APPROVED by Municipal Council

Date: September 10, 2024

Municipality of the District of Lunenburg

Minutes of a Meeting of Special Municipal Council

Held in Council Chamber, 10 Allée Champlain Drive, Cookville, N.S.
Tuesday, July 30, 2024 – 9:00 a.m.

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

Regrets
Councillor Michelle Greek, District 7

Staff
Tom MacEwan, Chief Administrative Officer
Alex Dumaresq, Deputy CAO
Tina Robichaud-Bond, Acting Municipal Clerk
Nadia Dahlbeck, 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

Mayor Bolivar-Getson proclaimed August 1, 2024 as Emancipation Day in the Municipality of the District of Lunenburg to commemorate the anniversary of the abolishment of slavery.

Mayor Bolivar-Getson congratulated the South Shore Exhibition staff, volunteers, and exhibitors on a successful event.

3. Public Input

Colin Mann, Second Peninsula, attended public input to provide comments on the proposed Cluster Development Regulations and expressed concerns that he and other area residents had over the building of the bare land condominiums on Second Peninsula.

David Jarvis, Second Peninsula, attended public input to provide comments on the food scarcity within the Municipality of the District of Lunenburg. Mr. Jarvis advised he was the founder of We Feed Lunenburg and came to learn more about the Food Hub Feasibility Study and its potential to partner with local food banks.

4. Approval of Agenda

It was requested that the following item be added to the agenda:

- Councillor Item: Rissers Beach Pedestrian Safety

Moved by Councillor Haysom, seconded by Councillor DeLong that the Rissers Beach Pedestrian Safety item be added to the agenda. Carried unanimously.

Moved by Councillor DeLong, seconded by Councillor Moore that the agenda be approved as amended. Carried unanimously.

5. Awarding of Tenders/RFPs

5.1 Award of RFP #2024-01-402 Food Hub Feasibility Study

Mark Strickland, Business Development Officer, was in attendance to review the report, "Award of District of Lunenburg Food Hub Feasibility Study RFP 2024-01-402" (circulated with the agenda) providing details on the food security project and the review of the six proposals received for the Food Hub Feasibility Study and recommending Third Sector Enhancement Ltd. as the successful proponent.

It was noted that the feasibility study would help generate the model for the food security project that was best suited for MODL and its residents, including exploring the possibilities of community gardens and working with food banks.

2024-146 Moved by Councillor Haysom, seconded by Councillor Bell that Municipal Council award the Request for Proposal 2024-01-402 District of Lunenburg Food Hub Feasibility Study to Third Sector Enhancement Ltd. for the completion of the Food Hub Feasibility Study, in the amount of $60,000 plus HST. Carried unanimously.

5.2 Award of Tender re Former Centre School Site Assessments

Stephen Pace, Director of Engineering & Public Works, was in attendance and reviewed the report "Former Centre Consolidated School and Sewage Treatment Plant Phase II Environmental Site Assessment (EAS) Hazardous Material (HAZMAT) Screening Assessment" (circulated with agenda), providing details on the proposals received for the site assessments of the former Centre School property, and recommending Strum Consulting Ltd. as the successful proponent.

It was clarified that the award was for consulting services to perform site assessments and identify hazardous materials. This award did not include demolition of the buildings.

It was noted that both the former and the current Municipal Council have explored alternative measures to repurpose Centre School, but the building was not in a condition to be used.

2024-147 Moved by Councillor Veinotte, seconded by Councillor Whynot that Municipal Council award the Phase II Environmental Site Assessment (ESA) and Hazardous Material (HAZMAT) Screening Assessment tender for the former Centre Consolidated School and Sewage Treatment Plant to Strum Consulting Ltd., in the amount of $53,920, including a 15% contingency and net HST. Carried unanimously.

6. Staff Reports

6.1 Planning and Development

6.1.1 Cluster Development Regulations

A report from Jacob Macpherson, Planner I, titled "Cluster Development Regulations – First Reading" was circulated with agenda, providing details on the proposed amendments to the Municipal Planning Strategy and the Municipal-Wide Land Use By-law.

Mr. Macpherson and Reid Shepherd, Manager of Planning, were in attendance. Mr. Macpherson gave a presentation on "First Reading- Cluster Development" (attached to Minutes), providing three (3) options for Council's consideration

- Option 1: First reading is passed, an information session for the public is held, Second reading and a public hearing is held.
- Option 2: First Reading is deferred to post election.
- Option 3: First Reading is defeated.

It was expressed that part of the definition of "Cluster Development" in Appendix A could be misleading. It was suggested that "partly or entirely" be revised to "partly and/or entirely".Staff noted that a legal review was done on the proposed amendments and the wording was not an issue.

It was explained that the development agreement process would require developers to demonstrate appropriate access and egress.

It was noted that the proposed cluster development regulations were not intended to stop development but to increase engagement with the Municipality and provide an avenue for public engagement.

2024-148 Moved by Councillor Hubley, seconded by Councillor Moore that Municipal Council give notice of its intention to amend the Municipal Planning Strategy and Land Use By-law to

include new sections containing the regulations related to cluster development found in Appendix A and B, and to conduct First Reading.

Concerns were raised as to whether new bare land condominium projects could continue to be registered and "grandfathered" up until the date of the specific exemption contained within the proposed regulations.

Council Recessed at 10:35 a.m. and resumed at 11:03 a.m.

It was confirmed that only those bare land condominium projects that are already underway would be considered as grandfathered and permitted to be completed under the provisions of the special exemptions clause. Any proposed new projects would fall under the new DA process and not be grandfathered- these would be subject to the new process as of the date of First Reading.

The Motion on the floor was voted on and carried. Those Opposed: Councillors Veinotte and Statton.

2024-149 Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council set a date and time for a Public Hearing for the amended Municipal Planning Strategy and Municipal-Wide Land Use Bylaw regulations on a future date, in Council Chambers, and further that Municipal Council instruct staff in the meantime to schedule a public information meeting to inform residents about the implications of the new regulations prior to the Public Hearing. Carried. Opposed: Councillor Statton.

Added Item - Councillor Matters re Rissers Beach Pedestrian Safety

Councillor Haysom expressed the increased need for pedestrian safety on Highway 331 by Rissers Beach Park public entry, and asked that Council write to Public Works to bring this matter to their attention.

2024-150 Moved by Councillor Haysom, seconded by Councillor Bell that Municipal Council write a letter to the Department of Public Works requesting that a flashing amber light be put in place near the entrance of Rissers Beach Provincial Park, and further, that a traffic study be completed on Highway 331 to consider lowering the speed limit, and other improvements to pedestrian and vehicle safety. Carried Unanimously.

6.2 Engineering and Public Works

6.2.1 Pine Grove Play Area Passive Use Assessment

Stephen Pace, Director of Engineering & Public Works, and Jamie Burgess, Municipal Engineer were in attendance. Mr. Pace reviewed the report, "Re-opening Pine Grove Play Area, (circulated with Agenda) detailing the deficiencies (safety and other issues) that would need to be addressed to re-open the park.

It was noted that the approximate cost to restore the park to safe public passive use was $16,000.

2024-151 Moved by Councillor Statton, seconded by Councillor Bell that Municipal Council direct staff to proceed with rectifying the safety related deficiencies, as presented, and re open Pine Grove Park for public use. Carried unanimously.

7. In Camera

At 11:41 a.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council go In Camera to discuss the following items:

7.1 Contract Negotiations under Section 22(2)(e) of the MGA
7.2 Contract Negotiations under Section 22(2)(e) of the MGA
7.3 Legal Advice under Section 22(2)(g) of the MGA
7.4 Land Negotiations under Section 22(2)(a) of the MGA

Carried.

Municipal Council In Camera in session.

At 2:14 p.m., it was moved by Councillor Whynot, seconded by Councillor Haysom that Municipal Council come out of In Camera and return to open session. Carried.

Municipal Council in session.

7.2 Oakhill Community Solar Garden Project

2024-152 Moved by Councillor Whynot, seconded by Councillor DeLong that Municipal Council support the application to the Community Solar Garden Program for the Oakhill Community Solar Project, and conditional upon on the successful awarding of the Power Purchase Agreement by the Department of Natural Resources and Renewables and the Minister of Municipal Affairs and Housing's approval of the IMSA's temporary borrowing resolution:

> **'the Municipality of the District of Lunenburg Council supports the Oakhill Community Solar Project, and will enter into an intermunicipal service agreement created to own and finance the Oakhill Community Solar Project, and will guarantee 56.14% of the intermunicipal service agreement's capital debts up to a maximum of $14,035,000 and the Municipality of the District of Lunenburg will allocate its share of the annual profits from the Project towards environmental initiatives inside its municipal boundary'. Carried unanimously.**

2024-153 Moved by Councillor DeLong, seconded by Councillor Haysom that Municipal Council supports the Oakhill Community Solar Project's subscription administration plan as detailed in the July 30, 2024 staff report. Carried unanimously.

2024-154 Moved by Councillor Bell, seconded by Councillor Whynot that Municipal Council direct the CAO to collaborate with the other partner municipalities associated with the Oakhill Community Solar Project to ensure that AREA submits a competitive and economical viable Project application to the Community Solar Program. Carried unanimously.

8. Adjournment

There being no further business, the meeting adjourned at 2:19 p.m.

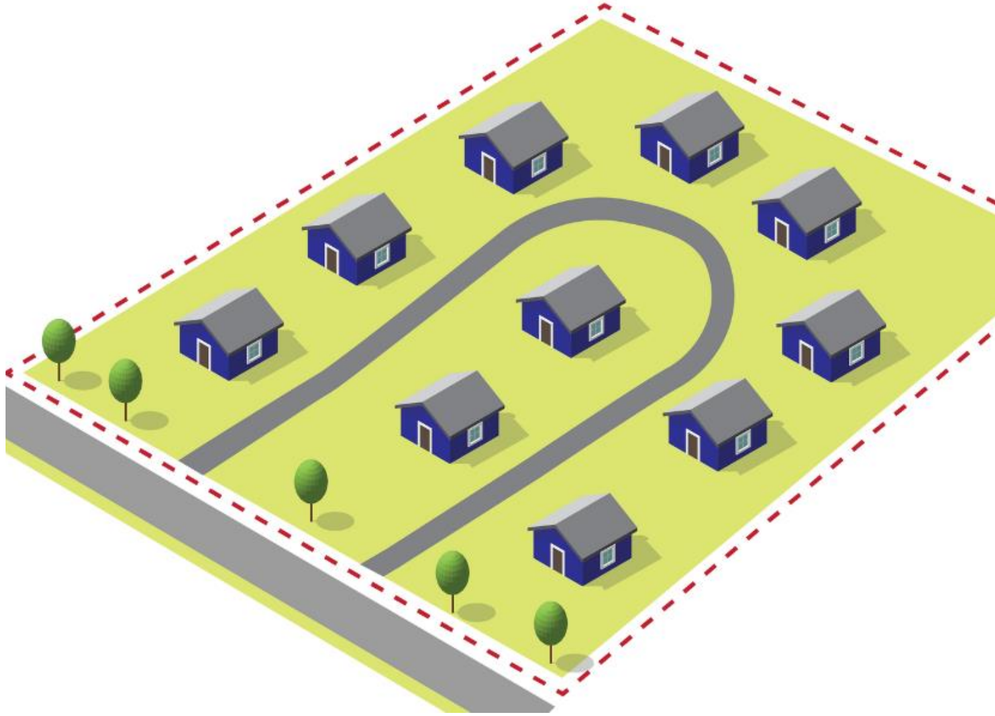
First Reading

Cluster Development

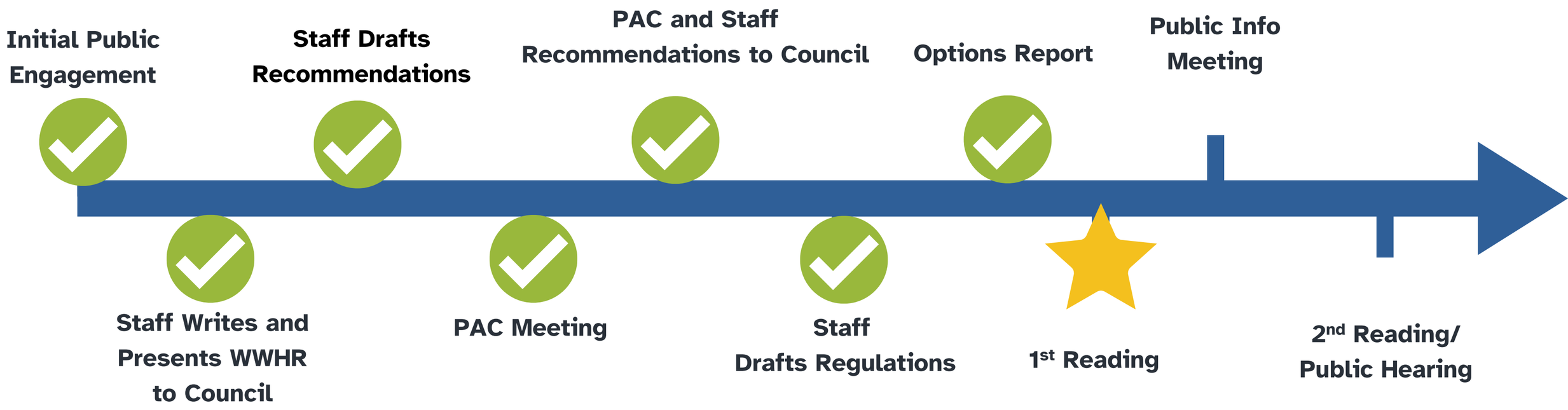
July 30th, 2024

Background

- Lack of existing development standards for this development style.
- Concerns over safety, environment, service capacity.
- First reading initially put on hold.
- Review and revision based on additional input and legal advice.



Next Steps


Initial Public Engagement
Staff Writes and Presents WWHR to Council
Staff Drafts Recommendations
PAC Meeting
PAC and Staff Recommendations to Council
Staff Drafts Regulations
Options Report
1st Reading
Public Info Meeting
2nd Reading/ Public Hearing

Regulations Summary

- Cluster developments: 6+ units over two structures on any single unserviced lot.
- Approved by development agreement.
- Non-conforming provision – condominium registration by December 31, 2025.
- Review every 5 years.

Development Agreement Summary

Council will consider individual proposals based on:

- Adequacy of street networks, site access, emergency access
- Adequacy of services such as water and sewer
- Availability of a safe water supply, and
- The suitability of the site in relation to environmental impact

Motion and Direction

If Council wishes to conduct first reading for the cluster development regulations, staff recommends the following motions:

1. That Council give notice of its intention to amend the Municipal Planning Strategy and Land Use By-law to include new sections containing the regulations related to cluster development found in Appendix A and B, and to conduct First Reading.

2. That Municipal Council set a date and time for a Public Hearing for the amended Municipal Planning Strategy and Municipal-Wide Land Use Bylaw regulations on September 10, in Council Chambers, and further that Municipal Council instruct staff in the meantime, to schedule a public information meeting to inform residents about the implications of the new regulations prior to the Public Hearing.