

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, March 12, 2024 – 9:00 a.m.

Attendance

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

Regrets

Councillor Cathy Moore, District 5

Staff

Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy CAO
April Whynot-Lohnes, Municipal Clerk
Tina Robichaud-Bond, Executive Assistant

1. Call to Order

Mayor Bolivar-Getson called the meeting to order at 9:01 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

Councillor DeLong congratulated the organizers of the Be the Peace International Women's Day for a successful event.

Mayor Bolivar-Getson congratulated the South Shore Lumberjacks Youth 13 AA Hockey team for their win at the Joe Lamontagne Hockey Tournament recently held in Cole Harbour, Nova Scotia.

3. Public Input - Nil

4. Approval of Agenda

Moved by Councillor Bell, seconded by Councillor Veinotte that the Agenda be approved as circulated. Carried unanimously.

5. Approval of Minutes – February 27, 2024

Moved by Deputy Mayor Oickle, seconded by Councillor Hubley that the Minutes of the February 27, 2024 Council meeting be approved as circulated. Carried unanimously.

6. Business Arising from Minutes - Nil

7. Awarding of Tenders/RFPs

**7.1 Award of Tender #2023-05-003 Septic Pumping Services 2024-2026
LaHave River Straight Pipe Replacement Program**

Maria Butts, Project Coordinator, reviewed the report, “Award of Tender 2023-05-003 Septic Pumping Services 2024-2026 LaHave River Straight Pipe Replacement Program”, (circulated with the agenda).

2024-042 Moved by Councillor Whynot, seconded by Councillor DeLong that Municipal Council award Tender #2023-05-003 Septic Pumping Services 2024-2026 for the LaHave River Straight Pipe Program to Gerhardt Property Improvement in the amount of \$107,730 plus HST.

It was clarified that the cost of the pumping services was covered by the property owners and not paid by the general taxpayers.

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

7.2 Award of RFQ #2023-01-303 Wastewater & Sampling Program

Larry Feener, Municipal Engineer, reviewed the report, “Award Wastewater & Water Sampling Analyses RFQ #2023-01-303, (circulated with the Agenda) providing details on the submissions received for the project.

2024-043 Moved by Councillor DeLong, seconded by Councillor Bell that Municipal Council award RFQ#2023-01-303 Wastewater & Water Sampling Analyses, for a three-year term, to ALS Canada Ltd. for a total amount of \$76,951.50 plus HST. Carried unanimously.

7.3 Award of RFP #2023-05-407 Park Furnishing

Ms. Butts, reviewed the report, “RFP 2023-05-407 Award – Park Furnishings”, (circulated with the agenda), providing details on the submissions received on the project.

It was noted that a catalogue was available to view the products, and that staff based the criteria in the RFP on accessibility standards.

It was clarified that installation costs would vary depending on the location and anchoring requirements at each location, and that installation would happen in the next fiscal year.

It was reported that the submissions did not meet the accessibility requirements for the waste receptacles, therefore that part of the proposal was not being awarded.

Ms. Butts advised that the RFP was for 20 picnic tables, 10 park benches, and 2 bike racks.

2024-044 Moved by Councillor Greek, seconded by Councillor Whynot that Municipal Council award RFP #2023-05-407 Park Furnishings for the supply, delivery and offload of park furnishings (excluding waste receptacles) to Canaan Site Furnishings in the amount of \$78,490 plus HST. Carried unanimously.

8. Presentations/Scheduled Times

8.1 Dave Gunning Zero Hunger Fund

Hugh MacKay, Rural Communities Foundation of Nova Scotia, was in attendance and gave a presentation on “Rural Communities Foundation of Nova Scotia Dave Gunning Zero Hunger Fund” (circulated with the agenda). Mr. MacKay advised that he was accompanied by Penny Day, Executive Director of the Foundation.

Mr. MacKay’s presentation provided details on the following:

- What is Rural Communities Foundation of Nova Scotia?
- What does the Foundation do?
- Current Projects
- Dave Gunning Zero Hunger Fund

Mr. MacKay explained that the Rural Communities Foundation of Nova Scotia was looking for corporate awareness by showing support for the program to residents of the Municipality, as well as consideration for grants and donations to the Campaign.

It was clarified that the funds raised through the Dave Gunning Zero Hunger Fund would support both new and existing Free Pantries school programs.

Ms. Day noted that the program could kick off once \$100,000 was raised but in order to fully support the program, the goal was to raise \$200,000.

Mr. MacKay and Ms. Day left the meeting.

9. Consideration of Correspondence

9.1 Letter from Department of Public Works – J Class Paving Program

Mr. MacEwan reviewed the February 28, 2024 letter from the Department of Public Works (circulated with the Agenda) notifying the Municipality that The Point Road in Bluerocks, would

not be completed in the 2023-2024 year as per Agreement #2020-015. The letter reported that The Point Road would be completed by June 21, 2024.

Mr. MacEwan advised that he requested confirmation that the Department of Public Works would carry over the cost of the project as set out in the Agreement #2020-015, however a response was not received as of the time of this report.

2024-045 Moved by Councillor Veinotte, seconded by Councillor Bell that Municipal Council agree to the carryover of the completion of Agreement 2020-015 paving of The Point Road, Bluerocks in the amount of \$320,500 as approved, to the 2024-2025 fiscal year as described in the February 28, 2024 correspondence from the Department of Public Works, and direct the CAO to sign the acknowledgement. Carried unanimously.

10. Recommendations from Committees & Boards

10.1 Planning Advisory Committee

10.1.1 Alterations to Heritage Property – New Elm Union Church

Ella Gindi, Planner I, reviewed the report “New Elm Union Church, adding a wheelchair ramp – Substantial Alteration”, (circulated with the Agenda), providing details on the recommendation of the Planning Advisory Committee regarding the proposed addition of a wheelchair ramp to the New Elm Union Church.

2024-046 Moved by Councillor Hubley, seconded by Councillor Veinotte that Municipal Council accept the recommendation of the Planning Advisory Committee and approve the proposed alteration to install a wheelchair ramp at the New Elm Union Church, New Elm (PID 60318136), a municipally registered Heritage Property. Carried unanimously.

10.1.2 Amendments to Policy 027 Heritage Property Policy

A report titled “Revisions to Policy 027 – Heritage Property Policy” providing details on the recommendation from the Heritage Advisory Committee was circulated with the Agenda.

Ms. Gindi gave a presentation titled “Policy 027 – Heritage Property Policy Review” (attached to Minutes) providing details on the proposed amendments to the Policy 027 Heritage Property.

Ms. Gindi explained that the amendments:

- added a definition of Character Defining Element; and
- added a clause under “Non-substantial Alterations” to allow for accessibility uses and features.

2024-047 Moved by Councillor Bell, seconded by Councillor Greek that Municipal Council accept the recommendation of the Heritage Advisory Committee and amend MODL Policy 027 Heritage Property to deem accessibility uses as non-substantial alterations, provided they

do not alter any character-defining elements and hereby gives 7-days notice of Council's intention to approve on March 26, 2024. Carried unanimously.

Council recessed at 10:04 p.m. and resumed at 10:18 p.m.

8.2 Chronic Pain Presentation

Janice MacMillan, South Shore Support Group for Chronic Pain Sufferers, was in attendance and spoke about chronic pain and the lack of support for sufferers (circulated with the agenda).

Ms. MacMillan asked that Council make a proclamation to support National Pain Awareness Week which is the first full week of November.

Ms. MacMillan explained that there was no support group on the South Shore at this time, and her goal was to solicit help to form a group.

11. Staff Reports

11.1 Recreation, Parks & Tourism

11.1.1 Designated Community Fund Application – Lunenburg Yacht Club

Trudy Payne, Director of Recreation, Tourism & Parks, was in attendance. Ms. Payne reviewed the report, "Lunenburg Yacht Club – Designated Community Project Fund" (circulated with the Agenda), explaining that the Fund was to raise money to build an accessible deck on the clubhouse.

2024-048 Moved by Councillor Veinotte, seconded by Councillor DeLong that Municipal Council approve establishing a Designated Community Project Fund for the Lunenburg Yacht Club, pursuant to MODL Policy 048 Designated Community Project Fund to assist in raising capital funds to rebuild the clubhouse deck.

It was noted that the Lunenburg Yacht Club hosts the Mobility Cup which is a high profile accessible and inclusive sailing event on August 26-30, 2024.

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

11.1.2 Seahawks Minor Football Club Management Agreement

Ms. Payne reviewed the report, "Seahawks Minor Football Club Management Agreement", (circulated with the Agenda), providing details on the Club's requirement for a practice area and the proposed upgrade the Pine Grove Park to create a practice space.

2024-049 Moved by Councillor Statton, seconded by Councillor Greek that Municipal Council authorize staff to draft a 5-year management agreement, for Council's review, with the

Seahawks Minor Football Club to convert the former site of the Pinegrove Park (PID 60252533) into practice fields to be used by the Seahawks club and the public.

The following details were discussed in relation to the plans for the park:

- Restoration of playground equipment
- Community consultation required
- Keep splash pad
- Management of park
- Funding
- Timeline

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

11.1.3 Visitor Services 2023 Recap

Ruth Wawin, Tourism and Event Development Officer gave a presentation on “Visitor Recap 2023”, (circulated with the Agenda), providing details on the various pop up visitor information kiosks locations. The presentation highlighted the following:

- Goal for pop-up locations
- Services provided
- Provincial statistics of visitation and accommodation activity
- Staffing
- Report on attended events
- Ways used to entice engagement
- What we heard & lessons learned
- Next steps

It was noted that the weather during the 2023 tourist season had a large impact on the number of visitors to the area.

It was suggested that Councillors be advised of events in their respective districts and that Councillors also advise recreation staff of upcoming events.

11.2 Planning & Development Department

11.2.1 Renaming Portion of Logan Road

A report from Melissa Deveau, Civic Addressing Coordinator, titled “Rescind Motion for Renaming Logan Road (the portion from St. Phillips Street to Highway 325), Wileville to Westwood Drive” was circulated with the agenda.

Mr. MacEwan explained that a motion that was put on the floor and rejected at a previous meeting could only be renewed after 6 months had passed, as per Section 15.2 of MODL Policy

001 Proceedings of Council. Section 8.2 of the Policy allows Council to suspend any rule of order, by unanimous vote.

Moved by Deputy Mayor Oickle, seconded by Councillor Whynot that Municipal Council suspend the rules of order under Section 8.2. of MODL Policy 001 Proceedings of Council, and allow the defeated motion of January 23, 2024 to be renewed. Defeated. Those Opposed: Councillors Statton and Greek.

It was noted that the defeated motion can be brought back to Council for discussion after 6 months had elapsed.

11.3 Finance Department

11.3.1 Tax Exemption – LaHave Coastal Conservation Association

Elana Wentzell, Director of Finance, reviewed the report, “Tax Exemption for Non-Profit Organizations” (circulated with the Agenda), providing details on the LaHave Coastal Conservation Association’s application to include an additional 11 properties to be granted a full tax exemption.

2024-050 Moved by Councillor Bell, seconded by Councillor DeLong that Municipal Council approve the full tax exemption request from LaHave Coastal Conservation Association, as per MODL Policy 012 Tax Exemption/Reduction Policy, for an additional 11 properties as presented. Carried unanimously.

11.3.2 Property Tax Rebate Proposed Budget 2024-2025

Ms. Wentzell reviewed the report, “Property Tax Rebate Proposed Budget 2024-25” (circulated with the Agenda), providing details on the proposed maximum tax rebate amounts, increased as per Council’s request.

Ms. Wentzell advised that since the circulation of the agenda, an alternative rebate structure was calculated. A report with an alternative recommendation was circulated and is attached to the Minutes.

It was clarified that the Property Tax Rebate program was available to all property owners who met the criteria. It was noted that the provincial Property Tax Rebate program was only available to seniors and could overlap the municipal program.

2024-051 Moved by Councillor Hubley, seconded by Councillor Bell that Municipal Council approve the property tax rebate schedule as follows:

- for Household Income under \$28,560, a maximum rebate of \$650;
- for Household Income from \$28,561 to \$39,984, a maximum rebate of \$450; and
- for Household Income from \$39,985 to \$51,840, a maximum rebate of \$250.

Carried unanimously.

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

12.1 MJSB Update

Deputy Mayor Oickle provided an update on the following matters of the Municipal Joint Services Board:

- New Director of Corporate Services – John Feeney
- Status of completed, in progress, deferred, and cancelled projects
- Sale of old equipment and purchase of new equipment
- MJSB agreement to be reviewed

Councillor Hubley reported that the capital budget came in lower than budgeted and reflects and improvement in the operating surplus.

12.2 Deputy Mayor's Update

Deputy Mayor Oickle advised that she attended all assigned meetings; the Regional Transportation public presentation; the International Women's Day events; agenda briefing meetings; cheque signing; and various community events.

12.3 Mayor's Update

Mayor Bolivar-Getson advised that she attended regular meetings; resident meetings re cluster development and road conditions; the FCM and NSFM meetings; the LCLC budget meeting; the International Women's Day events; the Mayors/Wardens meeting; and various community events.

13. Added Items – Nil

14. In Camera

At 11:54 a.m., it was moved by Councillor Whynot, seconded by Councillor Hubley that Municipal Council go In Camera to discuss the following items:

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

14.2 Legal Advice under Section 22(2)(g) of the MGA

Carried.

Municipal Council In Camera in session.

At 12:50 p.m., it was moved by Councillor Whynot, seconded by Councillor Hubley that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

14.2 Award of Tender #2023-05-004 Centre Pickleball Courts

Jamie Burgess, Municipal Engineer, reported that three submissions were received, two of which met the criteria. A bid in the amount of \$1,451,044.20 was received from Rikjak Construction Ltd. and a bid from Dexter Construction Ltd. in the amount of \$1,798,780, both excluding HST and contingency.

It was noted that the 2023-2024 budget for the project was \$800,000.

2024-052 Moved by Deputy Mayor Oickle, seconded by Councillor Bell that Municipal Council not award Tender #2023-05-004 Centre Pickleball Courts.

It was noted that this project could not be supported due to the amount of the estimated costs.

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

15. Adjournment

There being no further business, the meeting adjourned at 12:56 p.m.

Policy 027- Heritage Property Policy Review

Ella R. Gindi, Heritage Planner
March 12, 2024



Background

- **On February 13, 2024, Council directed staff to review the heritage property policy.**
 - Deem accessibility alterations non-substantial
- **Foster a smoother and more efficient decision-making process.**
- **Balance expediting process with heritage preservation in mind.**
- **On February 22, 2024, the Heritage Advisory Committee made a positive recommendations to council to approve the proposed amendments.**
- **A HAC member suggested to add the definition of a Character Defining Element to the policy.**



Section 5 of the Heritage Property policy: Substantial Alteration

- Section 5 subsection e (v) and (viii) categorize replacement of doors and alterations to stairs, porches, decks, balconies, etc., as substantial alterations, considering factors like size, style, placement, materials, and structural changes.
- **Section 6 of the Heritage Property policy:**
 - Deals with non-substantial alterations.
 - Section 6(b) highlights repairs or replacements of existing materials without changes in size, style, placement, orientation, or materials.
 - Example: Replacing wooden steps with identical wooden steps.



Interpretation of the policies

- **Section 6 specifies material changes as substantial alterations.**
- **Combined interpretation indicates altering doors, steps, or decks constitutes substantial alterations.**
- **Requires adherence to Canadian guidelines and approval processes.**



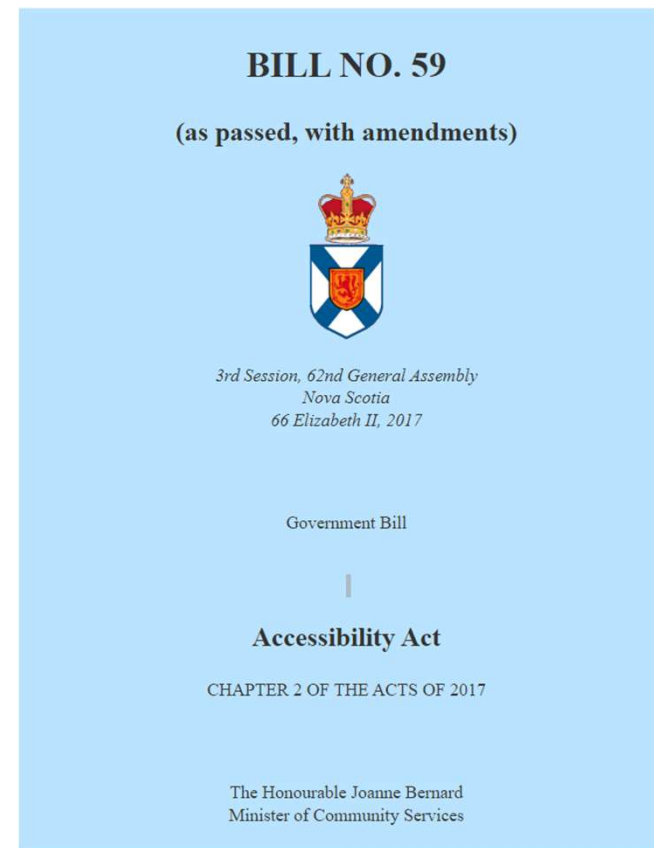
Standards and Guidelines for Historic Places in Canada

- **Vital for informed heritage preservation decisions.**
- **Accessibility Guidance:** emphasize sensitive integration of accessibility features with heritage sites, without specific accessibility standards.
- **Key Accessibility Points:**
 - Inclusivity
 - Compatibility
 - Sensitive Modifications
 - Consultation
 - Flexible Approaches



NS Accessibility Act

- **Remove barriers in various domains, including built environments.**
- **Incorporate accessibility features**
- **Foster diversity and inclusivity, and accessibility**



Regional Accessibility Coordinator

- **Efficiency in Barrier Removal:** Proposed amendment to Heritage Property Policy aims to facilitate clearer and more efficient removal of access barriers by property owners.
- **Accessibility as Human Right:** Province recognizes accessibility as a human right, aligned with UN Convention on Rights of Persons with Disabilities (2008), necessitating removal of institutional barriers.
- **Gap in Guidance:** Proposed Nova Scotia Built Environment Accessibility Standard (2023) lacks specific guidance for heritage properties, indicating a need for attention in this area.
- **High Disability Rate:** Nova Scotia has the highest disability rate in Canada (37.9%), highlighting the urgent need to remove accessibility barriers hindering community participation.



Amendment for section 6: Accessibility Uses

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 a character defining element.
- (c) Accessibility uses and features as long as the alteration is not negatively affecting a character defining element.**



Amendment for section 2: Character Defining Elements

- Definitions

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

(1) **Character Defining Elements means the materials, forms, location, spatial configurations, uses, and cultural associations that contribute to the heritage value of a property and must be maintained to preserve its significance. These elements are integral components of the architectural style and are specific features or attributes identified for each heritage property at the time of its designation, showcasing its individual historical, architectural, or cultural importance.**



Motion

That Municipal Council accept the recommendation of the Heritage Advisory Committee to amend Policy- 027 Heritage Property Policy and further that Council add a definition of Character-Defining Element to the policy.





Municipality of the District of Lunenburg

Request for Decision

Report to: Municipal Council

Submitted by: Elana Wentzell, Director of Finance

Date: March 12, 2024

Re: Alternative Recommendation for the Property Tax Rebate
Proposed Budget 2024-25

Alternative Recommendation for Property Tax Rebates

It is recommended that the property tax rebate schedule be updated and be set as follows:

- for Household Income under \$28,560, a maximum rebate of \$650;
- for Household Income from \$28,561 to \$39,984, a maximum rebate of \$450; and
- for Household Income from \$39,985 to \$51,840, a maximum rebate of \$250.

Discussion

Further to the existing memo circulated, staff have calculated an alternative rebate structure.

Staff are working on the draft 2024/25 Operating Budget. Tax revenue will increase based on the increase in property tax assessment if tax rates remain unchanged.

There are many cost pressures in the municipal budget as there is for many of our residents. In order to provide tax relief to those who need it the most, increasing the property tax rebate amounts over the initial recommendation could be considered.

Budget implications

Increasing the rebate amounts to \$650, \$450 and \$250, would result in an estimated budget of \$753,400. This is equal to 2 cents on the tax rate. We do not know how many applicants might apply in the upper threshold category, this new budget amount allows for 1,500 applicants in the revised household income upper limit.

Conclusion

Staff has provided this alternative for Council consideration.

Report Preparation	
Department	Finance
Report Prepared by	Elana Wentzell
Report Approved by	
Date Reviewed by C.A.O.	