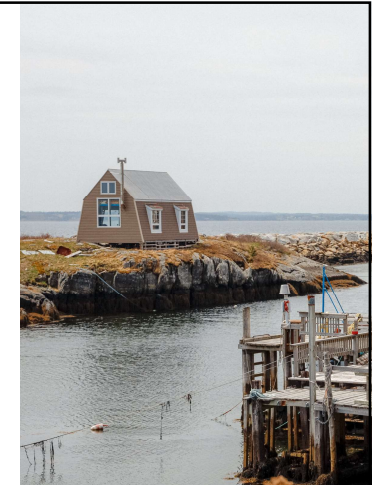


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## 02 Coastal Flooding: Staff Recommendations

### Flexibility for Existing Development

- Permit property owners to shift developments away from Area A, the coastal inundation area to higher elevations.
- Recognize potential constraints (e.g., setbacks) and prioritize flood hazard mitigation over strict adherence to development regulations.

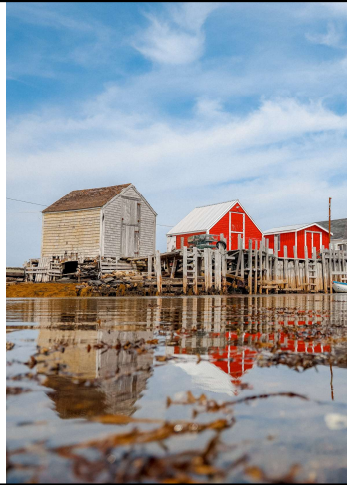


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## 02 Coastal Flooding: Staff Recommendations

### Public Awareness & Education

- Implement awareness initiatives for new regulations.
- Promote education on coastal protection and associated flooding risks.



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## 02 Coastal Flooding: Staff Recommendations

### 3-Year Full Policy Review

- Would include in-depth examination of all relevant information and public engagement.
- In addition
  - Annual staff updates to report back on effectiveness and implementation.
  - Provincially-mandated 10-year reviews.
- Council can initiate further review of policies at any time.



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## 03 Coastal Erosion

### Regulatory Tools

- Site-Specific Setbacks
- Zoning and Setbacks
- Universal Setbacks
- Education & Awareness



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## 03 Coastal Erosion: Calculating Horizontal Setbacks

**Annual Erosion Rate \* life of a structure = \_\_\_ m setback**

- For an annual erosion rate of 0.7 meters: 0.7 meters \* 77 years = 53.9 metres
- For an annual erosion rate of 0.9 meters: 0.9 meters \* 77 years = 69 metres

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### 03 Coastal Erosion: Staff Recommendations

**Implement a 50m Erosion Risk Area**

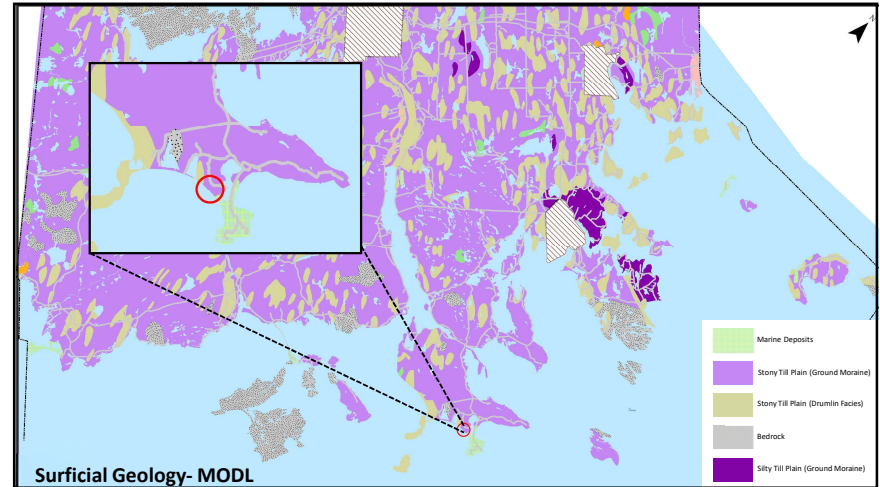
- Based on the historical annual erosion rate and exposure to elements e.g. (Wave, wind and sea level rise)

**Allow continued building within risk area**

- Completion of erosion risk assessment
- Down to a minimum of 15m (vegetative buffer)



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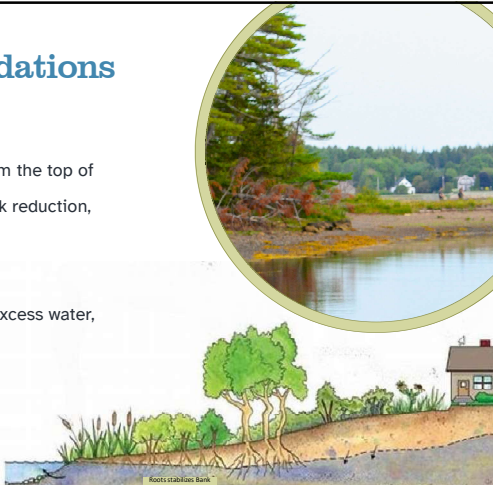


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### 03 Coastal Erosion: Staff Recommendations

**Vegetative Setback Requirement**

- Require a 15-meter vegetative buffer from the top of the bank for erosion mitigation, flood risk reduction, and habitat protection.
- Natural barriers stabilize slope, absorb excess water, and enhance coastal resilience.
- Allowance for water access/use.

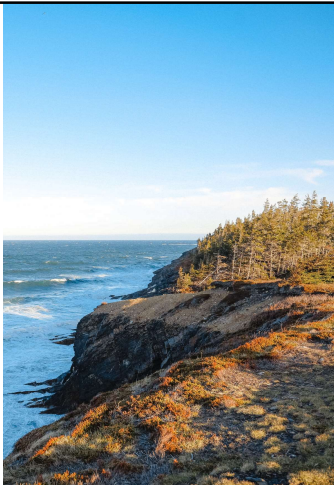


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### 03 Coastal Erosion: Staff Recommendations

**Flexibility for Existing Developments**

- Additions to existing developments permitted, including expansions of footprint, provided the addition is away from the risk area.
- Support property owners relocating structures away from eroding banks, prioritizing hazard avoidance over certain development standards (e.g., setbacks) for community aesthetics.

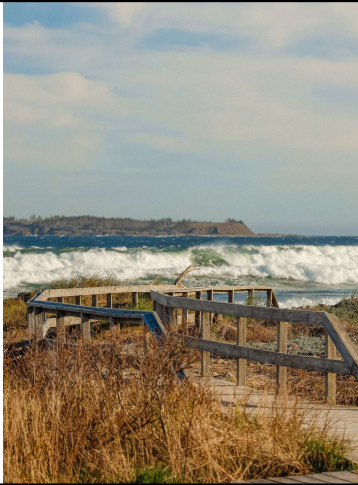


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**03 Coastal Erosion: Staff Recommendations**

**Exemptions for Water-Related Uses & Activities**

- Allow exemptions for minor vegetation clearance, storage (garage), recreational and scientific installations, safety structures, and water-dependent buildings.
- Allow marine-related uses such as decks, wharves, slipways, fish plants, boat builders, boat houses, piers, decks, marinas etc.



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**03 Coastal Erosion: Staff Recommendations**

**Public Awareness and Education**

- Increase public awareness about coastal erosion and promote the use of soft barriers like living shorelines.
- Living shorelines, constructed with natural materials, foster ecosystem growth and resilience.
  - Unlike rock armor, they support plant and animal growth, ensuring the long-term health of coastal ecosystems.

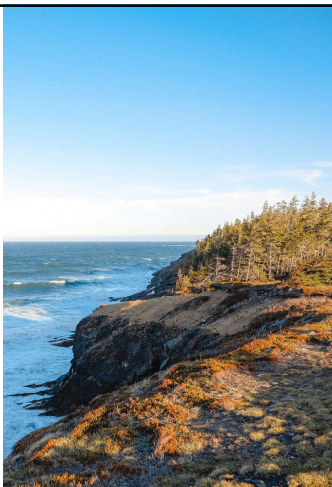


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**03 Coastal Erosion: Staff Recommendations**

**3-Year Policy Review**

- Conduct regular reviews of coastal protection regulations.
- Update regulations based on the latest climate change models and projections.




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**04 Sensitive Coastal Ecosystems**

**Regulatory Tools**

- Conservation Zone
- Horizontal Setback and Riparian Buffer



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## 04 Sensitive Coastal Ecosystems: Staff Recommendations

### 30m Horizontal Setback and Vegetative Buffer from Coastal Wetlands

- Wetlands offer vital ecosystem services.
- Mitigate flooding and erosion.
- Vegetative buffers serve as natural barriers, preserving critical biodiversity and maintaining the ecological balance of the coastal ecosystem.
- Local Climate Action Plan- Conservation of Natural Resources

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## 04 Sensitive Coastal Ecosystems: Staff Recommendations

### Mapping and Implementation

- Wetland mapping, as proposed, is based on provincial wetland data.
- Policy and procedure allowing property owners to demonstrate wetland boundaries (if they believe mapping is incorrect) that would not involve a zoning amendment.
  - Quicker
  - Cheaper
  - No public process
- Additional wetlands could be added (eg. working with local partners), provided they are delineated by professionals and accepted by province.

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## 04 Sensitive Coastal Ecosystems: Staff Recommendations

### Collaboration

- Maintain partnerships with organizations such Ducks Unlimited Canada and other local groups to identify and map coastal wetlands not included in provincial mapping.
- Enhance the comprehensive understanding of coastal wetland ecosystems for informed conservation and effective management decisions



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## 04 Sensitive Coastal Ecosystems: Staff Recommendations

### Public Awareness & Education

- Initiate public awareness campaigns emphasizing the ecological significance of wetlands and dunes.
- Educate the community about the ecological services provided by these areas to foster appreciation and support for their preservation.



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## 04 Sensitive Coastal Ecosystems: Staff Recommendations

**3-year Policy Review**

- Conduct regular reviews of coastal protection regulations.
- Update regulations based on the latest climate change models and projections.



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## 05 Regulations Boundary

- Includes the whole coastline, the LaHave River up to Bridgewater and portion of the Petite Riviere.

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## 06 Next Steps

**Council supports PAC recommendations:**

- January: Full set of policies and by-law drafted to be reviewed with Council


PAC Motion

“That Municipal Council endorse the recommended coastal protection measures contained in Option 1 in the Coastal Protection – Policy Recommendations Report and instruct staff to draft a Municipal Planning Strategy amendment and new Land Use By-law respecting these measures to be brought before Council for First Reading, with the exception of timeline be for 3-years”.

-or-

**Council doesn't support PAC recommendations**

- Detailed feedback on the recommendations is needed today
- Dec 12: Staff come back with another recommendation based on feedback today
- January: Full set of policies and by-law regs drafted to be reviewed with Council



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## **Staff Recommendations**

### **1. Utilize 1.57m Elevation Reference for Sea Level Rise:**

- Base all calculations on an elevation of 1.57 metres relative to the 2013 CGVD, providing a standardized basis for assessment. This is consistent with recommendations from experts and aligns with the 95th percentile of the IPCC report on sea level rise.
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### **2. Employ a Two-Zone Coastal Flooding Approach:**

#### **Area A – Coastal Inundation Area (0 – 2.34 m)**

- Includes areas at highest risk of coastal flooding by year 2100.
- Based on a combination of sea level rise and high tides – areas projected to be frequently under water by 2100.
- Prohibit new residential and institutional uses within the inundation area due to their higher risk and higher probability of frequent flooding in these areas.
- Restrict infilling in this area, as raising ground level does not eliminate other risks such as emergency access, well contamination, etc.

#### **Area B – Storm Surge Area (2.34 m – 3.97 m)**

- Includes areas at a lower risk of coastal flooding by year 2100, when compared to Area A.
- Based on a combination of sea level rise, high tides, and storm surge – areas projected to be under water only during a storm event.
- Prohibit new institutional uses within the storm surge area due to them being the highest risk and possibility of containing vulnerable populations such as seniors or children.

**Table 1: Option 1- PAC Coastal Protection Regulations**

**Coastal Flooding**

1	<p>Utilize 1.57m Elevation Reference for Sea Level Rise:</p> <ul style="list-style-type: none"> <li>• Base all calculations on an elevation of 1.57 metres relative to the 2013 CGVD, providing a standardized basis for assessment. This is consistent with recommendations from experts and aligns with the 95th percentile of the IPCC report on sea level rise.</li> </ul>
2	<p>Employ a Two-Zone Coastal Flooding Approach</p> <p><b>Area A (Orange):</b> Coastal Inundation (0-2.34m)</p> <ul style="list-style-type: none"> <li>• Prohibit Residential and Institutional Uses</li> <li>• Permit Infilling Exemptions: road repairs, natural shoreline installations, septic systems, raising existing structures, and landscaping.</li> </ul> <p><b>Area B (Yellow):</b> Storm Surge (2.34m-3.97m)</p> <ul style="list-style-type: none"> <li>• Prohibit Institutional Uses</li> </ul>
3	<p>Specific Exemptions from vertical setback for:</p> <ul style="list-style-type: none"> <li>• Non-habitable accessory structures (i.e., sheds, decks, piers, boardwalks, gazebos, etc.).</li> <li>• Marine related activities</li> </ul>
4	<p>Non-conforming allowances</p> <ul style="list-style-type: none"> <li>• Permit non-conforming developments to undergo renovations, rebuilding, or relocation, as long as these actions do not result in increased floor space or further elevation reduction.</li> </ul>
5	<p>Flexibility for Existing Development</p> <ul style="list-style-type: none"> <li>• Encouraging the relocation of existing structures in coastal inundation risk areas.</li> </ul>
6	<p>Public Awareness &amp; Education</p> <ul style="list-style-type: none"> <li>• Introduce initiatives to raise public awareness about the new regulations and promote education about coastal protection and the associated risks of coastal flooding.</li> </ul>
7	<p>Conduct a 3-year Policy Review</p> <ul style="list-style-type: none"> <li>• Update in accordance with the latest climate change models and projections.</li> </ul>

**Coastal Erosion**

8	<p>Implement a 50m Erosion Risk Area</p> <ul style="list-style-type: none"> <li>• A 50m Erosion Risk Area, measured from the top of the bank adjacent to the water.</li> </ul>
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9	<p>Allow Erosion Risk Area Reduction.</p> <ul style="list-style-type: none"> <li>Engage a professional to demonstrate that a lower erosion rate exists and could build closer than 50 meters down to a minimum of 15m.</li> </ul>
10	<p>Vegetative setback Requirement</p> <ul style="list-style-type: none"> <li>Enforce a 15m buffer from top bank.</li> </ul>
11	<p>Flexibility for Existing Developments</p> <ul style="list-style-type: none"> <li>Allow property owners with existing developments to expand beyond existing footprints, provided that the expansion is furthest from the erosion area.</li> <li>Property owners interested in relocating existing structures away from eroding banks should be supported. To allow this, obstacles like other development standards, including property line setbacks or even the minimum erosion risk area, might hinder such relocations. In such scenarios, hazard avoidance would be prioritized over regulations relating to community aesthetics.</li> </ul>
12	<p>Exemptions for Water-Related Uses &amp; Activities</p> <ul style="list-style-type: none"> <li>Allow exemptions from horizontal setbacks to address specific cases, including minor vegetation clearance, recreational and scientific installations, safety structures, and buildings that rely on water access for their intended functionality. These exemptions would encompass a variety of water-related uses and activities, such as fish plants, boat construction, boat houses, piers, decks, marinas, and slipways.</li> </ul>
13	<p>Public Awareness and Education</p> <ul style="list-style-type: none"> <li>Raise public awareness about coastal erosion and the use of soft barriers like living shorelines.</li> </ul>
14	<p>Conduct a 3-year Policy Review</p> <ul style="list-style-type: none"> <li>Review the coastal protection regulations regularly and update them in accordance with the latest climate change models and projections.</li> </ul>
<b>Sensitive Coastal Ecosystems</b>	
15	<p>Establish a 30m Horizontal Setback for Coastal Wetlands</p> <ul style="list-style-type: none"> <li>Wetland Constraint Overlay Mapping <ul style="list-style-type: none"> <li>To manage ecologically sensitive areas by limiting development in these zones</li> </ul> </li> </ul>
16	<p>Require a Vegetative buffer.</p> <ul style="list-style-type: none"> <li>Vegetative buffers act as natural barriers, increasing slope stability, preserving critical biodiversity and maintaining the ecological balance of the coastal ecosystem.</li> </ul>
17	<p>Collaboration with Environmental non-governmental organizations</p> <ul style="list-style-type: none"> <li>Continue partnerships with Ducks Unlimited Canada and other groups to scientifically identify and map coastal wetlands that are currently not covered by provincial mapping.</li> </ul>

18	<p>Public Awareness &amp; Education</p> <ul style="list-style-type: none"> <li>• Launch public awareness campaigns to highlight the ecological importance of wetlands and dunes.</li> </ul>
19	<p>Conduct a 3-year Policy Review</p> <ul style="list-style-type: none"> <li>• Review the coastal protection regulations regularly and update them in accordance with the latest climate change models and projections.</li> </ul>
<p><b>Regulations Boundary</b></p>	
20	<ul style="list-style-type: none"> <li>• Includes the whole coastline, the LaHave River up to Bridgewater and portion of the Petite Riviere.</li> </ul>