

A Public Hearing will be held at 8:30 a.m. re Baker Settlement & District Community Hall

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Municipal Council Meeting Agenda

Tuesday, October 8, 2024 – 9:00 a.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

- 1. Call to Order**
 - 1.1 Mi'kma'ki Territorial Acknowledgement
- 2. Announcements, Acknowledgements, Recognition**
- 3. Public Input (15 Minutes)**
- 4. Changes/Approval of Agenda (as circulated)**
- 5. Approval of Minutes-September 10, 2024 & September 24, 2024**
- 6. Business Arising from Minutes**
 - 6.1 Baker Settlement & District Community Hall Fair Market Value Correction
- 7. Awarding of Tenders/RFPs**
 - 7.1 Award of MJSB RFP 2024-003 Curbside Collection Services 1-3
 - 7.2 Award of RFP 2024-05-402 Supply and Installation of Wastewater Pump Station Generators 4-6
 - 7.3 Tender #2024-05-002 Caustic Soda System and New Building Addition 7-9
 - 7.4 Award of Tender # 2024-05-001 Cookville WWTP Upgrades- Phase 3..... 10-12
- 8. Presentations/Scheduled Times**
 - 8.1 Pickleball Park, Wayne Uhlman, Pickleball Association Member..... 10:15 a.m. 13-23
- 9. Consideration of Correspondence- Nil**
- 10. Recommendations from Committees & Boards**
 - 10.1 Dangerous and Unsightly Property Committee 24**
 - 10.1.1 Unsightly Premise re 7 Silvers Cove Road, Union Square..... 25-29
 - 10.1.2 Unsightly Premise re 344 Baker Rd, Mt Pleasant 30-42
 - 10.1.3 Unsightly Premise re 5494 HWY 331, Petite Riviere 43-56
 - 10.2 Heritage Advisory Committee 57**
 - 10.2.1 Application to Alter a Municipal Heritage Property re Christ Church, Northfield Road 58-65

11. Staff Reports

11.1 Administration

11.1.1 Sale of Baker Settlement & District Community Hall **Revised** 66-68

11.2 Recreation, Parks and Tourism

11.2.1 Sawpit Wharf Final Concept Plan Report..... 11:15a.m. 69-84

11.2.2 Designated Community Fund Lunenburg Yacht Club 85

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

12.1 MJSB Update

12.2 Region 6 Update

12.3 Deputy Mayor's Update

12.4 Mayor's Update

13. Added Items

14. In Camera

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

14.2 Land Negotiations under Section 22(2)(a) of the MGA

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

15. Adjournment



Municipal Joint Services Board, Lunenburg Region

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

To: Municipality of the District of Lunenburg (MoDL) Council
From: Gabe Welsh - Director WMSS
Date: October 8, 2024
Subject: MJSB RFP 2024-003 Curbside Collection Services

Decision [X] Direction [] Information []

Recommendation

That MoDL Council award RFP 2024-003 Curbside Collection Services to GE's All Trucking Limited (GE Environmental), for a total amount of \$1,514,403.40 during year one, with an annual rate increase of 2.89% and updated dwelling counts, over a seven-year term.

Background

On September 19, 2018, the five municipal units in the Lunenburg Region (MoDL, Town of Bridgewater, Town of Mahone Bay, Town of Lunenburg and the Municipality of the District of Chester) issued a joint RFP 2018-005. All five units awarded contracts to GE Environmental; the contracts expire on March 31, 2026.

In 2024, the MJSB Board directed staff to issue the tender for the next contract with at least 18 months of lead time to allow potential proponents time to source equipment and encourage a competitive bid process.

On June 21, 2024, RFP 2024-003 Curbside Waste Collection Services was issued on behalf of the five municipal units. The five units sought proposals which included sustainability options to reduce GHG emissions in support of their climate action plans, including MoDL's *Local Climate Change Action Plan 2030*.

Discussion

Two bid packages were received, one from GE Environmental and one from Miller Waste Systems Incorporated. GE Environmental is the current collection contractor for MoDL and has provided service since the current contract began April 1, 2020. The new contract will be awarded as a seven-year term expiring on March 31, 2033.

GE Environmental – Base Proposal

GE's base proposal would maintain the same existing service levels using single-stream and dual-stream, rear and side-loading gas and diesel vehicles. GE proposed a change from the 10-day collection schedule to an eight-day schedule (Tues – Fri) to minimize alternate collections during holidays and to increase routing efficiency. This change would affect approximately 50% of households in MoDL and would require MJSB staff to work with GE to educate and inform residents during the transition. This would be accomplished through additional resources and longer operating hours for the waste hauler but would not require additional receiving hours at the waste site.

Single stream trucks are proposed for collecting wood, metal, electronics and storm debris. GE has implemented an idling control policy to reduce emissions and fuel consumption. Two electric powered trucks would be used by the Route Supervisor and for electronics collection.

GE Environmental – Sustainability Option

GE's sustainability option is based on a transition to a four-cart collection system. It would be a fully automated cart collection of garbage, recyclables (fibre & containers) and organics. MoDL would be required to purchase carts at an estimated initial investment of over \$2.25 million for cart purchase alone, with additional costs for implementation, tracking and maintenance. All five municipalities would be required to participate in the transition to a four-cart system for it to be an option.

GE has promoted the option for increased route efficiency, an approximate 10-20% GHG reduction, improved waste diversion, reduced plastic bag consumption and improved driver safety. Collection service methods for wood, metal and electronics would be provided using manual pick up. On-call service for bulky landfill waste collection has been proposed to maximize route efficiency and to reduce GHG emissions. Two electric powered trucks would be used by the Route Supervisor and for electronics collection.

The sustainability proposal is very innovative and would offer a cost savings on collection of approximately \$40,000/year. However, due to the large initial capital investment, the logistical difficulties of implementing the four-cart system, ongoing maintenance/replacement of the carts and uncertainty around the imminent Extended Producer Responsibility (EPR) transition; staff at the municipal units and MJSB do not feel the timing is right for this proposal.

Miller Waste – Base Proposal

Miller Waste's main proposal included dual-stream, rear loading gas and diesel trucks for organics and landfill collection and dual-stream, top loading trucks for container recyclables and paper/cardboard pick up. The Route Supervisor would use a 4x4 truck daily and it would service roads that are impassable for dual stream trucks in winter. Single stream trucks were outlined for wood, metal, electronics and Christmas tree collection, with the option for dual-stream collection, if requested. Miller has offered a 5% discount if all five municipalities contract Miller.

Miller Waste – Sustainability Option

Miller Waste’s sustainability proposal would integrate renewable natural gas (RNG) into their fleet. Miller Waste did not provide the number of collection vehicles or a timeline for introduction. Other sustainability measures offered include idling control policies to minimize GHG emissions, routing software and AI to promote collection efficiencies. Vehicles would be equipped with electronic monitoring systems to track set out rates and flag households not recycling. Miller has offered sustainability features at the same price as their main proposal.

Budget Implications:

Pricing submissions from GE Environmental are substantially less expensive than Miller Waste’s.

Pricing Submissions: Year One, excludes HST					
	GE Environmental Base Proposal	GE Environmental Environmentally Sustainable Proposal	Miller Waste Proposals	Miller Waste 5% Discount if servicing all 5 units	Current Collection Contract Year 6 (Final Year)
Total Cost	\$1,514,403.40	\$1,475,854.87	\$3,039,407.05	\$2,887,436.70	\$1,476,651.48
Annual Pricing Increase	Proposing 2.89% Years 2-7	Proposing 2.89% Years 2-7	Year 2 3% Year 3 3.5% Years 4-7 4%	Year 2 3% Year 3 3.5% Years 4-7 4%	
Provisional Pricing: Storm Debris Collection Lump Sum	\$58,267.50	\$58,267.50	\$56,373.00	\$56,373.00 5% Discount Rate Applied: \$53,554.35	

In addition to the annual pricing increase, there is a mechanism in the contract to adjust the dwelling counts annually on April 1 based on updated dwelling count information provided by MODL.

GE has also provided hourly pricing at a rate of \$182.54 per hour, per truck for storm debris collection. Hourly pricing may reduce costs, while enabling targeted collection in areas affected during storms.

The original proposal from GE for \$1,514,403.40 will maintain the level of service that MoDL residents expect and rely on. MJSB staff and GE would work with residents during the transition to an eight-day collection cycle and minimize confusion and questions.

The first year of this contract represents approximately a 4.0% increase over the last year of the existing contract. The Miller Waste proposal would represent a 106% increase over the last year of the existing contract.

Council
Item #: 7.2
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Council

Submitted by: Larry Feener P.Eng., Municipal Engineer

Date: October 8, 2024

Re: Request for Proposal (RFP) 2024-05-402 Supply and Installation of Wastewater Pump Station Generators

Recommendations

Council authorize staff to close RFP 2024-05-402 Supply and Installation of Wastewater Pump Station Generators as no proposals were received by the closing date and time.

Council authorize staff to use Alternative Procurement as outlined in the Purchasing and Tendering Policy, Section 19.1.4, to engage L & B Electric Ltd. to complete the scope of work as outlined in the RFP at an amount of \$191,559.62 including a 10% contingency and net HST for both the Nathan Cirillo Pump Station and Portable Generator Units.

Executive summary

The Municipality of the District of Lunenburg (MODL) operates three wastewater treatment and collection systems located in Conquerall Bank, Cookville, New Germany, as well as a collection only system in Hebbville. All four systems require pump stations to transport wastewater to the associated facility for treatment and disposal. These electrically powered pump stations are an essential component of these systems. If a power outage occurs, these pump stations are unable to pump wastewater and are at risk of creating wastewater overflows. Providing reliable back-up power will limit these potential issues. Wastewater overflows from a pump station caused by a power outage, could put the Municipality at risk of being in non-compliance with Nova Scotia Environment and Climate Change, Permit to Operate.

The Municipality did not receive any submissions by the RFP closing date and time. Staff explored options for Alternative Procurement and the use of Standing Offers from Canoe Procurement. Alternative Procurement is the better investment for the Municipality.

Discussion

The RFP 2024-05-402 Supply and Installation of Wastewater Pump Station Generators was issued on July 29, 2024, and closed at 2:00pm on August 15, 2024. Because the Municipality did not receive any submissions for this RFP, staff explored opportunities through alternative procurement and through the Standing Offer from Canoe Procurement.

Alternative Procurement through a local supplier, L & B Electric Ltd. submitted the following prices:

Supplier	Nathan Cirillo			
	Stationary Generator (50kW)		Portable Generator (45kW)	
	Price (excl. HST)	Price (net HST)	Price (excl. HST)	Price (net HST)
L&B Electric Ltd	\$83,088.00	\$86,649.15	\$83,900.00	\$87,495.95

Combined generator pricing from L&B Electric:

Combined Subtotal (pre HST)	\$166,988.00
Net HST	\$7,157.11
Subtotal (net HST)	\$174,145.11
Subtotal (10% Conting. plus net HST)	\$191,559.62

Through the Standing Offer from Canoe Procurement, one supplier declined to price the generators and Toromont Power Systems (CAT) submitted a higher price for the portable generator than the local supplier L&B Electric, with the following price:

Supplier	Portable Generator (48kW)	
	Price (excl. HST)	Price (net HST)
Toromont Power Systems (CAT)	\$102,400.00	\$106,788.86

Budget implications

The Nathan Cirillo Backup Power Project has a 2024/25 capital budget of \$100,000 for the commitment to a purchase the stationary generator and a 2025/26 budget of \$40,000 for installation. The Portable Backup Power for Pumpstations Project 2024/25 capital budget is \$60,000. The combined capital budget for the two projects is \$200,000.

The stationary generator is under budget and the portable generator is over budget but together, the two projects are expected to be under the combined approved budget of \$200,000.

Strategic plan

This project aligns with the strategic priority of Osprey Village Growth Centre by addressing wastewater infrastructure to support the anticipated growth within Osprey Village. A key part of this project is to support the pump station located on Nathan Cirillo Road in Osprey Village.

Work plan

Due to the long delivery times the work was planned and budgeted to be completed over a two-year period. The first year was intended to place the order for the required generators and the second year to receive/install each unit, respectively. Council approval for purchases was required in Year 1 to enable MODL to place the orders.

Alternatives

Both Alternative Procurement and the use of a Standing Offer through Canoe Procurement were explored.

Conclusion

Council authorize staff to close RFP 2024-05-402 Supply and Installation of Wastewater Pump Station Generators as no proposals were received by the closing date and time.

Council authorize staff to use Alternative Procurement as outlined in the Purchasing and Tendering Policy, Section 19.1.4, to engage L & B Electric Ltd. to complete the scope of work as outlined in the RFP at an amount of \$191,559.62 including a 10% contingency and net HST for both the Nathan Cirillo Pump Station and Portable Generator Units.

Report Preparation	
Department	Engineering and Public Works
Report Prepared by	Tyler Richardson and Larry Feener
Report Approved by	Stephen W. Pace, MBA, P.Eng.
Date Reviewed by C.A.O.	



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Council

Submitted by: Larry Feener, P.Eng.

Date: October 8, 2024

Re: Conquerall Bank Sewage Treatment Plant
Caustic Soda System and New Building Addition
Tender #2024-05-002

Recommendation

Council authorize staff to cancel Tender #2024-05-002 Caustic Soda System and New Building Addition due to the bids exceeding the approved 2024/25 capital budget.

Executive summary

The Municipality of the District of Lunenburg owns and operates a wastewater collection and treatment system in Conquerall Bank. For several years, the treatment system struggled with meeting the pH requirements in the Approval to Operate. The Municipality trialed two pilot programs and found that injecting caustic to adjust the pH was an effective system bringing the Municipality in compliance. The pilot was intended to be a very basic, cost effective, reactive type system giving staff the opportunity to evaluate how well it would work. It does require additional staff resources to operate the system and it is a reactive type approach versus a proactive approach. The Municipality tendered for an automated caustic injection system, including an expansion to the building that would house the new equipment. Tenders closed September 19, 2024 at 2:00 pm with two submissions both exceeding the approved capital budget.

Discussion

The Conquerall Bank wastewater treatment facility was challenged with meeting the pH requirements of the Approval to Operate for a number of years. In 2018, 11% of the samples were compliant, 2019 had 46% compliance and 2020 48% compliant. In November 2020, a magnesium hydroxide trial was conducted and later replaced with a temporary caustic soda injection system in October 2021 improving pH compliance significantly. The Annual Reports for 2021 and 2022 indicated 92% and 100% compliance for pH. After two consecutive years of meeting the pH requirements of the Approval to Operate, the Municipality intended to change the pilot system to a permanent automated system.

The Tender was issued on August 2, 2024 and closed 2:00pm September 19, 2024. Two (2) bids were received by the deadline. The bids are summarized in the table below:

Contractor	Price (excl. HST)	Total Price (incl. net HST)
Lindsay Construction Limited	\$991,874.00	\$1,034,385.72
Avondale Construction Limited	\$1,029,056.00	\$1,072,893.79

Lindsay Construction Limited had the lowest tender submission of \$991,874.00 plus net HST.

Budget implications

The total approved capital budget is \$400,000 with \$50,000 approved in 2023/24 for design work and \$350,000 in 2024/25 for construction and Engineering services during construction.

Preliminary cost estimates provided by our consultant were \$305,000 including Engineering and 15% Contingency and excluding net HST. After detailed design, the revised estimate from our consultant was \$527,500 plus net HST including Engineering and a 15% contingency. The majority of the variance between the estimates and tendered values are the need to increase the size of the existing generator to accommodate the new equipment and higher building expansion costs.

The Municipality has recently experienced varying fluctuations in tendered prices on capital infrastructure projects. One way to receive accurate prices was to go through the tender process.

The lowest submission submitted by Lindsay Construction Limited significantly exceeded the approved capital budget by approximately \$685,000 (incl. net HST) and there will be costs for Engineering services during construction of approximately \$25,000 plus HST.

Strategic plan

This project aligns with the 2022 Strategic Priorities for Investing in Infrastructure.

Work plan

The work was to be completed over a two year period with design in 2023/24 and construction in 2024/25. Tender submissions indicated a 9-month construction schedule so work would carry over into the 2025/26 budget year.

Alternatives

Options for Council’s consideration includes:

1. Approve the Tender and over budget amount;
 - Staff are not recommending this option due to the high cost.
2. Do not award the Tender due to it being significantly over the approved capital budget;
 - Staff are recommending this option as it would give staff the opportunity to investigate alternatives to achieve the project goals at a lower cost. Staff would ensure that this project is included in the 2025/26 capital budget for Council’s consideration.

Report Preparation	
Department	Engineering & Public Works
Report Prepared by	Larry Feener, P.Eng.
Report Approved by	Stephen W. Pace, MBA, P.Eng.
Date Reviewed by C.A.O.	

Council
Item #: 7.4
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Council
Submitted by: Larry Feener, P.Eng.
Date: October 8, 2024
Re: Cookville Wastewater Treatment Plant Upgrades – Phase 3
Tender #2024-05-001

Recommendations

Council authorize staff to award Tender #2024-05-001 Cookville WWTP Upgrades – Phase 3 to the lowest tendered submission by Pomerleau Inc. for a total price of \$22,752,128.92 including net HST and 5% contingency.

Council authorize staff to award additional engineering consulting fees to exp Services Inc. in the amount of \$720,892.00 including net HST and 15% contingency.

Executive summary

The Municipality of the District of Lunenburg (MODL) owns and operates the Cookville Wastewater Treatment Facility. Currently, the facility is operating at approximately 25-30% of its design capacity, however due to the high level of development scheduled for Osprey Village (approximately 800 units plus commercial development), the plant is expected to exceed its operational capacity within the next few years. Plant upgrades are required to ensure MODL can provide sufficient wastewater treatment capacity for the planned developments. MODL received two tender submissions for the construction of the upgrades.

Discussion

The Cookville WWTP is a Class III Wastewater Treatment Facility providing wastewater treatment for the Osprey Village area. Although the facility is only operating at 25-30% of the current design capacity, plant upgrades are required to ensure MODL can provide wastewater services to the planned developments.

The Tender for construction was issued on July 26, 2024 and closed September 20, 2024. Two (2) bids were received by the closing date and time. The bids are summarized in the table below:

Description	Contractor	
	Pomerleau Inc.	Maxim Construction Inc.
Plant Upgrade	\$20,778,143.00	\$23,524,000.00
Net HST	\$890,551.21	\$1,008,238.64
Subtotal (incl. net HST)	\$21,668,694.21	\$24,532,238.64
Total (incl. net HST and 5% Contingency)	\$22,752,128.92	\$25,758,850.57

Bids were reviewed by our consultant exp Services Inc. who determined that the two bids received were compliant bids and that MODL could award the tender to the lowest bidder being Pomerleau Inc.

On March 28, 2023, Council made the following motion:

2023-044 Moved by Councillor Statton, seconded by Councillor Whynot that Municipal Council award Request for Proposal #2022-05-404 Cookville Wastewater Treatment Facility Phase 3 Upgrade – Design, Construction and Contract Administrative Services, and resident inspection to exp Services Inc. for an amount of up to \$1,097,800, including a 15% contingency and net HST. Carried unanimously.

As a result of additional engineering effort during detailed design; extended tender closing from 4 weeks to 8 weeks; the amount of questions received from contractors during the tender phase; and anticipated construction schedule of two years versus the one year initially assumed, there is an anticipated increase in engineering costs. Engineering fees are expected to be an additional \$720,892.00 for a total of \$1,818,692.00, including net HST and 15% contingency.

Budget implications

The 2023/24 approved capital budget included \$750,000 for design and the 2024/25 capital budget included \$20M distributed over a three-year period for the construction and engineering services during construction as follows:

Year	Budget	Actual
2023/24	\$0.75M	\$0.207M
2024/25	\$4M	
2025/26	\$14M	
2026/27	\$2M	
Total	\$20.75M	

MODL received three external funding sources toward the cost of this project as outlined below:

Sustainable Service Growth Fund (SSGF)	\$1,205,260	(incl interest to March 31/24)
Municipal Capital Growth Program (MCGP)	4,100,000	
Invest in Canda Infrastructure Program (ICIP)	<u>6,679,903</u>	
Subtotal Grant Funding	11,985,163	
Sewer & Depreciation Reserves per budget	3,400,150	
Debt Funding per budget	<u>5,900,000</u>	
Total Funded	21,285,313	
Expected Project Cost	<u>24,570,820</u>	
Shortfall	<u><u>\$3,285,507</u></u>	

The shortfall could be funded from general operating reserves or borrowing and would be considered in the 5-year financial strategy. Council would not have to decide until the project is completed and would be included in a future budget process.

Strategic plan

This project aligns with the strategic priority of Osprey Village Growth Centre by addressing wastewater infrastructure to support the anticipated growth within Osprey Village.

Work plan

This project is included in the approved 2024/25 capital budget and planned to be constructed completed over the next two years.

Alternatives

Council could consider not awarding the Tender, however this is not recommended by staff as it would prohibit future development and still require a significant investment in replacing some aged equipment that is planned to be replaced during the upgrade.

Conclusion

To accommodate the anticipated development in the Osprey Village area, MODL will need to upgrade the Cookville Wastewater Treatment Facility to ensure sufficient capacity for wastewater treatment. On September 20, 2024, MODL received two tender submissions for the upgrade project. Staff are now seeking Council’s approval to award the tender to the lowest bidder, Pomerleau Inc.

Report Preparation	
Department	Engineering & Public Works
Report Prepared by	Larry Feener, P.Eng.
Report Approved by	Stephen W. Pace, MBA, P.Eng.
Date Reviewed by C.A.O.	

Council

Item #: 8.1

Date: October 8, 2024

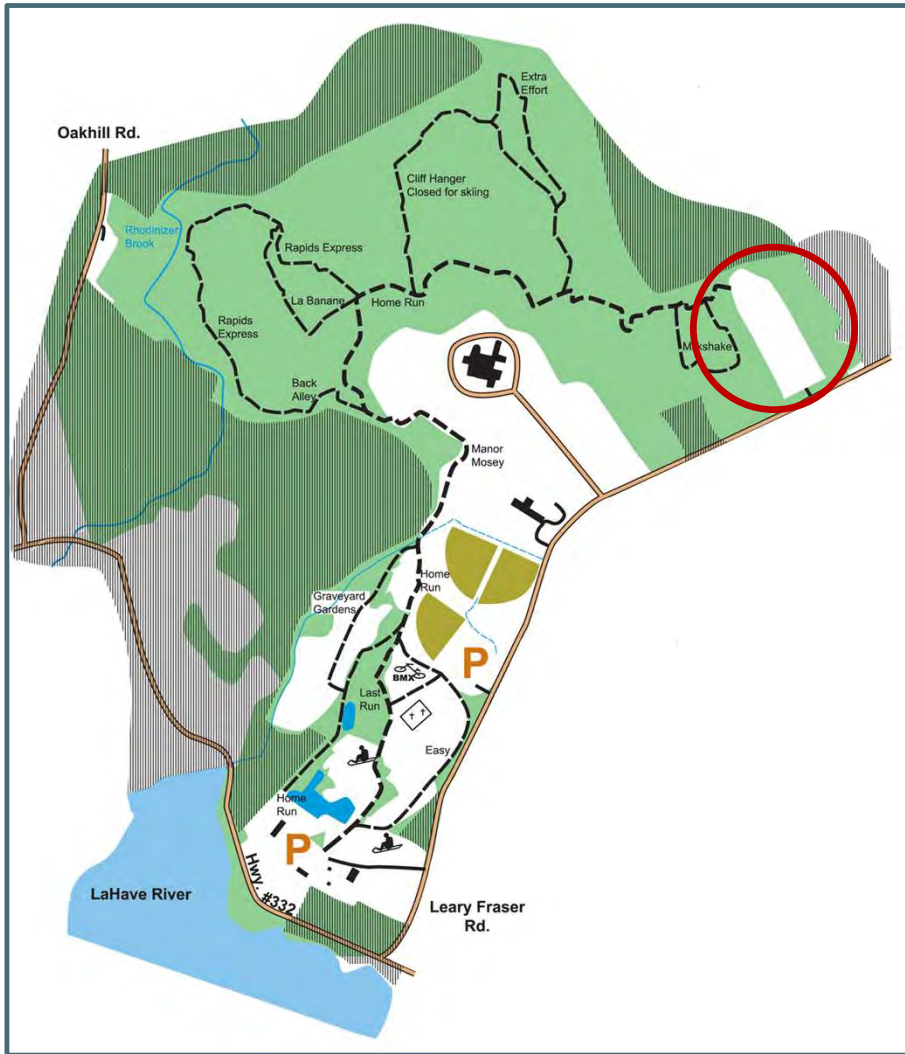
Authorization: T. MacEwan

MODL PICKLEBALL PARK



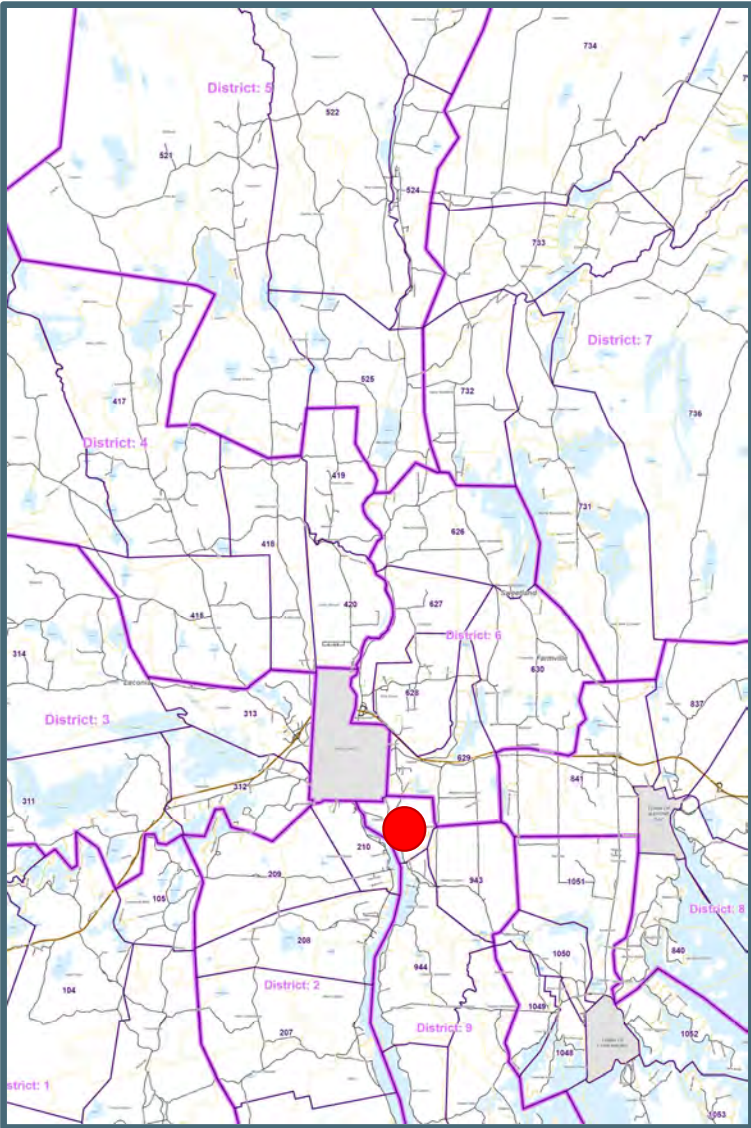
PURPOSE OF PRESENTATION

Outline compelling reasons why identified site is ideal for establishment of new pickleball courts.



PROPOSED SITE

Vacant lot on Leary Fraser Road, just beyond the MARC Ballfields and connected via the Home Run Trail.



CENTRALIZED LOCATION

- Proposed location is close to the middle of the district which ensure ease of access for a larger number of residents.
- Equitable access for all community members, promotes inclusivity and reduces travel time disparities among neighborhoods.
- Centralization creates a hub for social interaction, fostering connections among residents and strengthening community ties.



CLEARING NOT REQUIRED

Environmental Regulations: many municipalities have regulations concerning tree preservation & environmental impact. By avoiding tree removal, regulatory processes can be navigated more smoothly.

Community Support: projects that prioritize environmental considerations & maintain natural surroundings, tend to garner improved community support.

Cost Savings: tree cutting, clearing and mitigation measures can be expensive, by avoiding these the overall costs of developing the courts can be significantly reduced.



NATURAL TREE COVER

Shade & Comfort: Trees provide natural shade, helping to keep players cool during hot weather. This can extend playtime and enhance overall enjoyment.

Reduced Glare: Trees can help block direct sunlight, reducing glare, and improving visibility.

Wind Protection: Trees can serve as windbreak, reducing gusts that can potentially hinder play & level of enjoyment.

Noise Reduction: Trees can dampen noise, creating peaceful atmosphere for players and neighbors.

ACREAGE

- **Proper Court Orientation:** being able to position the courts north-south reduces glare & enhances visibility for a more enjoyable playing experience.
- **A Community Gathering Space:** Picnic tables, gazebos, & open areas for gathering foster a sense of community, and encourages the coming together for leisure and recreation.



- **Sufficient Parking:** convenience for players and spectators, reducing congestion and enhancing the overall experience.
- **Future Additions:** including additional courts, lighting, amenities like washrooms, bleachers, and non-pickleball recreational offerings.
- **Hosting of Large Tournaments:**
 - Fosters community engagement.
 - Club can raise money & be self-sufficient.



AESTHETIC APPEAL

- **Community Pride:** beautiful location for pickleball fosters sense of pride, enhances community spirit, & encourages participation.
- **Attracting Attention:** aesthetically pleasing setting draws visitors from neighboring areas, increasing exposure for local businesses
- **Positive Branding:** enhances overall image of the community, positioning it as place that values recreation, wellness, & quality of life.



NEARBY RECREATION

Foot Traffic: by situating pickleball courts near other recreational amenities, it can attract more visitors who may not have come specifically for pickleball. Site is accessible via MARC trail.

Multi-Use Family-Friendly Environment: proximity to recreational options makes easier for families to spend time together despite different interests.

Fosters Harmony: pickleball can be noisy which lead to conflicts in community. situating courts in remote locations where recreation is already established, potential for complaints are minimized.

Development of Amenities - combined facilities makes it easier to obtain future grants aimed at improving public recreation spaces.



PROPOSAL

We request that the Council considers entering into a management agreement with the **South Shore Pickleball Club** that would allow us to develop and construct pickleball courts on the proposed site and that the funds sat aside in the pickleball reserve, be used towards the establishment of these courts.



**THANK YOU FOR YOUR
CONSIDERATION**

Council
Item #: 10.1
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg Planning & Development Services

October 1, 2024

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

Dear Mayor and Councillors:

The Dangerous & Unsightly Property Committee, in session on October 1, 2024, made the following recommendation to Municipal Council:

“That Municipal Council approve the lowest bid from Dwight’s Mobile Welding for the cleanup of the property located at 7 Silvers Cove Road, Union Square, PID 60532645; that is \$1897.50 including HST”.

“That Municipal Council approve the lowest bid from Asbestos Abatement for the cleanup at the property located at 344 Baker Rd, Mt Pleasant, PID 60344116; that is \$11500.00 including HST”.

“That Municipal Council approve the lowest bid from Dwight’s Mobile Welding for the removal of the demolition debris at the property located at 5494 Hwy 331, Petite Riviere, Lot 8-C-D, PID 60358892; that is \$3700.00 plus HST”.

Respectfully submitted,

The Chair and Members
of the D&UPC

/zz

Attachments

Council
Item #: 10.1.1
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Dangerous & Unsightly Properties Committee

SUBMITTED BY: Ryan Whynot

DATE: October 1st, 2024

RE: Unsightly Premise – Maxine Smith

Property – 7 Silvers Cove Road, Union Square, NS

PID 60532645

AAN 00197823

LU-DU2024-003

RECOMMENDATION

Staff recommends:

The Committee recommend to council that the lowest bid from Dwight's Mobile Welding be accepted to clean up the property located at 7 Silvers Cove Road, Union Square, PID 60532645: that is \$1897.50

BACKGROUND

We received a complaint on April 2nd, 2024, in reference to the above-noted property. An initial inspection was carried out on April 3rd, 2024, which concluded that the property is considered unsightly under the terms of the *Municipal Government Act* (the "Act"). As per Policy MDL-07, a letter dated April 5th, 2024, was sent to the property owners advising them of the unsightly condition of the property and the remedy required to return the property to a sightly condition.

On May 14th, 2024, a follow up inspection was conducted which found no change in the condition of the unsightly property. As a result of this inspection, an Order was issued on May 17, 2024, providing the property owner 30 days to clean up the property. That Order reads:

IT IS HEREBY ORDERED that you are to, within thirty (30) days of the service of this Order, remedy the unsightly condition of the property; namely:

ACTION "have all household and construction debris cleaned up and removed from the property."

Quote prices are subject to 4.29% HST billed to MODL. MODL is then required to charge 15% HST to this total. The total quoted may not reflect the actual bill as any other costs that may arise as a result of the work on the property are required to be passed on to the property owner.

Quote price +4.29% HST = subtotal + 15%HST for total

DISCUSSION

- The Property Valuation Services Corporation (PVSC) records show the land as being assessed at \$92,100 in 2021.
- The lot area .1147 acres (5000 square feet)
- Property taxes are: \$1531.71 and are outstanding as of 2021
- Property is on the 2024 property tax sale list

ALTERNATIVES

- a) Do nothing and close file.
- b) Grant additional time.

CONCLUSION

It is in my opinion that the property is unsightly as per the Municipal Government Act, and therefore requires cleanup

ATTACHMENTS

Photos from last inspection

Department:

Report Prepared By: Ryan Whynot

Date: October 1, 2024

Report Approved By:

Date:

Reviewed By CAO:

Date:





Council
Item #: 10.1.2
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Dangerous & Unsightly Properties Committee
SUBMITTED BY: Amanda Esterbrooks
DATE: October 1, 2024
RE: 344 Baker Rd, Mt Pleasant NS – Elaine Corkum

Property – 344 Baker Rd, Mt Pleasant NS

PID 60344116 AAN 04355288 LU-US2023-004

RECOMMENDATION

Staff recommends:

The Committee recommend to Council that the lowest bid from Asbestos Abatement be accepted for the cleanup of the property located at 344 Baker Rd, Mt Pleasant NS: that is \$11,500.00.

BACKGROUND

We received a complaint on May 12, 2023 in reference to the above-noted property. An initial inspection was carried out on May 16, 2023 which concluded that the property is considered unsightly under the terms of the *Municipal Government Act* (the “Act”). No letter was sent. A subsequent inspection was carried out on March 14, 2024 which confirmed that the property is considered unsightly under the terms of the *Municipal Government Act* (the “Act”). As per Policy MDL-07, a letter dated March 15, 2024 was sent to the property owners advising of the unsightly condition of the property and the remedy required to return the property to a sightly condition.

On April 23, 2024, a follow up inspection was conducted which found no change in the condition of the unsightly property. As a result of this inspection, an Order was issued on April 29, 2024 providing the property owner 30 days to clean up the property. That Order reads:

IT IS HEREBY ORDERED that you are to, within thirty (30) days of the service of this Order, remedy the unsightly condition of the property; namely:

ACTION "the junk, debris, and old tires must be cleaned up and removed from the Property.'

On July 22, 2024, a follow up inspection was conducted which found no change in the condition of the unsightly property. The file was then sent for site cleanup tender.

Bidder's Name	Price with HST
Asbestos Abatement	\$11,500.00
Verhagen	\$20,700.00
Dwight's Mobile Welding	\$14,777.50

Quote prices are subject to 4.29% HST billed to MODL. MODL is then required to charge 15% HST to this total. The total quoted may not reflect the actual bill as any other costs that may arise as a result of the work on the property are required to be passed on to the property owner.

Quote price +4.29% HST = subtotal + 15%HST for total

DISCUSSION

- The Property Valuation Services Corporation (PVSC) records show the land as being assessed at \$173,400.00 in 2024.
- The lot area 0.88 acres
- Property taxes are: Current

ALTERNATIVES

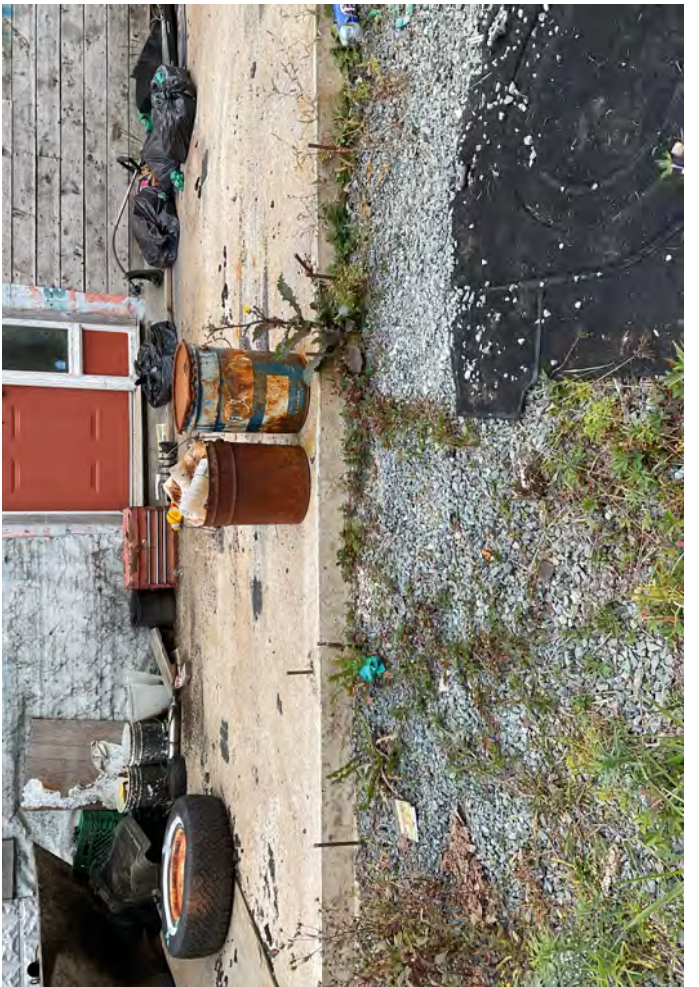
- a) Do nothing and close file.
- b) Grant additional time.

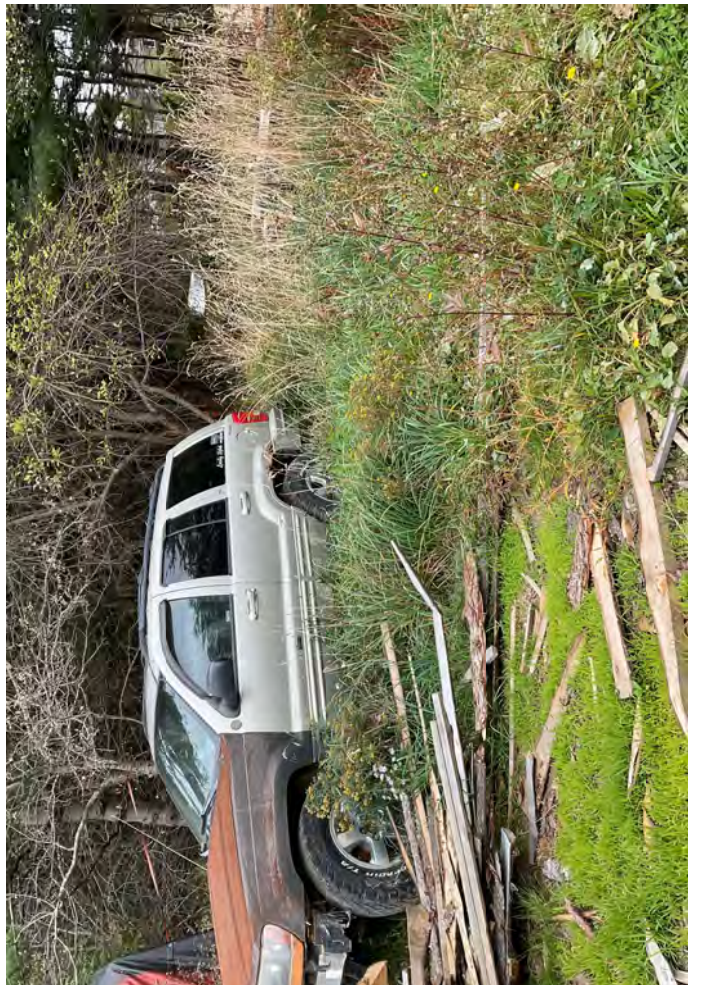






















Municipality of the District of Lunenburg

Request for Decision

REPORT TO: Dangerous & Unsightly Properties Committee

SUBMITTED BY: Bruce Parks

DATE: September 23, 2024

RE: Unsightly Premise – ROGER MILLER

5494 HWY 331, PETITE RIVIERE, LOT 8-C-D

PID 60358892

AAN 03339068

LU-US2022-001

RECOMMENDATION

Staff recommends:

The committee recommend to council that the lowest bid from Dwight's Mobile Welding be accepted to remove demolition debris from the above noted property at 5494 Hwy 331, Petite Riviere, Lot 8-C-D, PID 60358892.

BACKGROUND

We received a complaint on January 11, 2022 in reference to the above-noted property. An initial inspection was carried out on January 28, 2022 which concluded that the property is considered unsightly (*and/or dangerous*) under the terms of the *Municipal Government Act* (the "Act"). As per Policy MDL-07, a letter dated February 3, 2022 was sent to the property owners advising of the unsightly (*and/or dangerous*) condition of the property and the remedy required to return the property to a sightly (*and/or safe*) condition. This letter was returned.

On March 17, 2022, a follow up inspection was conducted which found no change in the condition of the unsightly property. As a result of this inspection, an Order was issued on April 7, 2022 providing the property owner 30 days to clean up the property. That Order reads:

SEE ATTACHED ORDER

Another site visit was conducted on February 2, 2023, with no change in the property conditions. The previous posted Order was gone. A second Order was posted, dated March 29, 2023. That Order reads:

SEE ATTACHED ORDER

A site visit was conducted on July 17, 2024. The previously noted debris was still present, with evidence of what appeared to be new debris present. A third Order was posted, dated July 17, 2024. That Order reads:

SEE ATTACHED ORDER

Bidder's Name	Price without HST and additional charges
Asbestos Abatement	\$10,000.00
Fine Cuts	\$23,580.00
Verhagen	\$18,000.00
Nicholas Group	\$6580.00
Night Vision	\$17,660.00
Dwight's Mobile Welding	\$3700.00

Quote prices are subject to 4.29% HST billed to MODL. MODL is then required to charge 15% HST to this total. The total quoted may not reflect the actual bill as any other costs that may arise as a result of the work on the property are required to be passed on to the property owner.

Quote price +4.29% HST = subtotal + 15%HST for total

DISCUSSION

- The Property Valuation Services Corporation (PVSC) records show the land as being assessed at \$60,500 in 2024.
- The lot area 1.86 acres
- Property taxes are outstanding. This property is on the tax sale list.

ALTERNATIVES

- a) Do nothing and close file.
- b) Grant additional time.

CONCLUSION

It is my opinion that the property is unsightly as per the Municipal Government Act, and therefore requires cleanup.

ATTACHMENTS

Photos from last inspection

Department:

Report Prepared By: Bruce Parks

Date: September 23, 2024

Report Approved By:

Date:

Reviewed By CAO:

Date:



Municipality of the District of Lunenburg

10 Allée Champlain Drive, Cookville, Nova Scotia, Canada, B4V 9E4

Planning & Development Services

Phone: 902.541.1325

Email: building@modl.ca

Web Site: www.modl.ca

February 3, 2022

REGISTERED MAIL & REGULAR MAIL

Roger Miller
[REDACTED]

**RE: Unsightly Premises – 5494 Highway 331, Petite Riviere
PID # 60358892 AAN # 03339068 LU-US2022-001**

Please be advised that I visited your property on January 28, 2022 and have found it to be unsightly. I have enclosed photographs showing the extent of the unsightly condition of your property. This letter is to advise you that your property must be put into a sightly condition no later than March 11, 2022. You are required to remedy the unsightly condition by doing the following:

“To remedy the unsightly condition the pile of construction debris must be cleaned up and removed from the property.”

After March 11, 2022 myself, or another Administrator will do an inspection on your property. If the property is still in an unsightly condition I will then order you to remedy the unsightly condition. A copy of the Order will be posted on your property and a copy will be sent to you by registered mail. In the event that you fail to comply with the Order to put your property in a sightly condition you may be charged pursuant to Section 348(4) of the *Municipal Government Act* (copy enclosed), and if convicted may be liable to a penalty of not less than \$100.00 and not more than \$5,000.00.

If you have any questions of what exactly must be done to put your property in a sightly condition or require clarification of any statements in this letter, please telephone me at your convenience.

Your co-operation in this matter is appreciated.

Yours truly,



Kyle Whynot
Building Official/ Fire Inspector/Administrator
902 541-1342
kyle.whynot@modl.ca

KW/sb

Enclosure

cc: Councillor Leitha Haysom







Municipality of the District of Lunenburg

10 Allée Champlain Drive, Cookville, Nova Scotia, Canada, B4V 9E4

Planning & Development Services

Phone: 902.541.1325

Email: building@modl.ca

Web Site: www.modl.ca

April 7, 2022

REGULAR MAIL/~~REGISTERED MAIL~~

Roger Miller
[REDACTED]

**RE: Unsightly Premises – 5494 Highway 331, Petite Riviere
PID #60358892 AAN #03339068 LU-US2022-001**

Enclosed is a copy of an Order which I have issued in relation to the unsightly condition of your property, along with photographs depicting same. This Order has also been posted on your property on today's date.

This is to advise that you must comply with the Order on or before May 9, 2022 or you may be charged pursuant to Section 348 (4) of the *Municipal Government Act*. You may appeal this Order by advising our office, in writing, within seven (7) days of the date of this Order.

Should you have any questions or concerns with this process, please contact our office at 902 541-1325.

Yours truly,



Bruce Parks
Fire Inspector/Administrator
902 530-3778
Bruce.parks@modl.ca

BP/sb
Enclosures

cc: Councillor Leitha Haysom



IN THE MATTER of the property of Roger Miller
Located at
5494 Highway 331, Petite Riviere
PID 60358892
Assessment Account 03339068

- and -

IN THE MATTER of the Dangerous or Unsightly Premises Provisions of the *Municipal Government Act*, S.N.S., 1998, c.18.

ORDER

WHEREAS it has been determined that your property is unsightly, and you have been so advised;
AND WHEREAS the unsightly condition has not been remedied in accordance with the notice given to you;


IT IS HEREBY ORDERED that you are to, within thirty (30) days of the service of this Order, remedy the unsightly condition of the property; namely:

ACTION "the pile of construction debris must be cleaned up and removed from the property."

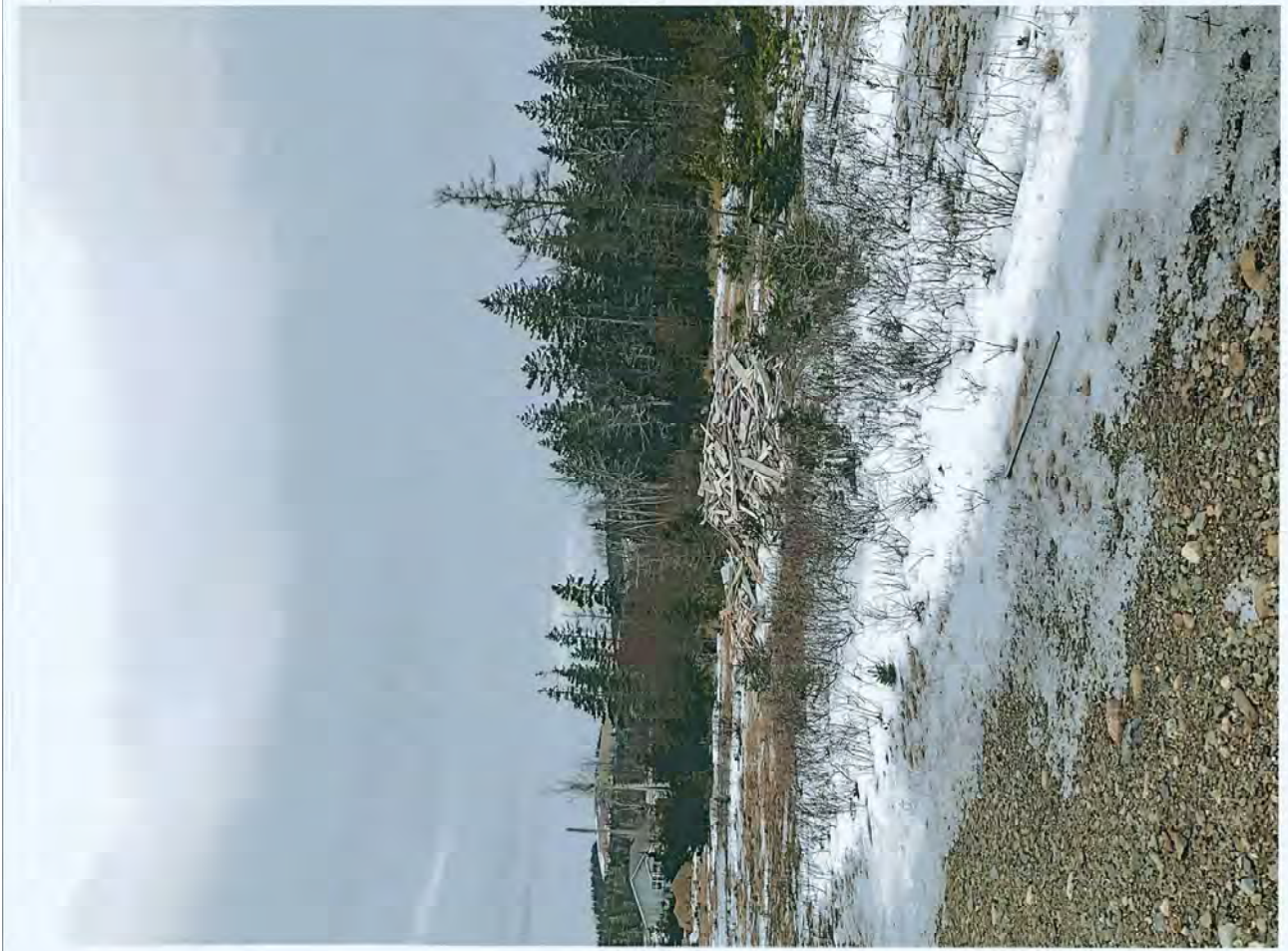
TAKE NOTICE that you may appeal this Order to the Dangerous and Unsightly Property Committee of the Municipality at 10 Allée Champlain Drive, Cookville, NS B4V 4G8, within seven (7) days after this Order is made.

IF YOU FAIL TO COMPLY with the requirements of this Order the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order as per Section 348(3) of the *Municipal Government Act* and/or lay charges as per Section 348(4) of the *Municipal Government Act*.

DATED at Cookville, Nova Scotia, this 7th day of April, 2022.



Bruce Parks
Administrator





Municipality of the District of Lunenburg

10 Allée Champlain Drive, Cookville, Nova Scotia, Canada, B4V 9E4

Planning & Development Services

Phone: 902.541.1325

Email: building@modl.ca

Web Site: www.modl.ca

July 17, 2024

REGULAR MAIL/REGISTERED MAIL

Roger Miller



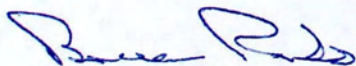
**RE: Unsightly Premises – 5494 Highway 331, Petite Riviere
PID #60358892 AAN #03339068 LU-US2022-001**

Enclosed is a copy of an Order which I have issued in relation to the unsightly condition of your property, along with photographs depicting same. This Order has also been posted on your property on today's date.

This is to advise that you must comply with the Order on or before August 16, 2024 or you may be charged pursuant to Section 348 (4) of the *Municipal Government Act*. You may appeal this Order by advising our office, in writing, within seven (7) days of the date of this Order.

Should you have any questions or concerns with this process, please contact our office at 902 541-1325.

Yours truly,

A handwritten signature in blue ink, appearing to read "Bruce Parks".

Bruce Parks
Fire Inspector/Administrator
902 530-3778
Bruce.parks@modl.ca

BP/sb
Enclosures

cc: Councillor Leitha Haysom

IN THE MATTER of the property of Roger Miller
Located at
5494 Highway 331, Petite Riviere
PID 60358892
Assessment Account 03339068

- and -

IN THE MATTER of the Dangerous or Unsightly Premises Provisions of the *Municipal Government Act*, S.N.S., 1998, c.18.

ORDER

WHEREAS it has been determined that your property is unsightly, and you have been so advised;

AND WHEREAS the unsightly condition has not been remedied in accordance with the notice given to you;

IT IS HEREBY ORDERED that you are to, within thirty (30) days of the service of this Order, remedy the unsightly condition of the property; namely:

ACTION "the pile of construction debris must be cleaned up and removed from the property."

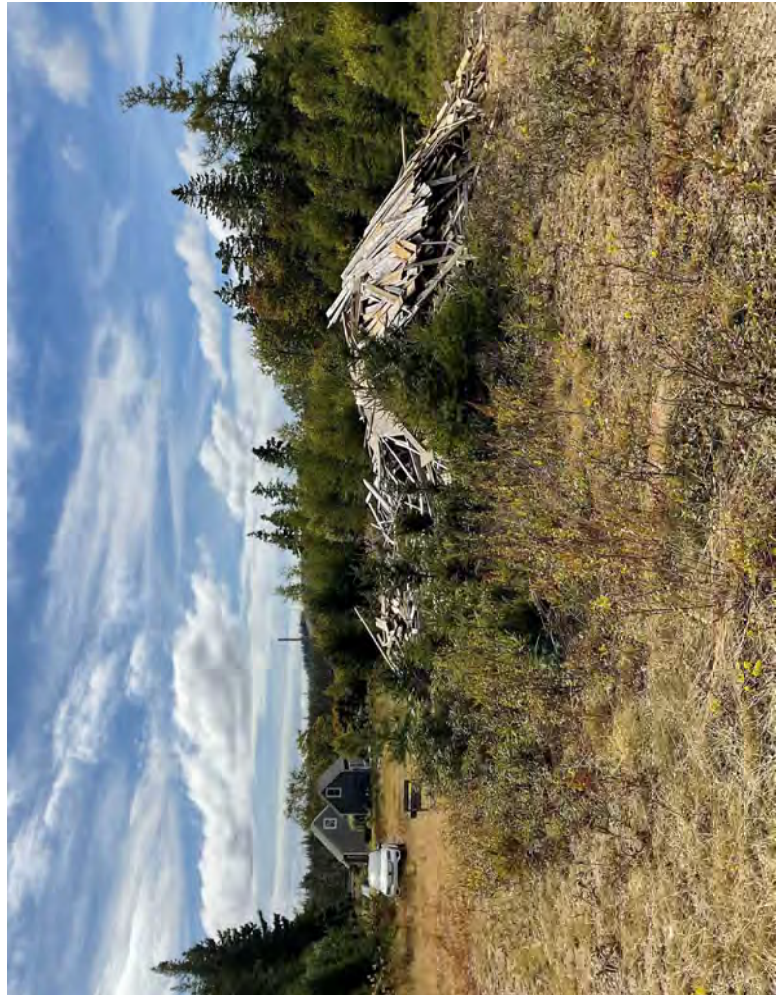
TAKE NOTICE that you may appeal this Order to the Dangerous and Unsightly Property Committee of the Municipality at 10 Allée Champlain Drive, Cookville, NS B4V 4G8, within seven (7) days after this Order is made.

IF YOU FAIL TO COMPLY with the requirements of this Order the administrator may enter upon the property without warrant or other legal process and carry out the work specified in this Order as per Section 348(3) of the *Municipal Government Act* and/or lay charges as per Section 348(4) of the *Municipal Government Act*.

DATED at Cookville, Nova Scotia, this 17th day of July, 2024.



Bruce Parks
Administrator



Council
Item #: 10.2
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg Planning & Development Services

September 26, 2024

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 September 26, 2024, made the following recommendation to Municipal Council:

“that Municipal Council approve the proposed alteration to the municipal heritage property of Christ Church, located at 455 Northfield Road, Maitland, by permitting the change in colour of the asphalt roof shingles on the structure”.

Respectfully submitted,

The Chair and Members
of the Heritage Advisory Committee

/jh

Attachment(s)

Council
Item #:10.2.1
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report To: Heritage Advisory Committee

Submitted By: Anna Giblin, Heritage Planner

Date: September 18, 2024

Re: Application to Alter a Municipal Heritage Property – Christ Church at 455

Northfield Road, Maitland, NS

Origin

Planning staff received a request for an exterior alteration to Christ Church in Maitland, a registered heritage property. The proposed exterior alteration is to replace one side of the roof of the church with a different colour of asphalt shingles.

Recommendation

Staff recommends the Heritage Advisory Committee consider making a positive recommendation to Council, permitting the proposed alteration as requested by the applicant.

Motion:

That the Heritage Advisory Committee recommends to Council to approve the proposed alteration to the municipal heritage property of Christ Church, located at 455 Northfield Road, Maitland, by permitting the change in colour of asphalt roof shingles on the structure.

Background

Following By-law 043 subsection 10 (1), planning staff received a letter on September 5, 2024, requesting an exterior alteration to Christ Church, a registered municipal heritage property, located at 455 Northfield Road in Maitland. The request, attached in Appendix A, is to replace

the asphalt roof shingles on the church with a different colour. The building currently has a green coloured asphalt-shingled roof that has faded overtime. The proposed colour of new asphalt shingles is grey/black. Although not stated in the letter of request, only half of the roof is to be replaced with the grey/black coloured asphalt shingles at this time.

Justification for alteration is that (1) the roof requires replacement, and (2) the existing roof shingle colour cannot be sourced.

Pursuant to Heritage Property Policy 027, subclause 5.1 (c), changing the colour scheme of the structure, is considered a **substantial alteration**. Therefore, this proposed alteration requires the review and approval of the Heritage Advisory Committee and Council.

On September 18, staff completed a site visit to photograph the church and noticed that the roof replacement work was already underway. The southeast facing side of the roof is in greater need of replacement, so this is the side that is being replaced. The reason for only a portion of the roof being replaced is due to lack of funding.

The question for the Advisory Committee is whether the proposed alteration adversely affects the heritage aspect of the buildings' exterior architecture, by replacing one side of the church's roof with grey/black shingles.

Discussion

Property and Heritage-Associated Details

Christ Church Anglican Church is situated on top of a high knoll on Northfield Road in Maitland and is one of the oldest churches in the Maitland area built in 1866. It is valued for not only its age, but also for its exterior board and batten construction style, ornate steeple, and a design that combines Gothic Revival with Greek Revival architectural details. Christ Church (PID # 60678208) was registered on January 23, 2001, as a Municipal Heritage Property. The reasons provided for heritage designation at that time were associated with the following:

Age: Constructed in 1866

Local Historical Significance: In the early years, the parish served a very broad region as far as New Germany and Northfield.

Architecture and Construction: Gothic Revival design and Greek Revival ornamentation. The church remains on its original foundation comprised of slabs of split granite. There have been several minor alterations which include electrical hook-up, the belfry and steeple additions, an entrance addition, as well as a choir room addition. These additions occurred prior to it being registered as a Municipal Heritage Property.

Character-defining elements that relate to its Gothic Revival architecture include:

- board and batten cladding (rare for churches in the area)
- wooden rake board and rake moulding with scribe strips
- asymmetrical floor plan
- cross-gabled roof
- lancet arch windows on faces with board and batten construction
- tower with wooden shingle construction
- steeple with wooden shingle construction with a band of ornamented shingles half way up the spire
- steeple with octagonal construction with four small gabled roofs in opposing pairs where steeple meets the tower and four small hip roofs in opposing pairs where steeple meets the tower
- post and beam construction
- finial Gothic cross at peak of steeple

Character-defining elements that relate to its Greek Revival architecture include:

- return eaves
- columns supporting a projecting cross-gabled entrance
- cornerboards designed as simple Greek Revival pilasters

Although the list of character-defining elements mentions roof features, such as the cross-gable roof, the tower covered with wooden shingles, and the steeple featuring wooden shingles with a band of decorative shingles, the colour of asphalt roof material has not been identified as a character-defining element.

At present, the roof has green asphalt shingles that match some of the other character-defining roof elements. However, as the colour of asphalt roof material is not a character-defining element, the primary concern should be replacing the roof to preserve the overall structure. Given that the age of the structure pre-dates the invention of asphalt shingles, the use of asphalt shingles is not original to the structure.

In the past, the steeple of Christ Church has undergone exterior repairs. However, as the steeple is a character-defining element, in that case, Council required that similar materials and colours be used to maintain the steeple's original architectural design.

While the church's cross-gabled roof is considered a character-defining element, changing the colour of the roofing material will not alter the roof shape or other roof elements. Staff's

opinion is that changing the shingle colour from green to grey/black will have minimal impact on the overall character defining-elements of the property.

Standards and Guidelines

The Heritage Advisory Committee has adopted the Standards and Guidelines for the Conservation of Historic Places in Canada and uses this document as a key guide for reviewing substantial alterations to municipally registered heritage properties. The guideline helps determine whether a project falls under Preservation, Rehabilitation, or Restoration.

Since the alteration involves replacing a deteriorated roof, the proposed work falls under rehabilitation treatment. The guideline states, rehabilitation involves the sensitive adaptation of a historic place or of an individual component for a continuing or compatible contemporary use, while protecting its heritage value. This is achieved through repairs, alterations and/or additions.

Consider Rehabilitation as the primary treatment when:

- (a) Repair or replacement of deteriorated features is necessary**
- (b) Alterations or additions to the historic place are planned for a new or continued use; and,
- (c) Depiction during a particular period in its history is not appropriate.

All projects must consider Standards 1 to 9. Rehabilitation projects must additionally consider standards 10 to 13 (Standards attached in Appendix B). These standards can help guide the committee in their decision. Notably, this proposal aligns with the following Standards:

Standard 7: Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.

Standard 8: Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

Standard 11: Conserve the heritage value and character-defining elements when creating any new additions to an historic place or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.

Conclusion

Staff recommends that the Heritage Advisory Committee consider making a positive recommendation to Council, permitting the proposed alteration of replacing one side of the roof with grey/black asphalt shingles.

Although changing the colour scheme of a structure is considered a substantial alteration, in this case, the colour of the roofing material is not considered a character-defining element. The church's cross-gabled roof, which is a character-defining element, will remain structurally unchanged by this alteration. If anything, this work will help preserve the structure along with its many other character-defining features.

While it would be most ideal to maintain the existing colour of asphalt shingle since it matches the existing colour scheme of the building, it is important that the roof be replaced with shingles that can be adequately sourced. Given that the existing roof is made with asphalt shingles, using the same material in a different colour is a practical option.



Image 1 Christ Church front view



Image 2 Christ Church side view (northwest)

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Anna Giblin, Heritage Planner
Report Approved by	Jeff Merrill, Director
Date Reviewed by C.A.O.	

Appendix A

CHRIST CHURCH

BLOCHOUSE, NS B0J 1E0

Jeff Merrill, Municipality of the District of Lunenburg
10 Allée Champlain Drive
Cookville, Nova Scotia B4V 9E4

RE – Shingles for roof of Christ Church

This is to advise as per conversation with Stuart Dauphinee -Warden from Christ Church that we need to replace the roof shingles on the church and are not able to obtain the replacement shingles in the color green the is currently on the roof and will need to use a different color of shingles.

If you have any questions please contact Stuart at [REDACTED]

Regards

Sharon Wade,

Board of Management Christ Church

Appendix B

THE STANDARDS

The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

General Standards for Preservation, Rehabilitation and Restoration

1. Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
4. Recognize each *historic place* as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
5. Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
6. Protect and, if necessary, stabilize an *historic place* until any subsequent *intervention* is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
7. Evaluate the existing condition of *character-defining elements* to determine the appropriate *intervention* needed. Use the gentlest means possible for any intervention. Respect *heritage value* when undertaking an intervention.
8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.

Additional Standards Relating to Rehabilitation

- 10.** Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
- 11.** Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12.** Create any new additions or related new construction so that the essential form and integrity of an *historic place* will not be impaired if the new work is removed in the future.

Additional Standards Relating to Restoration

- 13.** Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14.** Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

REVISED

Council
Item #: 11.1.1
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Council
Submitted by: Tom MacEwan, CEO
Date: October 8, 2024
Re: Sale of Baker Settlement Community Hall to Baker Settlement & District Community Hall Association

Recommendation

"that Municipal Council approve the sale of PID 60324258 to the Baker Settlement and District Community Hall Association for \$1.00, and direct the Mayor and Clerk to execute the Warranty Deed conveying the property".

Background

On July 28 2014, the Baker Settlement and District Community Hall Association entered into an agreement with Tri-District Fire/Rescue for the operation and management of the former Baker Settlement Fireman's Centre situate at 5092 Highway 325, Baker Settlement (PID 60324258) (the "Property").

The Agreement provided that the parties would work towards the ownership of the facility to be transferred from Tri-District Fire/Rescue to the Baker Settlement and District Community Hall Association.

The transfer of ownership was complicated by the fact that Tri-District Fire/Rescue is a federally registered charitable organization. The solution that was identified and acceptable to both parties was to have Tri-District Fire/Rescue transfer the Property to MODL (an eligible donee under federal regulations) and then MODL transfer the Property to Baker Settlement and District Community Hall Association.

The intention of the parties (Tri-District, Baker Settlement and District Community Hall Association, and MODL) was for MODL to take ownership of the Property for the sole purpose of conveying the Property to the Baker Settlement and District Community Hall Association.

Legislative Scheme

The MGA provides as follows:

- A Municipality may sell property for less than market value for any purpose that the Council considers to be beneficial to the municipality (s. 51(1));
- A resolution to sell property for less than market value shall be passed by at least a two thirds majority of the council present and voting (s. 51(2)); and
- Where council proposes to sell property valued at more than \$10,000 at less than market value, the council shall first hold a public hearing respecting the sale (s. 51(3)).

The MGA does provide Council with the authority to sell the Property to the Baker Settlement and District Community Hall Association at less than market value provided that the motion is passed by at least a 2/3 majority vote of the council present and voting.

As the property is valued at more than \$10,000, the MGA requires that a public hearing must be held respecting the sale before the matter is deliberated by Council.

Public Hearing

The Public Hearing regarding the sale of the property is being held in the Council Chambers on October 8, 2024 commencing at 8:30 a.m.

The property, identified as 5092 Highway 325, Baker Settlement (PID 60324258), is known as the Baker Settlement Community Hall.

For the purpose of the public hearing, the value of the Property is deemed to be the value that has been placed on the Property by PVSC which is \$104,300.

Please note that at the Council meeting held on Tuesday, September 24, 2024, the motion incorrectly referenced the assessed amount as being \$194,300 when, in fact, the assessed value of the Property is \$104,300.

The purpose of the sale is to achieve the desire of Tri-District Fire/Rescue and the Baker Settlement and District Community Hall Association to have the Property conveyed from Tri-District to Baker Settlement and District Community Hall Association for the nominal value of \$1.00.

Report Preparation	
Department	Administration
Report Prepared by	Tom MacEwan, CAO
Report Approved by	
Date Reviewed by C.A.O.	

On July 28, 2014, the Baker Settlement and District Community Hall Association entered into an agreement with Tri-District Fire/Rescue for the operation and management of the former Baker Settlement Fireman's Centre.

The Agreement provided that the parties would work towards the ownership of the facility to be transferred from Tri-District Fire/Rescue to the Baker Settlement and District Community Hall Association.

The transfer of ownership was complicated by the fact that Tri-District Fire/Rescue is a federally registered charitable organization. The solution that was identified and acceptable to both parties was to have Tri-District Fire/Rescue transfer the property to MODL (an eligible donee under federal regulations) and then MODL transfer the property to Baker Settlement and District Community Hall Association.

The Baker Settlement and District Community Hall Association has been working towards the transfer of ownership of the property for over a decade and strongly supports the conveyance of the property from MODL to the Baker Settlement and District Community Hall Association.

Murray Legge



Sept 25, 2024

Vice President, Baker Settlement and District Community Hall Association



Sawpit Wharf Park Community Plan

October 2024

Final Concept Report

Project Timeline

- **Project Initiated** **March 2024**
- **Background Review** **April 2024**
 - *MODL Planning & Policy Documents*
- **Site Visit & Walkthrough** **April 2024**
- **Community Engagement** **April 2024**
 - *Online engagement*
 - *Key stakeholder meetings*
 - *Public workshop*
- **Preliminary Concept Report** **September 2024**
- **Final Concept Report** **October 2024**



Public Workshop
April 23, 2024

Guiding Principles



Improve accessibility & inclusion

- Improve pedestrian accessibility across the site
- Address challenges with parking & vehicle access



Incorporate existing park features

- Maintain & expand upon water access
- Improve challenges associated with accessing the water



Expand on park amenities

- Improve overall sense of arrival
- Provide a dedicated washroom building
- Introduce new programming elements



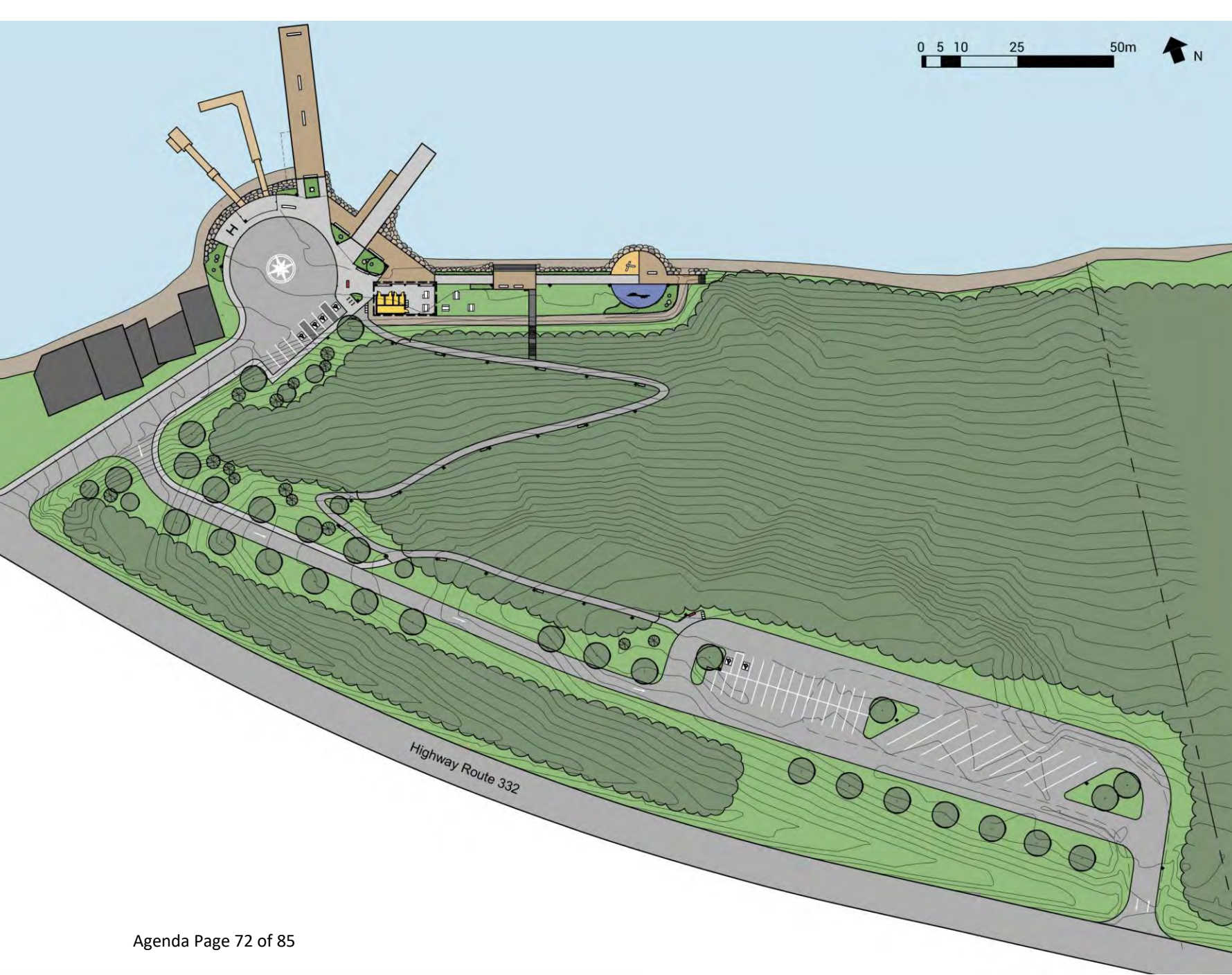
Protect & preserve existing vegetation

- Ensure new development does not detract from the parklike setting



Climate change adaptation

- Consider sea level rise & storm surge events in the park planning



Sawpit Wharf Park
Preliminary Concept Plan
Option 1



Sawpit Wharf Park
Preliminary Concept Plan
Option 2



Sawpit Wharf Park
Preliminary Concept Plan
Option 3 (SWP Advisory
Committee Feedback)



Sawpit Wharf Park

Preliminary Concept Plan
Option 3 (SWP Advisory
Committee Feedback)

Preferred Option with Council Direction to:

- Increase the green space buffer between the waterfront park & lower parking area
- Add the switchback trail to the upper parking area



See Enlargement

Sawpit Wharf Park

Overall Concept Plan

Legend

- 1** New Gravel Connection to Upper Parking Area
- 2** Existing Vegetation to Remain
- 3** Asphalt Trail Connection (+/-8%)
- 4** Secondary Accessible Parking
- 5** Back Harbour Lookout
- 6** Expanded Gravel Trailer Parking Area

Sawpit Wharf Park

Concept Plan Enlargement

Legend

- 1** Accessible Boat Launch
- 2** Expanded Floating Wharf
- 3** Existing Wharf
- 4** Benches
- 5** Small Craft Lockup Area
- 6** Temporary Unloading Area
- 7** Asphalt Turnaround
- 8** Marginal Wharf
- 9** Reconfigured Boat Launch
- 10** Pedestrian Plaza
- 11** Accessible Washroom
- 12** Building & Canopy
- 13** Steps Down to Beach
- 14** Waterfront Lookout
- 15** Signature Bird's Nest Swing
- 16** Asphalt Trail Connection (8%)
- 17** Parking Area (31 spaces)





Example Building with Integrated Canopy



EZ Dock Accessible Boat Launch or Similar



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Example Waterfront Park



Implementation

Phase 1 – Shoreline Enhancement

Item	Quantity	Unit	Unit Rate	Cost	Comments
Site Preparation	1	l.s.	\$15,000	\$15,000	Includes rough grading
Earthwork	1	l.s.	\$40,000	\$40,000	
Building w/ Canopy	125	m ²	\$3,200	\$400,000	Includes associated mechanical and electrical
Building Servicing	1	l.s.	\$50,000	\$50,000	
Armour Stone	400	m ³	\$150	\$60,000	
Marginal Wharf	1	l.s.	\$40,000	\$40,000	
Boat Launch Reconfiguration	1	l.s.	\$30,000	\$30,000	
Extend Floating Dock	1	l.s.	\$30,000	\$30,000	
Kayak/Canoe Launch including ramps, crib, and floating dock	1	l.s.	\$75,000	\$75,000	
Wood Decking	325	m ²	\$300	\$97,500	Includes timber sleepers
Beach Access Stairs including handrails	1	l.s.	\$20,500	\$20,500	Stone or Concrete
Stormwater Infrastructure	1	l.s.	\$16,000	\$16,000	catch basin(s) and leads
Concrete Walkways	523	m ²	\$235	\$122,905	With granular base; Reinforced concrete
Concrete Sidewalk Connection to Highway	1	l.s.	\$45,000	\$45,000	Includes granular base, curb, ditching and culverts
Concrete Curb and Gutter	62	m	\$160	\$9,920	Precast curbs
Asphalt Access Road & Turn Around	1242	m ²	\$135	\$167,670	Includes granular base materials
Traffic Paint	1	l.s.	\$2,500	\$2,500	Includes Compass Pattern
Play Area Surfacing	35	m ²	\$60	\$2,100	
Play Area Rubber	70	m ²	\$400	\$28,000	
Play Area Equipment	1	l.s.	\$8,000	\$8,000	
Info Kiosk	1	l.s.	\$4,000	\$4,000	
Bollards	28	each	\$350	\$9,800	Round wood or metal posts
New Service Pole	1	l.s.	\$5,000	\$5,000	
Miscellaneous Electrical	1	l.s.	\$10,000	\$10,000	Receptacles, etc.
Solar Pole Lights	11	each	\$3,000	\$33,000	Mount on wood posts
Topsoil and Sod	900	m ²	\$28	\$25,200	
Landscape Boulders	10	each	\$150	\$1,500	
Planting Areas	250	m ²	\$150	\$37,500	Shrubs, perennials, planting soil and mulch
Trees - Large	3	each	\$1,100	\$3,300	Includes planting soil, mulch, and staking
Bike Rack	1	each	\$1,800	\$1,800	
2.4m Benches	3	each	\$2,400	\$7,200	
Custom Benches	10	each	\$3,500	\$35,000	Heavy timber
Picnic Tables	5	each	\$3,000	\$15,000	
Garbage/Recycling Receptacle(s)	3	each	\$3,500	\$10,500	
Directional signs	1	each	\$600	\$600	
Parking/traffic signs	5	each	\$500	\$2,500	
Kayak/canoe rack	1	each	\$1,500	\$1,500	
Miscellaneous Landscape	1	l.s.	\$7,500	\$7,500	
Miscellaneous Improvements to Timber Wharf	1	l.s.	\$7,500	\$7,500	
			Total	\$1,478,495	
			General Requirements and Allowances (20%)	\$295,699	Mobilization, fees, overhead, profit, etc.
			Total Construction Amount	\$1,774,194	GST not included

Costing Notes

- General Requirements include soft costs not associated with physical construction such as permitting, site trailers, miscellaneous utilities, administrative costs, etc.
- Costing is based on experience on similar projects and professional judgment only. Limited site information was available at the time of costing.
- Costing should be used for general guidance only and cannot be guaranteed as to accuracy.
- Costing does not include GST.
- A construction contingency has not been included but is recommended.
- Costs will likely change as more information becomes available. A refined cost estimate should be completed during design development when components are more clearly defined.
- Costs are provided for the year 2024 and should be escalated at a rate of 3-4% each year to account for inflation and market conditions.

Implementation

Phase 2 – Lower Parking Area

Item	Quantity	Unit	Unit Rate	Cost	Comments
Site Preparation	1	l.s.	\$15,000	\$15,000	Includes clearing, grubbing, and rough grading
Earthwork	1	l.s.	\$230,000	\$230,000	Excavation; Does not include rock removal if encountered
Concrete Walkways	170	m ²	\$220	\$37,400	With granular base
Concrete Curb	112	m	\$130	\$14,560	With granular base
Concrete Stairs and Walkway Connection	1	l.s.	\$16,850	\$16,850	Includes handrails
Asphalt Surface	1250	m ²	\$135	\$168,750	Includes granular base materials
Rock Swale Stormwater Drainage Feature	1	l.s.	\$62,000	\$62,000	Includes pipe to catch basin
Traffic Paint	1	l.s.	\$2,000	\$2,000	
Solar Pole Lights	7	each	\$3,000	\$21,000	Mount on wood posts
Topsoil and Sod	625	m ²	\$28	\$17,500	
Topsoil and seed	2225	m ²	\$15	\$33,375	Naturalization areas
Trees - Large	18	each	\$1,100	\$19,800	Includes planting soil, mulch, and staking
Trees - Small	40	each	\$300	\$12,000	Naturalization areas
Parking/traffic signs	5	each	\$500	\$2,500	
Total				\$652,735	
General Requirements and Allowances (20%)				\$130,547	Mobilization, fees, overhead, profit, etc.
Total Construction Amount				\$783,282	GST not included

Phase 3 – Upper Parking Area

Item	Quantity	Unit	Unit Rate	Cost	Comments
Site Preparation	1	l.s.	\$15,000	\$15,000	Includes clearing, grubbing
Earthwork - Access Road and Expanding Parking Lot	1	l.s.	\$60,000	\$60,000	Excavation; Does not include rock removal if encountered
Gravel Parking Lot	2315	m ²	\$15	\$34,725	Includes widening existing parking area
Gravel Access Drive	845	m ²	\$35	\$29,575	One-way access
Asphalt Walkway from Access Road to Gravel Parking Lot	355	m ²	\$135	\$47,925	Includes granular base materials
Stormwater Infrastructure	1	l.s.	\$10,000	\$10,000	Assumes surface runoff into swale
Topsoil and Sod - Upper Parking Lot & Along Access (1.5m Either Side)	500	m ²	\$28	\$14,000	
Topsoil and Seed	2700	m ²	\$15	\$40,500	
Trees - Large	20	each	\$1,100	\$22,000	Includes planting soil, mulch, and staking
Trees - Small	20	each	\$300	\$6,000	Naturalization areas
Parking/traffic signs- Upper Parking Lot	5	each	\$500	\$2,500	
Upper Parking Lot Lighting	4	each	\$8,500	\$34,000	
Directional Signs	1	each	\$600	\$600	
Total				\$316,825	
General Requirements and Allowances (20%)				\$63,365	Mobilization, fees, overhead, profit, etc.
Total Construction Amount				\$380,190	GST not included

Costing Notes

- General Requirements include soft costs not associated with physical construction such as permitting, site trailers, miscellaneous utilities, administrative costs, etc.
- Costing is based on experience on similar projects and professional judgment only. Limited site information was available at the time of costing.
- Costing should be used for general guidance only and cannot be guaranteed as to accuracy.
- Costing does not include GST.
- A construction contingency has not been included but is recommended.
- Costs will likely change as more information becomes available. A refined cost estimate should be completed during design development when components are more clearly defined.
- Costs are provided for the year 2024 and should be escalated at a rate of 3-4% each year to account for inflation and market conditions.

Implementation

Phase 4 – Accessible Switchback Trail Connection

Item	Quantity	Unit	Unit Rate	Cost	Comments
Site Preparation	1	l.s.	\$6,500	\$6,500	
Earthwork	1	l.s.	\$50,000	\$50,000	Rough grading; Does not include rock removal if encountered
Accessible Asphalt Walkway	285	m ²	\$135	\$38,475	Includes granular base materials
Solar Pole Lights	21	each	\$2,500	\$52,500	
1.8m Benches	9	each	\$1,800	\$16,200	
Continuous Handrail	175	m	\$300	\$52,500	Wood posts and aluminum rail
Topsoil and Seed	1240	m ²	\$15	\$18,600	
Trees - Small	10	each	\$300	\$3,000	Naturalization areas
			Total	\$237,775	
			General Requirements and Allowances (20%)	\$47,555	Mobilization, fees, overhead, profit, etc.
			Total Construction Amount	\$285,330	GST not included

Costing Notes

- General Requirements include soft costs not associated with physical construction such as permitting, site trailers, miscellaneous utilities, administrative costs, etc.
- Costing is based on experience on similar projects and professional judgment only. Limited site information was available at the time of costing.
- Costing should be used for general guidance only and cannot be guaranteed as to accuracy.
- Costing does not include GST.
- A construction contingency has not been included but is recommended.
- Costs will likely change as more information becomes available. A refined cost estimate should be completed during design development when components are more clearly defined.
- Costs are provided for the year 2024 and should be escalated at a rate of 3-4% each year to account for inflation and market conditions.

Implementation

Phase 1 – Shoreline Enhancement	\$1,774,194
Phase 2 – Lower Parking Area	\$783,282
Phase 3 – Upper Parking Area	\$380,190
Phase 4 – Accessible Switchback Trail Connection	\$285,330
Total Implementation Costs	\$3,222,996



Discussion



Sawpit Wharf Park Community Plan

October 2024

Final Concept Report

Council
Item #: 11.2.2
Date: October 8, 2024
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Request for Decisions

Report To: Municipality of the District of Lunenburg Council
Submitted By: Trudy Payne, Director of Recreation, Parks & Tourism
Date: October 01, 2024
Re: Designated Community Fund Project
Lunenburg Yacht Club

Recommended Motion

That the Municipality of the District of Lunenburg grant the Lunenburg Yacht Club \$8,985.00 as per the criteria outlined in the Designated Community Project Fund Policy – MDL-48.

Background

Lunenburg Yacht Club is raising \$65,000 in capital funds to rebuild the clubhouse deck for the hosting of the 2024 Mobility Cup. Recently, there were three donations totalling \$9,000.00. The amount of \$8,985.00 is being recommended as \$15.00 (\$5.00 per contribution) will be retained by MODL for administrative charges as per Policy MDL-48.

Budget Implications

There would be no implications to the budget.

Alternatives

The alternative would be to not issue the Lunenburg Yacht Club this grant.

Conclusion

The Designated Community Project Fund was developed and approved by MODL to aid non-profit groups in raising capital funds for projects.

Report Preparation	
Department	Recreation, Parks & Tourism
Report Prepared by	Trudy Payne, Director of Recreation, Parks & Tourism
Report Approved by	
Date Reviewed by C.A.O.	