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A Public Hearing is scheduled to begin at 5:30 p.m. regarding the proposed Cluster Development Regulations.

Municipal Council Meeting Agenda

Tuesday, May 13, 2025 – 6:00 p.m.

MODL Council Chambers – 10 Allée Champlain Drive, Cookville

- 1. Call to Order**
 - 1.1 Mi'kma'ki Territorial Acknowledgement
- 2. Announcements, Acknowledgements, Recognition**
 - 2.1 Proclamation – International Day Against Homophobia, Biphobia, and Transphobia ... 1
- 3. Public Input (15 Minutes)**
- 4. Changes/Approval of Agenda (as circulated)**
- 5. Approval of Minutes - April 22, 2025**
- 6. Business Arising from Minutes**
- 7. Awarding of Tenders/RFPs**
 - 7.1 Award of Tender #2024-01-006 Municipal Services Building Property Maintenance Services 2-4
 - 7.2 Award of Capital Project – Supply and Installation of Accessible Kayak Launch and Dock System..... 5-7
- 8. Presentations/Scheduled Times - Nil**
- 9. Consideration of Correspondence - Nil**
- 10. Recommendations from Committees & Boards**
 - 10.1 Finance Committee** **8**
 - 10.1.1 Community Recreation Capital Grant – Additional Funding Request 9-11
 - 10.1.2 Annual Operating & Major Recreation Capital Grants 12-37
 - 10.1.3 Funding Support to Friends of Crescent Beach 38-46
 - 10.2 Nominating Committee**
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12.	Mayor’s/Deputy Mayor’s/Councillors’ Matters	
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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	Personnel Matter under Section 22(2)(c) of the MGA	
15.	Adjournment	

Council
Item #2.1
Date: May 13, 2025
Authorization: T. MacEwan



Proclamation

International Day Against Homophobia, Biphobia, and Transphobia

A proclamation in support of the Municipality of the District of Lunenburg recognizing and advocating for the International Day Against Homophobia, Biphobia, and Transphobia.

Whereas, Saturday, May 17, 2025, is the 22st annual day against homophobia, biphobia, and transphobia. This day is recognized for creating more visibility, understanding, and eradicating hatred and violence against people of the 2SLGBTQ+ community.

Whereas, our municipality strives to promote protection for all groups in the community and to end oppression and phobias against lesbian, gay, bisexual, transgender and queer people.

Whereas, this day is to recognize the commitment our community has made to actively promote inclusivity initiatives and anti-homophobia, biphobia and transphobia within our municipality.

Whereas, today we celebrate and lift the 2SLGBTQ+ community in Lunenburg County and maintain our ongoing commitment to fight systems of oppression that impact them.

Therefore, be it resolved that I, Mayor Elspeth McLean-Wile, on behalf of the Municipality of the District of Lunenburg, do hereby proclaim May 17, 2025 as "International Day Against Homophobia, Biphobia, and Transphobia".

May 13, 2025

Mayor Elspeth McLean-Wile

Council
Item #7.1
Date: May 13, 2015
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Council

Submitted by: Jamie Burgess P.Eng., Senior Municipal Engineer
Tyler Richardson P.Eng., Municipal Engineer

Date: May 13, 2025

Re: Award of Tender 2024-01-006 Municipal Services Building Property
Maintenance Services

Recommendation

That Council authorize staff to award Tender 2024-01-006 Municipal Services Building Property Maintenance Services to William A. Gerhardt Property Improvement in the amount of \$58,457.07, excluding HST.

Executive summary

N/A

Background

The Tender was issued on March 27, 2025 and closed on April 10, 2025 at 2:00pm local time. Four (4) bids were received by the Tender deadline. Two (2) received bids did not meet the mandatory requirements and were disqualified. This Tender will provide lawn maintenance services, such as mowing, pruning, and lawn care, for the Municipal Services Building. The received and accepted bids are summarized in the table below:

Contractor	Met All Submission Requirements?	Total Estimated Price (excl. HST) over 3 years
William A. Gerhardt Property Improvement	Yes	\$58,457.07
Nature's Reflections Landscaping Ltd.	Yes	\$99,480.00

Discussion

William A. Gerhardts Property Improvement has been awarded this Contract before and has provided quality service with good response times for the duration of the Contract.

Strategic Focus

N/A

Budget/Financial Implications

Allowance for the cost of this Tender has been included in the Operating Budget.

Climate Change/Sustainability

N/A

Inclusion Diversity Equity and Accessibility (IDEA@MODL)

N/A

Strategic Communications

N/A

Work plan

The Engineering and Public Works Department at MODL strives to maintain Municipal spaces to ensure aesthetics and safety of all turfed areas. Awarding this tender will provide property maintenance for the grounds at the Municipal Services Building.

Alternatives

Council could decide not to award this Tender to William A. Gerhardt Property Improvement and award to Nature’s Reflections Landscaping Ltd. If this decision was made it would cause greater cost to the Municipality.

Conclusion

The Municipal Services Building requires maintenance on the exterior grounds during the spring, summer, and fall months. Awarding of this Tender will ensure the turf, trees, and shrubs are properly maintained and the grounds are kept neat and free of tall grass, tree limbs, etc.

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

Council
Item #7.2
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Council

Submitted by: Maria Butts, Project Manager

Date: May 13, 2025

Re: Award of Capital Project - Supply and Installation of an Accessible Kayak Launch and Dock System at Miller Point Peace Park

Recommendation

That Council authorize staff to award the contract to Eagle Beach Contractors Limited for the supply and installation of an EZ Docks accessible kayak launch and dock system at Miller Point Peace Park in the amount of \$88,433.00, excluding HST.

Executive summary

N/A

Background

Miller Point Peace Park is one of the most visited MODL spaces with a high potential for accessibility. The park was included in the accessibility audits completed in 2024. The purpose of the audits was to understand existing conditions and find opportunities to reduce barriers and create accessible features to enhance the user experience. One method to improve accessibility of Miller Point Peace Park is to increase activities within the site. Paddling is one interest that has come up in our resident surveys about recreation. For paddlers with disabilities, paddling offers rehabilitation and socialization.

Currently, MODL does not have an accessible kayak/canoe launch in any of our parklands.

The new accessible launch will be located near accessible paths, and next to a large gravel and flat parking lot within the park. The design for the launch is the EZ Docks system which are located in other Nova Scotia parks. First in industry, the EZ Launch® Accessible Transfer System for kayaks and canoes provides safe access to water for paddlers of all abilities. The system exceeds the minimum requirements of the Americans with Disabilities Act (ADA).

Discussion

A detailed quotation for the supply and installation of the accessible kayak launch and dock system was obtained through the public procurement process using Canoe Procurement Group of Canada of which MODL is a member. EZ Docks launch system is a piece of specialized equipment, and is the product identified for use at Miller Point Peace Park. Through Canoe, EZ Docks provided a quotation from the local installer and distributor in Nova Scotia, Eagle Beach Contractors Limited. The project includes the installation of a reinforced concrete pad, 100' of aluminum post dock system with composite decking and railing, accessible launch, curbing, transfer bench and signage.

Strategic Focus

The addition of an accessible kayak launch at Miller Point Peace Park aligns with Council's Strategic Priority of Quality of Life, Affordability and Social Inclusion.

Budget/Financial Implications

Allowance for the cost of this project, among others within Miller Point Peace Park, has been included in the Capital Budget with allocated funding of \$478,000.

Climate Change/Sustainability

N/A

Inclusion Diversity equity and Accessibility (IDEA@MODL)

MODL is committed to making our community more inclusive, diverse, equitable and accessible (IDEA). The addition of an accessible kayak launch and dock system in MODL will increase access to high quality public services for all users. The second component of the Miller Point Peace project in the Capital Budget will see the construction of an accessible trail system in the park which will connect directly to the new EZ dock launch system.

Strategic Communications

N/A

Work Plan

Supporting the delivery of Recreation Capital Projects is a component of the Engineering & Public Works Department’s work plan.

Alternatives

Cancel the project and not proceed with the installation of an accessible kayak launch at Miller Point Peace Park.

Conclusion

Awarding the contract for the supply and installation of an accessible kayak launch system to Eagle Beach Contractors Limited will enable MODL to enhance services at Miller Point Peace Park by providing a new accessible amenity to the public.

Report Preparation	
Department	Engineering and Public Works
Report Prepared by	Maria Butts, PMP
Report Approved by	Project Management Committee – Recreation Capital Projects
Date Reviewed by C.A.O.	



Council
Item #10.1
Date: May 13, 2025
Authorization: T. MacEwan

Memorandum

To: Mayor Elspeth McLean-Wile, and Councillors

From: Chairperson & Members of the Finance Committee

Date: May 6, 2025

Re: Recommendations of the Finance Committee

The Finance Committee, in session on Tuesday, May 6, 2025, made the following recommendation(s) to Council:

1. That Municipal Council provide up to \$20,000 in additional funding to the Community Recreation Capital Grant Program for the 2025-2026 fiscal year, and further that it come from the general operating reserves.
2. That Municipal Council approve the applications for the 2025-2026 Annual Operating Grant Program in the amount of \$99,701 as presented.
3. That Municipal Council approve the applications for the 2025-2026 Major Recreation Capital Grant Program in the amount of \$52,359 as presented, and further that the South Shore Multi-Cultural Society application being contingent on securing storage space.
4. That Municipal Council provide \$20,000, to support a feasibility and options study regarding climate risk mitigation to the Friends of Crescent Beach (FOCB), with the funds coming from the Open Space and Sustainability operating reserves; and further, that municipal funding is contingent on FOCB receiving a grant from the provincial Sustainable Communities Challenge Fund.

Respectfully submitted,

Chairperson and Members
Finance Committee
/jgp

Council
Item #10.1.1
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Finance Committee
Item #: 9.1.2
Date: May 6, 2025
Authorization: Elana Wentzell

Report to: Finance Committee
Submitted by: Trudy Payne, Director of Recreation, Parks and Tourism
Date: May 6, 2025
Re: Additional Funding Request – Community Recreation Capital Grant

Recommendation

That the Finance Committee recommend Municipal Council provide up to \$20,000 to the Community Recreation Capital Grant program for the 2025-2026 fiscal year to come from the general operating reserves.

Executive summary

The amount budgeted for the Community Recreation Capital Grant in the 2025-2026 operating budget is \$24,000. Typically, \$20,000 is budgeted each year for this grant category with the additional funding to accommodate groups who have asked for a carryover as they could not complete their capital project within the same fiscal year. This fiscal year only \$750.00 is needed to accommodate the carryovers, leaving \$23,250. To date \$21,100 in grants have been approved for the 2025-2026 fiscal year. This leaves only \$2,150 left in this grant category to award, and we are only one month into the fiscal year. Two applications are waiting to be approved which will bring the amount remaining to zero. Last year was the first year that the funds were depleted by February. In other years \$20,000 was sufficient to accommodate the grant requests.

In assessing the increase in demand for the community recreation capital grant two possible reasons come to mind. They are:

1. The annual grant workshop (held the last three years) has attracted 60+ participants each year and thus, organizations have become more aware of the grant programs MODL has to offer.
2. The grant policy was updated on January 10, 2023, in which groups can now apply annually for the community recreation capital grant as opposed to waiting for 24 months to pass. Also, the amount they could request went up from \$1,000 to \$2,000.

Discussion

The discussion before Council is whether to provide additional funding through the operating reserves for the community recreation capital grant program. Funds for this grant category will soon be depleted, and we are only one month into the fiscal year. Staff would only utilize up to the \$20,000 based on requests and eligibility of applicants. If all the additional funds were not used, they would be returned to the general operating reserves at the end of the fiscal year. If Council supports contributing an additional \$20,000 this would not impact the surplus predicted at \$120,600 but would utilize \$20,000 in this reserve not originally budgeted in the 2025-2026 budget. The forecasted amount at the end of March 2025 is \$12.2 million for the general operating reserves.

Strategic Focus

This initiative supports two of Council's five strategic priorities: Quality of Life in that this grant program supports non-profit community groups offering programs and services which foster social inclusion. The other strategic priority is Communication and Engagement as MODL's grant program application process enables many community groups to engage directly with the Recreation, Parks and Tourism Department staff, building relationships and the funding certainly helps to build a strong community fabric. Community groups are vital to build social connections and providing support and services many of our residents need, often addressing affordability concerns.

Budget/Financial Implications

The budget implication would be transferring up to \$20,000 from the general operating reserve to the community recreation capital grant program. If utilized fully in 2025-2026 this would impact the reserve by \$20,000. At the end of March 2025, the general operating reserves are forecasted to have \$12.2 million.

Climate Change/sustainability

N/A

Inclusion Diversity equity and Accessibility (IDEA@MODL)

Some of the projects approved could enable community groups to provide facilities and programs that are more inclusive and accessible.

Strategic Communications

Each year the Municipality must publish the grants it has awarded. Any funds granted to groups from the additional \$20,000 would be advertised and made public annually following MODL's policy.

Work plan

Managing and administering the grant program is part of the department's responsibilities.

Alternatives

1. To not approve the additional \$20,000 requested recognizing the funds will be depleted for the 2025-2026 fiscal year.
2. To award a different amount than the \$20,000 recommended by staff.

Conclusion

Providing grant funding to non-profit community groups is an investment in our communities and the many programs, services and facilities they provide. They do contribute to the quality of life in MODL, often helping to address the many social issues members of our communities' face and play a vital role in bringing community members together.

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

Council
Item #10.1.2
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg Request for Decision

Finance Committee
Item #: 9.1.3
Date: May 6, 2025
Authorization: Elana Wentzell

Report to: Municipal Finance Committee
Submitted by: Trudy Payne, Director of Recreation, Parks & Tourism
Date: May 6, 2025
Re: Annual Operating and Major Recreation Capital Grants

Recommendations

That Council for the Municipality of the District of Lunenburg approve the applications for the 2025-2026 Annual Operating Grant program in the amount of \$99,701 as presented.

That Council for the Municipality of the District of Lunenburg approve the applications for the 2025-2026 Major Recreation Capital Grant program in the amount of \$52,359 as presented with the funds approved for the South Shore Multi-Cultural Society being contingent on securing storage space.

Executive summary

N/A

Background

Each year the Municipality of the District of Lunenburg offers an Annual Operating Grant (AO) and Major Recreation Capital Grant (MRC) program to its non-profit groups to support the many volunteers and volunteer groups that make our communities better places to live, work and play.

This year, the Municipality of the District of Lunenburg received 43 applications by the deadline of March 1st, totaling \$172,363 for Annual Operating Grants, seeing a decline from last year’s request. In 2024-2025 the Municipality received 51 applications totalling \$200,520.60 in requests. A total of 8 applications in the amount of \$84,458 in requests for Major Recreation Capital grants were received. Last year 14 applications were received, totalling a request of \$193,516.86. This year’s applications include requests from 4 new organizations for assistance with annual operating expenses compared to 14 new groups last year.

As with every year, there were more requests than funds available. This year’s requests total \$258,321. The 2025/26 budget for contingency grants (a combined account to provide funding for both Annual Operating Grant and Major Recreation Capital Grant requests) is \$156,744, after paying carried over grants from 2024-2025 fiscal year.

Discussion

The applications were reviewed based on criteria and the budget available. After using the criteria, for most groups an additional % was subtracted to arrive at the \$152,060 staff are recommending be awarded. In most cases, an additional 20% for those groups in MODL, 25% for regional groups and 30% for those outside MODL was deducted. If the funds are approved, it will leave \$4,684 to possibly fund any late applications. One late application has been received with two other groups inquiring at the time of this report being written.

GRANT SUMMARY	Requested 2025-26	Recommendation (Budget \$156,744)
Annual Operating	\$172,363.00	\$99,701.00
Major Rec. Capital	\$84,458.00	\$52,359.00
Late Applications	\$1,500.00	No recommendation at this time
TOTALS	\$258,321.00	\$152,060.00
REMAINING BUDGET		\$4,684.00

Please see the attached spreadsheet for details of applications and the recommended awards.

Strategic Focus

Supporting community groups improves Quality of Life for our residents, and many times these groups create opportunities for social interaction, therefore reducing social exclusion.

Budget/Financial Implications

No budget implication; this amount is included in the Recreation, Parks & Tourism operating budget for 2025-26, and the recommendations do not exceed the budgeted amount.

Climate Change/sustainability

N/A

Inclusion Diversity equity and Accessibility (IDEA@MODL)

Many of the community groups we recommended to fund, provide facilities and programs that foster inclusion and accessibility in our district on many different levels.

Strategic Communications

N/A

Work plan

Managing and administering the grant program is part of the department’s responsibilities.

Alternatives

Council may opt to change the recommended amounts suggested by Staff.

Conclusion

Providing grant funding to non-profit community groups is an investment in our communities and the many programs, services and facilities they provide. They do contribute to the quality of life in MODL, often helping to address the many social issues members of our communities’ face and play a vital role in bringing community members together. The following pages provide more information on the organizations.

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.	

Annual Operating Grants

Organizational Overview

Barss Corner Community Hall Association – Registered in District of Lunenburg

This community hall has been a community space since 1958 and is 100% volunteer supported. The hall relies on fundraising, donations and rentals as its main means of support.

Operational expenses include supplies, bank fees, insurance, utilities, oil, repairs and maintenance. Revenue sources include rentals, donations, grants, and fundraising.

2025-2026: Amount Requested \$5,000, recommended amount \$3,460.

Bridgewater Barracudas Swim Club – Registered in Town of Bridgewater

The Club promotes and develops competitive swimming for the youth of Bridgewater and surrounding areas during the summer months. The Club has existed since 1972 and, except for coaches, operates entirely on volunteers.

Operational expenses include advertising, promotions, closing ceremonies, dues and fees, rental at the LCLC and TOB outdoor pool, meet expenses, and payroll for coaches. Revenue sources include grants, meet revenue, registration, sponsorship, fundraising and selling team merchandise.

2025-2026: Amount requested \$3,250, recommended amount \$1,524.

Bridgewater Sports and Cultural Association – Registered in Lunenburg County

The Association was formed in January 2024 to oversee and assist four established groups/teams in Lunenburg County: The Lunenburg Cricket Club, the South Shore Malayalis Cultural Group, the Lunenburg FC Soccer Team, and the Bluenose Giants Tug of War Team. Their mandate is to enhance the quality of life for community members by providing opportunities for physical activity, cultural engagement, and social interaction.

The Association provides opportunities for newcomers, people of diverse cultural backgrounds and the broader community to come together through sports, recreation, and cultural

activities. This benefits the community by helping newcomers settle and integrate and by providing Lunenburg County residents with new sports, recreational and cultural opportunities. Operational expenses include travel, administrative expenses, sports equipment, advertising and promotions, insurance, professional fees for performers, and venue rentals. Revenues include fundraising, donations, grants, and corporate funding.

2025- 2026: Amount Requested \$5,000, recommended amount \$3,375.

Broad Cove Community Centre – Registered in District of Lunenburg

The community hall's mandate is to provide facilities for the residents and various organizations of the community of Broad Cove, and for other people or organizations who may wish to rent the facilities. Their mandate is also to protect and preserve Broad Cove beach and adjacent lands in their natural state for the enjoyment of residents of Broad Cove and any such persons that share this objective.

Operational expenses include advertising, supplies, insurance, bank fees, utilities, repairs and maintenance. Revenue sources include membership fees, fundraising, donations, cash on hand, rentals, and grants.

2025-2026: Amount requested \$5,000, recommending \$3,600.

Chester Brass Band Society – Registered in Municipality of the District of Chester

The Band was founded in 1873, and they are observing their 152nd year in 2025. The purpose of the Society is to contribute to the Nova Scotian quality of life, with particular emphasis on Chester Area residents, by providing the public an opportunity to learn about and enjoy music in the brass band tradition. Members come from all over, including the District of Lunenburg. They perform with other municipal ensembles, with vocalists and instrumental soloists of distinction. The Band performs in concert halls, theatres, schools, churches, parks, for charitable organizations and other community activities including concerts for public observances, holidays, and community events. The Band collaborates with Legions, schools, and churches throughout the District of Lunenburg and with musical organizations such as the Studio Singers and the Seaside A Capella.

Operational expenses include administrative expenses, insurance, professional fees, utilities and repairs and maintenance of the Chester Brass Band building. Revenue sources include donations, cash on hand and grants.

2025-2026: Amount Requested \$800, recommended amount \$420.

Coastal Action – Registered in the Town of Mahone Bay

Coastal Action is seeking financial support to support their water quality monitoring component of the LaHave River Watershed Project. Project initiatives include monthly water quality monitoring, aquatic connectivity assessments in the Main River and West Branch sub-watersheds, fish habitat restoration work in the Main River and West Branch sub-watersheds, community outreach and education initiatives.

Operational expenses include salaries, field supplies and materials, lab fees, travel, office and meeting space, rent, communications, insurance, and office equipment. Revenue sources include funding from the Atlantic Salmon Conservation Foundation, NSA Adopt-A-Stream, Environmental Damages Fund and the Town of Bridgewater.

2025-2026: Amount Requested \$5,000, recommended amount \$3,220.

Feltzen South Cemetery – Registered in District of Lunenburg*NEW

This cemetery is completely maintained by volunteers. This is a non-denominational cemetery.

Operational expenses are maintaining the cemetery such as mowing and purchasing ground to maintain the graves. Revenue sources are donations and some fund raising.

2025-2026: Amount Requested \$863 recommended amount \$800.

Flourish 55+ Healthy Active Society – Registered in Town of Bridgewater

Their mission is to provide support to those 55+ in the Town of Bridgewater and the Municipality of Lunenburg by adhering to the 7 Healthy Aging Habits for Optimal Health and offering interactive programs through mental, physical and social recreation.

Operational expenses are salaries, office expenses, programs, utilities, insurance. Revenue sources include corporate donations, membership fees and donations, and grants.

2025-2026: Amount Requested \$5,000, recommended amount \$2,975.

Heritage Boatyard Co-op Limited – Registered in Town of Mahone Bay

The Heritage Boatyard Co-op is dedicated to all the past and present wooden boat activities along the South Shore. Traditional shipbuilding methods are preserved, and they promote the available local historic skills and advertise the area through trade shows and events. They also have exciting youth programs that include restoring vintage vessels and Toy Boat Squadron events.

Operational expenses include insurance, building maintenance, utilities, administrative expenses, events, travel costs to boat festivals. Revenue sources business donations, grants, events, and support from the Mystic Seaport Museum's annual Wooden Boat Festival.

2025-2026 – Amount Requested \$5,000, recommending \$3,150.

LaHave Islands Marine Museum Society – Registered in District of Lunenburg

The Society was established in 1978 to preserve, display, and be the depository of the history of the LaHave Islands and the area's inshore fisheries. They own the Museum building, the Community Hall on Bells Island and have responsibility for St. John the Evangelist Anglican Church. Two of these buildings hold heritage status. They help contribute to tourism in the Municipality.

Operational expenses include summer student wages and benefits, administration, facility maintenance, marketing, and programming. Their revenue sources include fundraising, donations, gift shop sales, rentals, federal and provincial grants, and membership dues.

2025-2026: Amount Requested \$750 recommended amount \$721.

LaHave River Salmon Association – Registered in District of Lunenburg

The Association is dedicated to the conservation of Atlantic Salmon and other native species on the beautiful LaHave River in Nova Scotia. Since its conception in 1963, the LHRA has been a steward of the river, helping maintain and enhance the native fish population and increasing angling opportunities.

Operating expenses include summer staff wages, mileage for volunteers, Sports and RV shows, student bursary, protective equipment and gear, website, insurance, consultant for watershed plan, banking fees, and rent. Revenue sources include fundraising, cash on hand and grants from various funding partners.

2025-2026: Amount Requested \$5,000, recommended amount \$3,400.

Lunenburg & District Swimming Pool Society- Registered in Town of Lunenburg

The Society maintains a summer swimming pool facility for use of all ages and provides water safety and aquatic leadership instruction, swim team, public swims, and other recreational activities for the residents of the Town of Lunenburg, District of Lunenburg and surrounding communities, as well as providing opportunities for employment and volunteering for the youth of the community.

Their operational expenses include staffing, advertising and promotion, administrative expenses, merchandise, membership, insurance, professional fees, utilities and repairs and maintenance. Revenue sources include pool membership and registration fees, grants, fundraising and donations.

2025-2026: Amount requested \$5,000, recommending \$2,398.

Lunenburg Academy Foundation- Registered in Town of Lunenburg

The Lunenburg Academy Foundation is dedicated to the preservation, restoration, and sustainable operation of the Lunenburg Academy. Its mission is to ensure that this National Historic Site remains a thriving cultural and educational space for future generations. They host events, exhibitions, and educational programs that enrich the local and broader community. The heritage classroom offers hands-on historical learning experiences, giving students and visitors a glimpse into the past. The Academy have several diverse tenants including the Heritage Classroom, The Lunenburg Library, the Lunenburg Academy of Music Performance, Atlantic Canada Language Academy, Lunenburg Walking Tours, South Shore Genealogical Society, Class Afloat, the MLA's office and the South Shore Regional Centre for Education's pre-primary program.

Their operational expenses include administrative expenses, salaries, professional fees, marketing. Revenue sources include donations, investments, grants, and sale of merchandise.

2025-2026: Amount requested \$5000, recommending \$2,398.

Lunenburg County Hikers Club- Registered in Lunenburg County

The Club promotes active lifestyles through guided hikes in and around Lunenburg County. Their Facebook page also serves as a meeting place to find out about hiking, local trails, and other people to hike outside of the club's guided events. Their Facebook account has 3800 members. All leaders are nationally certified by the Outdoor Council of Canada.

Their operational expenses include Recreation NS and Hike NS membership, insurance, first aid supplies, volunteer training and administrative expenses. Revenue sources include donations and grants.

2025-2026: Amount requested \$500, recommending \$500.

Lunenburg County Historical Society – Registered in District of Lunenburg

In operation since 1974, the Lunenburg County Historical Society maintains and operates the Fort Point Museum in LaHave. They conduct research, gather, compile, and preserve historic documents and artifacts, and provide historic education programs, events, and celebrations. The museum is open seasonally from June – September and by appointment in September to May. In 2024 they hired a seasonal museum director.

Their operational expenses include staff salaries and benefits, facility maintenance, utilities, insurance, and administration. Their revenue sources are donations, fundraising, government funding including grants, membership fees and gift shop sales.

2025-2026: Amount Requested \$5,000 recommended amount \$2,800.

Lunenburg County North River Recreation Committee Society – Registered in District of Lunenburg

Community hall that provides a venue for activities such as bingo, music jams, funerals, teas, kids parties, ice skating, basketball, dance practice and elections. It is the focal point of the community.

Their operational expenses include administrative expenses, cleaning, supplies, advertising, insurance, utilities, repairs and maintenance. Revenue sources include donations, grants, fundraising, rental, canteen.

2025-2026: Amount requested \$5,000 recommending \$3,100.

Lunenburg Foundation for the Arts- Registered in District of Lunenburg

The Lunenburg Foundation of the Arts was registered as a charity in 2015. The organization is dedicated to ensuring a vibrant future for the arts in Lunenburg County, by supporting artists and art organizations, to advance the understanding and appreciation of the arts. The foundation is entirely operated by dedicated volunteers, who commit many hours to working for the benefit of the arts community in MODL. They act as an advocacy organization for the arts within the County and support other art-based organizations through logistical and operational support. Through fundraising they support local artists and art initiatives by providing grants and bursaries to artists creating work within Lunenburg County.

Operational costs include grants and bursaries to artists and art organizations, Lunenburg County high school bursaries, website, events, and administrative expenses. Revenue sources include donations, fundraising and grants.

2025-2026: Amount Requested \$4,000, recommended amount \$2,450.

Mahone Bay Founders Society – Registered in Town of Mahone Bay

The Mahone Bay Museum, formerly the Settlers Museum, has been in existence since 1987. It is a small community museum run by the Mahone Bay Founders Society. They protect and provide on-site and on-line access to the history of the Mahone Bay area. The Museum values the diversity of the community, protecting histories in the archives and making them accessible.

Operational costs include salaries, office supplies, advertising, exhibits and collections, programming, utilities, insurance, utilities, and heating oil. Revenue sources include grants, corporate donations and general donations, campaigns, events, and retail sales.

2025-2026: Amount Requested \$3,000, recommended amount \$1,449.

Mahone Bay Signature Festivals – Registered in Town of Mahone Bay

The Signature Festivals promote Mahone Bay and Lunenburg County as desirable locations to live, work, shop, and visit. The Scarecrow and the Father Christmas Festivals continue to expand and draw visitors from all over the world. The Scarecrow Festival is in its 29th year and Father Christmas in its 20th year.

Operational costs include advertising, event expenses, insurance, rent and utilities. Revenue sources include event revenue, grants, and donations.

2025-2026: Amount Requested \$2,500, recommended amount \$1,313.

Maitland & District Recreation Community Centre – Registered in District of

Lunenburg

The hall is used by community members as well as residents from the surrounding areas. The hall is used for a variety of events including elections, birthday parties, showers, anniversaries and funerals. They hold a weekly music jam from April to December each year, which is well attended by the senior population. They also host a Penny Auction.

Operational costs include event expenses and utilities. Revenue sources include event revenue, grants, and hall rentals.

2025-2026: Amount Requested \$2,500, recommended amount \$1,650.

Navy League of Canada, Lunenburg Branch – Registered in Town of Lunenburg*NEW

Established in 1895 to ensure adequate naval defense, the Navy League of Canada's main objective was to promote an interest in Maritime Affairs throughout Canada, while also keeping watch over policies relevant to Canada's waters. The two World Wars placed heavy dependence on the Navy League and its ability to support Merchant Navy and operate hostels. However, by the end of the Second World War and the closing out of its War Services operations, the Navy League was again able to turn its attention to its primary objectives: continued support of youth training and promoting a knowledge of Maritime Affairs. The Lunenburg Branch is powered by volunteers and works directly to support the Royal Canadian Sea Cadet Corps #39 Neptune, ensuring that youth in the community have access to high quality leadership training, citizenship development, and maritime history.

RCSCC #39 offers a comprehensive training experience for youth, building skills such as teamwork, problem-solving, effective communication, seamanship, navigation, marksmanship and first aid. Cadets develop self-discipline, leadership skills and a strong sense of responsibility. They have opportunities to travel out of province for training camps, participate in public events such as Remembrance Day ceremonies, commemoration of the Battle of

Atlantic, Fishers' Memorial Service and marching band performances. Many cadets form lifelong friendships and gain valuable life skills that prepare them for future careers and community involvement.

Operational costs include rent, heat, electricity, phone, insurance, corp. assessments, training, repairs and maintenance. Revenue sources include fundraising, donations and grants.

2025-2026 Amount Requested \$5,000, recommended amount \$2,538.

Nova Scotia Sea School – Registered in Town of Lunenburg

The Sea School offers multi-day sailing and wilderness programs for youth aged 12-19 in Lunenburg, exploring the coastline between Chester and the LaHave Islands. Their mandate is to provide experiential and adventure opportunities that transform how participants see themselves, the world around them and their capacity to contribute to society. The programs are skill-building and life-training courses and provide an essential leadership opportunity with the outcome of creating responsible citizens who contribute to society.

Their operational expenses include salaries and benefits, program costs, facility costs, and fleet costs. Their revenue sources include tuition fees, donations, and government grants.

2025-2026: Amount Requested \$5,000, recommended amount \$0.00 (did not make application to the Town of Lunenburg).

Parkdale Maplewood Community Hall Association – Registered in District of Lunenburg

This Association operates a community hall. The Hall services the areas of Parkdale, Maplewood, Newburne, Scarsdale, Farmington, Four Mile Road area and Sherbooke Lake. This hall can accommodate large crowds of 125-175. The Hall is used by senior groups, church groups, 4-H, youth groups, the local museum, and for funerals and weddings. Many fundraisers take place such as the monthly breakfast.

Operational expenses include janitor fees, supplies, insurance, bank fees, utilities, oil, propane, maintenance of grounds and building. Revenue sources include fundraising, donations, membership fees, rentals and cash on hand.

2025-2026: Amount requested \$2,000, recommending \$1,730.

Parkdale-Maplewood Community Museum - Registered in District of Lunenburg

This is one of three museums in the Municipality that fulfill the requirements for the Provincial Community Museums Assistance Program. It is dependent on all three levels of government as well as local volunteers to carry out their mission of preserving community history. Their educational program gives young people an understanding of the way their grandparents and ancestors lived, and they get to experience some of these skills firsthand. They host weekly socials. They have a gift shop that sells products made by artisans in the Municipality. They receive a commission on these items.

Their operational expenses include salaries and benefits, program costs, facility costs, insurance, and administration. Their revenue sources include donations, operating grants, fundraising, sales, and membership dues.

2025-2026: Amount Requested \$3,000, recommended amount \$1,740.

Pride Lunenburg Society – Registered in Lunenburg County

The Society provides advocacy, awareness, and resources for 2SLGBTQIA+ individuals and their allies in Lunenburg County.

Operating expenses include training, travel, advertising, supplies, insurance, professional fees, equipment and facility rentals. Revenue sources include ticket sales, merchandising, donations, fundraising, grants and cash on hand. rentals, fundraising, events, donations, and grants.

2025-2025: Amount Requested \$5,000, recommended amount \$0.00 (applied for major event grant for Pride Week).

Riverport Community Centre – Registered in District of Lunenburg

The RCC is a volunteer organization run by a Board of Directors with charitable status. The Board's mandate is to maintain the building and have it open for community events such as meetings, dinners, dances, weddings, funerals, games, music shows, elections, etc.

Operating expenses include insurance, cleaners, repairs and maintenance, bookkeeping fees, portable toilet, telephone/internet, fundraising and hall rental expenses. Revenue sources include rentals, fundraising, events, donations, cash on hand, and grants.

2025-2026: Amount Requested \$3,000, recommended amount \$2,076.

Rossini Opera Festival (L.A.M.P.) – Registered in Town of Lunenburg

Rossini Opera Festival Nova Scotia is a registered charity that operates the Lunenburg Academy of Music Performance (“LAMP”). It is recognized internationally as an academy of music performance. LAMP helps young and emerging artists hone their performance skills by being mentored by and performing along with some of the best classically trained performance musicians of our time, as well as international superstars. They offer two robust seasons of performances which each include a variety of chamber music, composition/new music, and jazz, performed on a range of instruments including piano, violin, cello, percussion, organ, double bass and more.

In 2024 they expanded their accessibility to the public by offering a concert series on Tuesdays at noon offered free of charge. This series is in addition to LAMP’s outreach program which continues to provide free performances in schools, hospitals and care facilities throughout MODL. At the same time, the programming they offer attracts participants from around the world, and these artists are often here for a week or more, spending their money in our farmers markets, shops, restaurants, accommodations, and visiting our parks and beaches.

Their operational expenses include advertising and promotion, rent, salaries and benefits, performance fees, insurance, and administration costs. Their revenue sources include government grants, donations, tuition fees, sponsorships and ticket sales.

2025-2026: Amount Requested \$5,000, recommended amount \$2,783.

Royal Canadian Legion Br 102, New Germany – Registered in District of Lunenburg

The Royal Canadian Legion cares for all those who served our nation. As members, they show their thanks by supporting and advocating for veterans, by remembering their sacrifices and by continuing the tradition of service in helping communities. The Legion does serve as a community hall providing a venue for many community events and activities.

Their operational expenses include costs of goods sold, labour, administrative expenses such as insurance, utilities, maintenance and repairs. Their revenue comes from sales of goods, rentals, membership, grants, and donations.

2025-2026: Amount Requested \$5,000, recommended amount \$3,700.

Seaside A Cappella Show Chorus Association – Registered in District of Lunenburg

Seaside A Cappella is a registered Canadian charity and an award winning educational a cappella show chorus based on Nova Scotia's South Shore. Founded in 2017, the chorus comprises approximately 56 active members, primarily from the District of Lunenburg. Seaside A Cappella is dedicated to empowering women through development of vocal and performance skills. The group welcomes women of all ages who love to sing and strives to deliver joy, optimism, and harmony to the community and beyond.

Their operational expenses include Director expenses, music purchase & licensing. Their revenue comes from chapter dues, fundraising and grants.

2025-2026: Amount Requested \$5,000, recommended amount \$2,900.

SHAID Tree Shelter Society – Registered in District of Lunenburg

The Shelter endeavors to relieve the suffering of animals by providing temporary care and shelter to helpless, abandoned, homeless or unwanted animals in distress. They place as many pets as possible in responsible and caring homes. They are proudly a no-kill shelter and have been serving the community since 1986. They strive to educate the public in responsible pet ownership and promote the spaying and neutering of pets.

2024 saw the shelter take in 502 cats and kittens, 27 dogs and puppies and two birds.

Operational expenses include professional fees, advertising/marketing, animal expenses, insurance, office expenses, taxes, repairs and maintenance, salaries, phone, utilities, travel, medical and security. Revenue sources are from adoptions, bequests, donations, fundraising, grants, memorials and membership.

2025-2026: Amount Requested \$5,000, recommended amount \$3,300.

Simpson's Corner Community Hall – Registered in the District of Lunenburg*NEW

The hall was a former schoolhouse which closed in 1965 and was converted into a community hall to address the needs of the community to have a central location where residents could gather for various activities. The hall is available for rent for social events and activities. Card games and potlucks have been the main activities since 2020. With the closure of the church the hall plays an even more vital role in the community.

Operational expenses include printing materials, supplies, insurance, utilities, cleaning and maintenance. Revenue sources are membership fees, fund raising, cash on hand.

2025-2026: Amount Requested \$5,000, recommended amount \$3,560.

South Shore Bluegrass Music Association – Registered in District of Lunenburg*NEW

The objective of the society is to support and promote Bluegrass, Country and Ole Time Country Music. From May until October, they host music JAMS every Friday night, which are open to the public. These JAMS, as well as their monthly shows are enjoyed by all. They support organizations like the IWK, the South Shore Regional Hospital and the Salvation Army. They are in their 42nd year and will continue to share fellowship and music.

Operational expenses include administration, supplies, power, insurance, property taxes, maintenance. Revenue sources are membership fees, camping fees, fundraising and donations.

2025-2026: Amount Requested \$5,000, recommended amount \$3,100.

South Shore Lightning Basketball Association – Registered in Town of Bridgewater

This Association was founded in 2021 to enhance basketball programs on the South Shore. The Association is committed to fostering growth, sportsmanship, and a strong basketball community in the region. Recognizing the need for high quality development opportunities, the Association takes a grassroots approach to program management and player development. They offer competitive club teams for those 10-17 and basketball camps focused on skill development and training.

Operational expenses include equipment, coaches training, advertising, supplies, website, insurance, phone, referees, uniforms, gym rental, association fees and team gear. The revenue sources are from club teams/camps, sponsorship, donations, fundraising, cash on hand and equipment lease.

2025-2026 Amount Requested \$5,000, recommended amount \$3,188.

South Shore Minor Hockey – Registered in Lunenburg County

South Shore Minor Hockey Association oversees coaching and operations of 291 registered hockey players from U7 to U18 levels. The Board of Directors is committed to fostering a safe, inclusive and fun environment for the young players, coaches, officials and community volunteers.

Operational expenses include referee costs, training, insurance, administrative expenses, ice rental, tournament costs and league fees. Revenue sources are from registration fees and fundraising (i.e. Gary Wentzell Tournament).

2025-2026: Amount Requested \$5,000, recommended amount \$2,625.

South Shore Multicultural Association – Registered in South Shore

The Association has been active in Lunenburg/Queens since 2013. They welcome newcomers to the area and work to provide a warm social environment in which recent immigrants and people of diverse cultural backgrounds can find important social, cultural, and recreational opportunities. They host festivals, celebrations, and programming throughout the year. The SSMA is often the first point of contact for those seeking immigration and settlement information. They are the umbrella group for many cultural communities, which is especially important in rural areas.

Their mandate is to honour local heritage and embrace a culture of inclusion and diversity within our communities. To provide a warm, social gathering place for community members of diverse cultural backgrounds. To partner with community groups to host festivals to celebrate diversity. To help newcomers make social connections and integrate into their new communities. To work toward increasing community education on the value of diversity and inclusion.

Operational expenses include salaries, training, travel, administrative expenses, advertising, insurance, professional fees (performers, photographers, sound technicians) rentals for venues for events, phone, internet. Revenue sources are from event sponsors, donations, cash on hand, and grants.

2025-2026: Amount Requested \$5,000, recommended amount \$2,813.

South Shore Sexual Health – Registered in Town of Bridgewater

South Shore Sexual Health is a resource centre for all ages that offers service, support, and supplies. They are pro-choice, youth-friendly and 2SLGBTQ* positive. They believe that everyone should have access to quality, non-judgmental sexual education and resources. They offer guidance and pregnancy options counselling, as well as workshops. People can pick up free or low-cost safer sex supplies, pregnancy tests, HIV self-tests, menstrual supplies and gender-affirming gear.

Operational expenses include payroll, training, travel, advertising, supplies, rent, insurance, phone, internet, and professional fees. The revenue sources are from Sexual Health Nova Scotia, grants, selling merchandise, fundraising and donations, contingency funds and savings.

2025-2026 Amount Requested \$4,000, recommended amount \$2,130.

Tancook Island Recreational Centre Association – Registered in District of Lunenburg

The Tancook Island Recreational Centre is an integral part of the community, holding almost all the Island's extracurricular activities and events. Currently the Centre is used as the weekly gymnasium for the elementary school, a tourism centre during the summer months, a venue for the Island's events and gatherings and home to the local emergency response association.

Their operational expenses include administration, cleaning, heat, insurance, power, property tax, maintenance, canteen, community events, and summer student salary. Their revenue sources include fundraising, donations, memberships, canteen and merchandise sales, grants, rentals, and cash on hand.

2025-2026: Amount Requested \$5,000, recommended amount \$3,360.

The 644 Revitalization Network – Registered in District of Lunenburg

The Network is a dedicated group of volunteers who want to see services and support for residents of the community. Their mission is "Working together to enrich the vitality and diversity of New Germany and surrounding areas." Their goals are food security, local infrastructure, senior social inclusion, supporting vulnerable and underserved community members, and nurturing rural arts.

Their operational expenses include program expenses, insurance, website, marketing, farmers market and equipment. Their revenue sources include primarily grants, fundraising, and donations.

2025-2026: Amount Requested \$5,000, recommended amount \$3,700.

The Society of St. Vincent de Paul – Registered in Town of Bridgewater

Through the Society's Helping Neighbours-in-Need program, they aid individuals and families who need immediate help to meet their basic needs, such as power, rent, fuel, oil, firewood, medical supplies, eyeglasses, dental care, school supplies and a vast variety of other necessities.

The furniture segment of the program provides new beds, gently used donated furniture and household items. In 2024 72 households were furnished.

Their operational expenses include food assistance, medical assistance, helping to pay power bills and fuel, rent assistance, gas cards, bus fares, house-related expenses, assistance with phone and internet bills. Their revenue sources include donations, fundraising, funds from other registered charities and grants.

2025-2026: Amount Requested \$2,500, recommended amount \$1,453.

Upper Northfield Cemetery – Registered in District of Lunenburg

The Upper Northfield Cemetery exists to provide burial plots for community members and associated members. There are five trustees that provide leadership for the community members regarding cemetery maintenance, plot sales and upgrades.

Their operational expenses are joint stock fees, bank fees and mowing. Their revenue sources include lot sales, donations and cash on hand.

2024-2025: Amount Requested \$2,200, recommended amount \$968.

Upper Northfield Community Hall – Registered in District of Lunenburg

The Hall provides space for community gatherings and for events.

Their operational expenses include supplies, insurance, utilities, and propane. Their revenue sources are cash on hand, rent, donations and grants.

2025-2026: Amount Requested \$2,500, recommended amount \$1,374.

We Feed Lunenburg Association – Registered in District of Lunenburg/Town of Lunenburg*NEW

We Feed Lunenburg is dedicated to building a self-sufficient community to help those in need. The non-profit strives to create a sustainable environment where everyone has access to nutritious food and support. Through collaborative efforts and community engagement, they aim to alleviate hunger and promote wellbeing for all residents of Lunenburg County. They offer 24/7 365 days a year access to healthy food.

Their operational expenses include supplies, insurance and bank fees. Revenue source is primarily donations and grants.

2025-2026: Amount Requested \$5,000, recommended amount \$3,160.

YMCA King Street Youth Centre – Registered in Town of Bridgewater

The YMCA of Southwest Nova Scotia opened the King Street YMCA Youth Centre in 2012 with the purpose of supporting youth ages 11-19 years in the Municipality of Lunenburg, who experience barriers with programming fees attached. The Centre provides access to Free, drop-in programs, workshops and volunteer opportunities throughout the communities in Lunenburg County. Programming is inclusive, non-judgmental and safe, ensuring access is equitable and programming is diverse integrating cultures, gender, sexual orientations, and socioeconomic backgrounds as well as being accessible. This Centre is 100% funded by grants, donations and fundraising.

Their operational expenses include salaries and benefits, program supplies, lease and utilities, insurance, administration, and education. Their revenue sources include grants, fundraising, donations and YMCA funding.

2025-2026: Amount Requested \$5,000, recommended amount \$2,800.

Major Recreation Capital Grants

Organization/Project Overview

Barss Corner Community Hall – Registered in District of Lunenburg

The hall provides a central location for various community groups and organizations to have a place to meet and hold events.

Project: To install heat pump mini-splits to reduce heating costs.

Anticipated Project Costs: **\$16,537**

Anticipated Funding Sources: MODL, Provincial Funding (\$8,348 – confirmed), own funds.

2025-2026 Amount Requested \$8,189, recommended amount \$5,765.

Bridgewater Sports & Cultural Association – Registered in Lunenburg County

The Association was formed in January 2024 to oversee and assist four established groups/teams in Lunenburg County: The Lunenburg Cricket Club, the South Shore Malayalis Cultural Group, the Lunenburg FC Soccer Team, and the Bluenose Giants Tug of War Team. Their mandate is to enhance the quality of life for community members by providing opportunities for physical activity, cultural engagement, and social interaction.

Project: Purchase of a lifelike Robotic Elephant for multicultural events, parades and educational programs.

Anticipated Project Costs: **\$18,000**

Anticipated Funding Sources: MODL, Provincial (\$5,000 – Pending), donations.

2025-2026: Amount Requested \$9,000, recommended amount \$5,400 (contingent on finding a storage location).

Lunenburg Academy Foundation – Registered in Town of Lunenburg

The Lunenburg Academy Foundation is dedicated to the preservation, restoration, and sustainable operation of the Lunenburg Academy. Its mission is to ensure that this National Historic Site remains a thriving cultural and educational space for future generations. They host

events, exhibitions, and educational programs that enrich the local and broader community. The heritage classroom offers hands-on historical learning experiences, giving students and visitors a glimpse into the past. The Academy have several diverse tenants including the Heritage Classroom, The Lunenburg Library, the Lunenburg Academy of Music Performance, Atlantic Canada Language Academy, Lunenburg Walking Tours, South Shore Genealogical Society, Class Afloat, the MLA's office and the South Shore Regional Centre for Education's pre-primary program.

Project: Roof Replacement.

Anticipated Project Costs: **\$749,585.66**

Anticipated Funding Sources: MODL, Parks Canada \$250,000, Town of Lunenburg \$250,000, the Foundation.

2025-2026: Amount Requested \$15,000, recommended amount \$7,560.

Lunenburg County North River Recreation Committee Society – Registered in District of Lunenburg

Community hall that provides a venue for activities such as bingo, music jams, funerals, teas, kids parties, ice skating, basketball, dance practice and elections. It is the focal point of the community.

Project: Replace water lines, repair floor and add a playground.

Anticipated Project Costs: **\$18,644.85**

Anticipated Funding Sources: MODL, Provincial Funding \$6,215 (pending), in-kind labour.

2025-2026: Amount Requested \$6,215, recommended amount \$4,475.

Lunenburg Rod & Gun Club – Registered in District of Lunenburg

The Lunenburg Rod & Gun Club was originally established in 1954 and recently incorporated under the Societies Act. They currently have a membership base of between 350-400 people. Their objective is to provide self-sustaining and inclusive club environment with activities centred on various shooting sports. They are committed to safe and proper handling of firearms at all times.

Project: Install metal siding on the clubhouse including trims around the windows, doors, external equipment and corners.

Anticipated Project Costs: **\$30,500**

Anticipated Funding Sources: MODL, Province \$9,500 (pending). They also have cash on hand.

2025-2026: Amount Requested \$9,500, recommended amount \$6,688

Northwest United Baptist Church (Heritage Property) – Registered in District of Lunenburg

The Church is a 200+ year old Baptist Church which is a Municipal and Provincial heritage property.

Project: Scraping, painting and doing minor repairs to the exterior and installing a heat pump.

Anticipated Project Costs: **\$27,008.75**

Anticipated Funding Sources: MODL, Church reserves

2025-2026: Amount Requested \$13,504, recommended amount \$7,886.

Parkdale Maplewood Community Centre – Registered in District of Lunenburg

This Association operates a community hall. The Hall services the areas of Parkdale, Maplewood, Newburne, Scarsdale, Farmington, Four Mile Road area and Sherbooke Lake. This hall can accommodate large crowds of 125-175. The Hall is used by senior groups, church groups, 4-H, youth groups, the local museum, and for funerals and weddings. Many fundraisers take place such as the monthly breakfast.

Project: Paint interior of hall, replace worn and damaged countertops in the kitchen and a few electrical outlets, replace the wheelchair ramp.

Anticipated Project Costs: **\$16,100.**

Anticipated Funding Sources: MODL, in-kind labour and own savings.

2025-2026: Amount Requested \$8,050, recommended amount \$5,345.

Royal Canadian Legion Branch 24 – Registered in Town of Bridgewater

They advocate for the care and benefit of all who served Canada regardless of when or where they served. They also provide representation and assistance to veterans, including those currently serving in the Canadian Forces and the RCMP and their families. Access to their services is available to them at no cost whether or not they are a Legion member. Their mission is to serve veterans, promote Remembrance, and serve their community and Municipality.

Project: Upgrade/retrofit the elevator

Anticipated Project Costs: **\$110,503**

Anticipated Funding Sources: MODL, TOB \$1,500 (pending), Provincial funding \$50,000 (pending), and the Legion itself.

2025-2026: Amount Requested \$15,000, recommended amount \$9,240

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Grant Type	Organization	Amount Requested	Recommend 2025/26	Received 2024/25	Note
AO	Barss Corner Community Hall	\$5,000.00	\$3,460.00	\$2,039.00	
AO	Bridgewater Barracudas Swim Club	\$3,250.00	\$1,524.00	\$0.00	
AO	Bridgewater Sports & Cultural Association	\$5,000.00	\$3,375.00	\$2,194.00	
AO	Broad Cove Community Association	\$5,000.00	\$3,600.00	\$1,887.00	
AO	Chester Brass Band Society	\$800.00	\$420.00	\$765.00	
AO	Coastal Action Foundation	\$5,000.00	\$3,220.00	\$1,893.00	
AO	Feltzen South Cemetery	\$863.00	\$800.00	\$0.00	NEW
AO	Flourish 55+	\$5,000.00	\$2,975.00	\$0.00	
AO	Heritage Boatyard Cooperative Ltd	\$5,000.00	\$3,150.00	\$2,066.00	
AO	LaHave Islands Marine Museum	\$750.00	\$721.00	\$750.00	
AO	LaHave River Salmon Association	\$5,000.00	\$3,400.00	\$2,305.00	
AO	Lunenburg & District Swimming Pool	\$5,000.00	\$2,398.00	\$0.00	
AO	Lunenburg Academy Foundation	\$5,000.00	\$2,398.00	\$0.00	
AO	Lunenburg County Hikers Club	\$500.00	\$500.00	\$500.00	
AO	Lunenburg County Historical Society	\$5,000.00	\$2,800.00	\$2,161.00	
AO	Lunenburg County North River Recreation Committee Soc	\$5,000.00	\$3,100.00	\$2,066.00	
AO	Lunenburg Foundation for the Arts	\$4,000.00	\$2,450.00	\$1,756.00	
AO	Mahone Bay Founders Museum	\$3,000.00	\$1,449.00	\$1,226.00	
AO	Mahone Bay Signature Festivals	\$2,500.00	\$1,313.00	\$2,066.00	
AO	Maitland & District Recreation Community Centre	\$2,500.00	\$1,650.00	\$0.00	1st time AO, CRC 2016-17
AO	Navy League of Canada, Lunenburg Branch	\$5,000.00	\$2,538.00	\$0.00	New, budgeted grant 2006-07
AO	Nova Scotia Sea School	\$5,000.00	\$0.00	\$1,844.00	
AO	Parkdale Maplewood Community Hall Assoc	\$2,000.00	\$1,730.00	\$860.00	
AO	Parkdale Maplewood Community Museum	\$3,000.00	\$1,740.00	\$1,346.00	
AO	Pride Lunenburg Society	\$5,000.00	\$0.00	\$0.00	
AO	Riverport Community Centre	\$3,000.00	\$2,076.00	\$2,161.00	
AO	Rossini Opera Festival Nova Scotia	\$5,000.00	\$2,783.00	\$2,238.00	
AO	Royal Canadian Legion Br 102, New Germany	\$5,000.00	\$3,700.00	\$0.00	
AO	Seaside A Cappella	\$5,000.00	\$2,900.00	\$1,337.00	
AO	SHAID	\$5,000.00	\$3,300.00	\$1,911.00	
AO	Simpsons Corner Community Hall Society	\$5,000.00	\$3,560.00	\$0.00	1st time AO, CRC 2017-18
AO	South Shore Bluegrass Music Association	\$5,000.00	\$3,100.00	\$0.00	NEW
AO	South Shore Lightning	\$5,000.00	\$3,188.00	\$2,325.00	
AO	South Shore Minor Hockey Association	\$5,000.00	\$2,625.00	\$1,868.00	
AO	South Shore Multicultural Society	\$5,000.00	\$2,813.00	\$2,169.00	
AO	South Shore Sexual Health	\$4,000.00	\$2,130.00	\$1,399.00	
AO	Tancook Island Recreational Centre Association	\$5,000.00	\$3,360.00	\$2,453.00	
AO	The 644 Revitalization Network	\$5,000.00	\$3,700.00	\$2,325.00	
AO	The Society of Saint Vincent De Paul	\$2,500.00	\$1,453.00	\$1,318.00	
AO	Upper Northfield Cemetery	\$2,200.00	\$968.00	\$688.00	
AO	Upper Northfield Community Hall	\$2,500.00	\$1,374.00	\$2,161.00	
AO	We Feed Lunenburg Association	\$5,000.00	\$3,160.00	\$0.00	NEW
AO	YMCA	\$5,000.00	\$2,800.00	\$1,860.00	
	OTHER APPLICATIONS 24/25			\$31,127.00	
	TOTAL ANNUAL OPERATING REQUESTED	\$172,363.00	\$99,701.00	\$85,064.00	

Grant Type	Organization	Amount Requested	Recommend 2025/26	Received 2024/25	Project Details / Notes
MRC	Barss Corner Community Hall	\$8,189.00	\$5,765.00	N/A	Heat-pump installation
MRC	Bridgewater Sports & Cultural Association	\$9,000.00	\$5,400.00	N/A	Robotic Elephant
MRC	Lunenburg Academy Foundation	\$15,000.00	\$7,560.00	N/A	Re-roofing project
MRC	Lunenburg County North River Recreation Committee Soc	\$6,215.00	\$4,475.00	N/A	Waterline replacement, repair floor, add playground
MRC	Lunenburg Rod & Gun Club	\$9,500.00	\$6,688.00	N/A	Wrap, New Siding, Cladding project
MRC	Northwest United Baptist Church	\$13,504.00	\$7,886.00	N/A	Re-painting & heat-pump
MRC	Parkdale Maplewood Community Hall Assoc	\$8,050.00	\$5,345.00	N/A	Re-painting, kitchen refurb, wheelchair ramp
MRC	Royal Canadian Legion Br 24, Bridgewater	\$15,000.00	\$9,240.00	N/A	Lift Retrofit

2024-2025 APPROVALS \$67,861.00

TOTAL MAJOR REC CAPITAL REQUESTED \$84,458.00 \$52,359.00 \$67,861.00

SUMMARY	Requested 2025-2026	Recommend Award 25/26	Approved 2024-2025
Anual Operating	\$172,363.00	\$99,701.00	\$85,064.00
Major Recreation Capital	\$84,458.00	\$52,359.00	\$67,861.00
GRAND TOTAL	\$256,821.00	\$152,060.00	\$152,925.00

AO	Lunenburg Doc Fest	\$1,500.00	\$0.00	\$1,860.00	LATE APPLICATION!
	TOTAL LATE AO APPLICATIONS	\$1,500.00	\$0.00		



Council
Item #10.1.3
Date: May 13, 2025
Authorization: T. MacEwan

Memorandum

To: Municipal Council

From: Abhimanyu Jain, Manager of Climate Change and Sustainability
Trudy Payne, Director of Recreation, Parks and Tourism

Date: May 13, 2025

Re: Update – Funding Request from Friends of Crescent Beach (FOCB)

Purpose of Memo

This memo provides an update on new information received after the agenda for the May 6, 2025, Finance Committee meeting was published and explains the resulting revision to the staff report recommendation.

Background

The original staff report to the Finance Committee recommended that Council provide up to \$30,000 to support the Friends of Crescent Beach (FOCB) in undertaking a feasibility and options study related to climate risk mitigation at Crescent Beach. This recommendation was based on the best available information at the time of submission.

New Information (Post-Agenda Publication)

After the agenda was published, staff received updated information from FOCB, including the following:

- FOCB submitted their full Sustainable Communities Challenge Fund (SCCF) application on April 22, 2025.
- The final project budget is \$242,145, including \$23,800 in in-kind contributions.
- FOCB has reduced their funding request from MODL from \$30,000 to \$20,000.
- FOCB will serve as Project Lead, with the same partners: CBCL Engineering, Coastal Action, Saint Mary's University, and CB Wetlands & Environmental Specialists (CBWES).

A letter from FOCB confirming this updated information is attached below.

Budget / Financial Implications

Under the updated recommendation, MODL would contribute \$20,000, with funding drawn equally from two operating reserves:

- \$10,000 from the Open Space Reserve, recognizing that the project helps protect a valued recreational asset.

- \$10,000 from the Sustainability Reserve, given the project’s focus on nature-based climate adaptation and coastal resilience.

This contribution allows MODL to support a high-impact, community-led project at low cost, while helping to leverage over \$200,000 in provincial support.

Finance Committee Motion and Outcome:

This information was provided verbally to the Finance Committee during its meeting on May 6, 2025. As a result, the original motion was amended to reflect the updated funding request. The revised motion was moved by Councillor Morgen Reinhardt, seconded by Councillor Martin Bell, and carried, with Councillor Brooks opposed.

Final Motion for Council Consideration:

“That Municipal Council provide \$20,000 to support a feasibility and options study regarding climate risk mitigation to the Friends of Crescent Beach (FOCB), with the funds coming from the Open Space and Sustainability operating reserves; and further, that municipal funding is contingent on FOCB receiving a grant from the provincial Sustainable Communities Challenge Fund.”

Please refer to the attached original staff report for full context.

Memorandum Preparation	
Department	Planning and Development Services, and Recreation, Parks and Tourism
Memorandum Prepared by	Abhimanyu Jain, Manager of Climate Change and Sustainability
Memorandum Approved by	
Date Reviewed by C.A.O.	

Friends of Crescent Beach, Green Bay and Area Society
Box 148
Lahave, NS B0R 1C0

01 May, 2025

MODL
110 Allee Champlain
Cookville, NS B4V 9E4
Attention: Abhimanyu Jain

Dear Abhimanyu

This letter is to update you on the status of the Crescent Beach study that Friends of Crescent Beach is pursuing. The formal application to SCCF was submitted April 22nd with updated information. FOCB is joining the study team as Project Leader. The other team members are CBCL Engineering, Coastal Action, St. Mary's Univ and CB Wetlands & Environmental Specialists, as previously reported.

The budget costs submitted in April by the 5-team group totalled \$242,145, with \$23,800 of that money being offered as gifts-in-kind. Based on these changes we are reducing our MODL grant request from \$30,000 to \$20,000. I hope this meets with your satisfaction and that MODL can offer us that support.

Please be in touch if there are any further questions.

I will be out of country from May 6th – May 20th.

Kirsten Ellis will be the alternate contact during that time period

Thank you for your consideration

D. Hughes

Dave Hughes / Secretary FOCB



The Municipality of the District of Lunenburg Request for Decision

Report to: Finance Committee

Submitted by: Abhimanyu Jain, Manager of Climate Change and Sustainability
Trudy Payne, Director of Recreation, Parks and Tourism

Date: May 6, 2025

Re: Funding Support to Friends of Crescent Beach

Recommendation

That the Finance Committee recommend Municipal Council provide up to \$30,000 (or 12% of the total project cost, whichever is lower) to the Friends of Crescent Beach (FOCB) to support a feasibility and options study, contingent on the group's successful grant application to the Sustainable Communities Challenge Fund.

Executive summary

The Friends of Crescent Beach (FOCB) are requesting \$30,000 toward a \$250,000 study to assess climate risks and explore long-term adaptation options for Crescent Beach. Led by a team of experts and supported by the provincial Department of Public Works, the study will help guide future protection of this important coastal area. The project supports MODL's goals for climate resilience, sustainability, and enhancing recreation and public spaces.

Background

The Friends of Crescent Beach, Green Bay & Area Society has been a dedicated community steward since the early 1980s, evolving from the LaHave Islands Communities Association. Initially formed to protect local lands and rights, the group now focuses on managing and protecting Crescent Beach.

FOCB has led hands-on conservation work for decades—putting up fencing and signs, restoring dunes with plants and biomass, building recycling stations, and organizing regular cleanups. They've also acted as a link between the community and provincial departments to help protect the beach's natural and recreational value.

On February 11, 2025, FOCB presented to Council on the increasing vulnerability of Crescent Beach following Hurricane Lee. To help address long-standing erosion and storm impacts, FOCB is applying for \$250,000 from the Sustainable Communities Challenge Fund. They are requesting \$30,000 from MODL toward the required \$50,000 non-provincial match, with the remaining \$20,000 to be raised independently. A letter from FOCB confirming this, along with a letter of support from the Department of Public Works (the landowner), is attached to this report.

Discussion

FOCB's proposed study is a timely response to the growing climate risks at Crescent Beach. It will look at flooding, erosion, sea-level rise, and options to protect the shoreline. The project will be led by a team of experts from CBCL Engineering, Coastal Action, Saint Mary's University, and CB Wetlands and Environmental Specialists Specialists.

The study prioritizes nature-based solutions and reflects strong community values and stewardship. FOCB has demonstrated a long-term commitment to the beach and is well positioned to lead this work.

Support from MODL would strengthen their funding application and show the Municipality's commitment to community-driven climate action.

Strategic Focus

This project supports two of the Council's strategic priorities: 'Climate Change Action' and 'Quality of Life'. It will help MODL plan for sea-level rise, erosion, and storm impacts, and support climate-resilient solutions. It also helps protect Crescent Beach as a valued public space for recreation and community connection. Supporting this study shows MODL's commitment to climate action and preserving important natural areas for future generations.

Budget/Financial Implications

If the SCCF grant is approved, MODL would contribute up to \$30,000 from the operating reserve - \$15,000 from the Open Space Reserve and \$15,000 from the Sustainability Reserve. FOCB will raise the remaining \$20,000, keeping the cost to the Municipality low.

Contributor	Amount	% of Total Project Cost
Province (SCCF)	\$200,000	80%
MODL	\$30,000	12%
FOCB (fundraising)	\$20,000	8%
Total Project Cost	\$250,000	100%

Climate Change/sustainability

The project supports MODL’s climate goals by providing data and recommendations to guide adaptation for a high-risk coastal area. Its focus on nature-based solutions helps protect both infrastructure and the environment over the long term.

Inclusion Diversity equity and Accessibility (IDEA@MODL)

Not applicable

Strategic Communications

MODL’s support will be acknowledged in project reports and public materials. Staff recommend collaborating with FOCB to share updates and results through municipal channels and keep the residents informed.

Work plan

Minimal staff time is required. Sustainability staff may act as a point of contact with FOCB during the study phase.

Alternatives

1. Approve a lesser contribution (e.g., \$20,000) and request that the group increase their fundraising target.
2. Decline the funding request, in which case FOCB would need to secure the full matching amount from other sources.

Conclusion

The Friends of Crescent Beach’s proposed study is a timely, community-led project that addresses growing climate risks to a valued public space. It supports Council’s priorities on climate action and quality of life, and offers strong value for a modest cost. Staff recommend the Council contribute up to \$30,000, if SCCF funding is approved.

Attachments

1. Letter from the Friends of Crescent Beach confirming the project funding details.
2. Letter of support from the Department of Public Works (landowner).

Report Preparation	
Department	Planning and Development Services, and Recreation, Parks and Tourism
Report Prepared by	Abhimanyu Jain, Climate Change and Sustainability Manager
Report Approved by	
Date Reviewed by C.A.O.	

Friends of Crescent Beach, Green Bay and Area Society
Box 148
Lahave, NS B0R 1C0

25 March, 2025

MODL
110 Allee Champlain
Cookville, NS B4V 9E4
Attention: Abhimanyu Jain

Dear Abhimanyu

Thank you for the video conference of March 19th with yourself and Trudy Payne to discuss the proposed feasibility and options study of Crescent Beach proposed by Friends of Crescent Beach (FOCB). This study is FOCB's response to the damage done at the beach by Hurricane Lee in Sept 2023. We appreciate the support expressed by MODL staff.

Friends of Crescent Beach (FOCB) will be making a grant submission to the province's Sustainable Communities Challenge Fund (SCCF) by April 22nd 2025. The study group members (CBCL Engineering, Coastal Action, St. Mary's Univ and CB Wetlands & Environmental Specialists) have set a study budget of \$250,000 max. Under the SCCF funding rules, their grant would cover 80% of the cost and the applicant is expected to raise the remaining 20% from non-provincial sources. We ask MODL to consider funding \$30,000 (12%). FOCB would be responsible for raising the remaining \$20,000 (8%).

Public Works is the recognized owner of Crescent Beach. On March 24th we met with Mitchell Conrad (Regional Manager) and Allison Collicut (Area Manager) to discuss the planned study. They are interested in the project and are preparing a letter of support. Since they are a provincial body, they cannot help with funding under this program. We will send MODL a copy of the letter of support as soon as it is received.

Please be in touch if there are any further questions.
Thank you for your consideration

D. Hughes

Dave Hughes / Secretary FOCB

March 28, 2025

Kirsten Ellis
kirsten.ellis@cbwes.com

Dear Kirsten Ellis,

The Department of Public Works acknowledges the Friends of Crescent Beach's initiative to assess climate risks and adaptation strategies for the beach, dune, road, and tidal wetlands of Crescent Beach. We recognize the importance of understanding and addressing potential climate-related impacts on both the environment and infrastructure.

DPW supports efforts to gather data and explore adaptation solutions. While any proposed work on DPW lands will require approval to proceed within the right-of-way, we are generally supportive of the preliminary concept of climate change protection infrastructure. The final scope of work will be subject to a thorough review to ensure alignment with departmental standards and requirements.

We appreciate the dedication of the Friends of Crescent Beach and their project partners in advancing this important work and look forward to reviewing their findings.

Sincerely,

Alison Collicutt, P. Eng
A/Area Manager, Lunenburg/Queens
Nova Scotia Public Works

cc: Mitchell Conrad, District Director, Western

Council
Item #10.2.1
Date: May 13, 2025
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Report To: Mayor & Council
Submitted By: Councillor Oickle, Chair, Nominating Committee
Date: May 13, 2025
Re: Police Advisory Board - Membership

The Nominating Committee met on April 22, 2025, to review applications for two, three-year positions on the Police Advisory Board.

The following motions are recommended by the committee:

“that Municipal Council accept the recommendation of the Nominating Committee and appoint Joseph Boutilier, of Pine Grove, for a two-year term ending November 2027; and Larry Hagell, of Maplewood, for a three-year term ending November 2028 as members on the Police Advisory Board, as presented”.

Respectfully submitted,

Chair,
Nominating Committee



Council
Item #10.3
Date: May 13, 2025
Authorization: T. MacEwan

Memorandum

To: Her Worship, Mayor McLean-Wile and Councillors

From: Chairperson & Members of the Planning Advisory Committee

Date: April 24, 2025

Re: Recommendations of the Planning Advisory Committee

The Planning Advisory Committee, in session on Thursday, April 24, 2025 made the following recommendations to Council:

1. That Municipal Council enters into a Development Agreement for the land-lease cluster development on Lot FE-1 MacCulloch Road (PID 60709383), as it is consistent with the Development Agreement requirements outlined in the Municipal Planning Strategy.
2. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow lower density residential development on the four (4) unserved properties of PID 60431913, 60582566, 60253374 and 60487824.
3. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60730413 from the Institutional (IN) Zone to the General Commercial (GC) Zone under the Enterprise Designation.
4. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60727641 from the High Density Residential (R-3) Zone to the Open Space (OS) Zone under the Community Designation.

Respectfully submitted,

Chairman and Members
Planning Advisory Committee

/jh
Attachments

Council
Item #10.3.1
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council
Submitted by: Ella R. Gindi, Planner II
Date: May 13, 2025
Re: Development Agreement for Proposed Land Lease Community on Lot FE-1 MacCulloch Road

Recommendation

“That Municipal Council give notice of their intention to enter into a Development Agreement with Jaylynn Enterprises Limited for the development of a land-lease cluster development on Lot FE-1, MacCulloch Road (PID 60709383), as the proposal is consistent with the intent and policies of the Municipal Planning Strategy. Further that Council sets the date and time of June 10, 2025, at 5p.m. for a public hearing.”

Executive summary

The proposed Eastwood Estates modular single-family cluster development, located on Lot FE-1, MacCulloch Road in Cookville, Nova Scotia, is a land-lease community consisting of up to 23 units. This report outlines the development’s background, applicable planning policies, and feedback from stakeholders, including public input gathered during an information session held on March 19, 2025. On April 24, 2025, the Planning Advisory Committee reviewed the proposed development in relation to the Development Agreement requirements outlined in the Municipal Planning Strategy and provided a positive recommendation to Council. The proposal aligns with municipal planning policies and addresses key public concerns related to environmental impact, fire protection, water access, noise, and waste collection. The Development Agreement process enables appropriate oversight and ensures that issues raised by both the public and staff are considered throughout the planning and approval stages.

Background

The subject property is located on Lot FE-1 MacCulloch Road in Cookville, Nova Scotia (PID 60709383). The applicant proposes a modular single-family cluster development configured as a land-lease community with up to 23 units.

At the time the application was submitted, the site was unzoned and subject to the municipal-wide Cluster Development bylaw, which received its first reading on January 28, 2025. Accordingly, the project was required to proceed through a development agreement (DA) process in accordance with the Municipal Planning Strategy (MPS).

An information session was held by planning staff on March 19, 2025, where the Development Agreement process and cluster development were presented to the public. The developer also shared details about the proposed development, and approximately 15 members of the public attended. The session provided an opportunity for the community to ask questions and voice concerns, which have been carefully considered in the planning process.

On March 25, 2025, Council directed staff to revise the cluster development regulations to allow exemptions for qualifying projects until December 31, 2026. However, due to the nature of the land-lease model—where units are only placed after purchase—the development is unlikely to meet the standard 12-month building permit window. The developer has therefore opted to proceed through the DA process, which offers a more suitable and streamlined path aligned with municipal oversight and future permitting.

On April 24, 2025, the Planning Advisory Committee (PAC) reviewed the proposed land-lease cluster development and its compliance with the requirements outlined in Section 6 – Development Agreement of the Municipal Planning Strategy. Committee members engaged with the developer and project engineer, raising questions about key aspects such as septic systems and water access.

Staff also addressed questions regarding the public engagement process, noting that it was well received. Most public comments focused on concerns related to existing surrounding land uses rather than the proposed development itself.

Following its review and discussion, the PAC made a positive recommendation to Council. The recommendation reads as follows:

“That the Planning Advisory Committee recommend that Municipal Council approve entering into the Development Agreement for the land-lease cluster development on Lot FE-1,

MacCulloch Road (PID 60709383), as it is consistent with the Development Agreement requirements outlined in the Municipal Planning Strategy.”

Discussion

Policy Context and Evaluation

The proposal must comply with the relevant sections of the Municipal Planning Strategy (MPS), which set criteria for cluster development and govern the development agreement process. Council may set conditions in the DA related to street networks, site access, emergency routes, water, sewer, environmental impacts, stormwater management, grading, erosion control, project phasing, and completion timelines.

Council may also require technical documents from the developer, such as a detailed site plan, hydrogeological assessments, environmental impact studies, and emergency access evaluations.

Site Plan Summary

The proposed development, named Eastwood Estates, is laid out in four phases and accessed by a private road (Eastwood Drive) ending in a cul-de-sac for emergency vehicle turnaround.

Phasing:

- Phase 1: 5 units
- Phase 2: 7 units
- Phase 3: 5 units
- Phase 4: 4 units (replacing the office and display homes)

Servicing and Infrastructure:

- **Private Road:** The private road, Eastwood Drive, will be 6 meters wide, designed to accommodate two-way traffic. It will end in a cul-de-sac to facilitate emergency vehicle access and safe turnarounds.
- **Water:** Connection to the existing 300 mm main on MacCulloch Road, with internal water lines and a heated meter chamber installed as per Public Service Commission requirements.
- **Sanitary:** Two on-site septic fields:

- Field A: 1,778 m² (up to 16 units)
- Field B: 556 m² (up to 5 units)
- Dosing chambers and pumps will support zone-based distribution.
- **Stormwater:** Management includes a retention pond, rock-lined ditches, and street catch basins.

Utility Services:

- A 12 m-wide easement is provided for overhead electrical infrastructure in favour of Nova Scotia Power Incorporated (NSPI), including poles and future easement adjustments.

Floodplain and Stream Proximity:

- The site plan accounts for the 100-year floodplain. No residential units are located within the flood-affected area.
- Provincial setback guidelines are respected with 15 m and 30 m clearances from the stream to water-tight and non-water-tight septic components.

External Agency and Municipal Feedback

Emergency Services (RCMP, Fire, EHS): Confirmed the private road and turnaround bulb meet access requirements; no safety concerns noted.

Town of Bridgewater:

- **Engineering:** No objections if the developer secures approval from the Bridgewater Public Service Commission.
- **Town of Bridgewater planning staff:** Traffic impact is expected to be minimal with a signalized intersection in place.

Department of Public Works:

The Department expressed concerns regarding the proximity of proposed structures and the number of individual accesses fronting onto MacCulloch Road. Specifically:

- No structures—including septic tanks, retaining walls, or parking stalls—may be located within 5 meters of the road right-of-way (ROW).

- All entrance approvals are conditional on Sight Stop Distance (SSD) information and the intended use of each access point. Final entrance locations and approvals will depend on this data.

Environmental Review

a. Notification from Nova Scotia Environment:

The developer submitted a Notification Receipt under Part V of the Environment Act for proposed on-site sewage disposal work. This confirms the development must follow the Nova Scotia On-site Sewage Disposal Systems Standard. The notification must remain on-site, and compliance is the developer's responsibility. This submission does not replace the need for any other required municipal, provincial, or federal permits.

b. Species and Habitat Review by Planning Staff:

Planning staff conducted a desktop review using provincial mapping tools to assess the presence of species at risk or sensitive habitats. No species at risk were identified on the site. The presence of a stream near the proposed road was also observed. Currently, there are currently no inland watercourse regulations prescribing a required setback for the road.

Public Input and Planner's Feedback

Septic Systems and Odour:

- Concern: Potential smells from septic systems impacting nearby units.
- Response: Engineer confirmed airtight system design eliminates odour risk.

Flooding and Vegetation:

- Concern: Previous developments removed vegetation, blocked streams, and contributed to flooding.
- Response: Engineer confirmed 100-year flood event has been factored into the design.

Water Flow and Fire Protection:

- Concern: Adequate water flow and fire hydrant availability.
- Response: Engineer confirmed sufficient water flow and fire protection have been included in the plans.

Green Space and Tree Preservation:

- Appreciation: Public welcomed inclusion of green spaces.
- Concern: Removal of large trees and loss of natural features.

- Response: Planner confirmed that minimizing tree removal will be considered during final approvals.

Road Access During Development:

- Concern: Potential road closures, particularly during lateral installation.
- Response: Developer clarified that any disruptions will be managed and communicated appropriately.

Waste Collection:

- Concern: How garbage collection will be handled on a private road.
- Response:
 - Seasonal collection available with 3 occupied homes.
 - Year-round eligibility at 7 occupied homes.
 - Developer must request garbage collection when thresholds are met.

Street Lighting and Fencing:

- Streetlights: Will be installed along the private road for safety.

Fencing:

- Nearby residents requested the developer to consider fencing for privacy.

Budget/Financial Implications

N/A

Climate Change/sustainability

Increasing housing density on the same property helps reduce urban sprawl, supports more efficient land use, and makes better use of existing infrastructure and services.

Inclusion Diversity equity and Accessibility (IDEA@MODL)

The proposed development will increase the affordable housing stock and is near employment opportunities and easy access to goods and services.

Strategic Communications

The development agreement process enables community members to hear directly from the developer and participate in meaningful dialogue. Planning staff held a public information

session on March 19, 2025, which was attended by approximately 15 members of the public. Attendees provided valuable feedback, asked questions, and raised concerns about the proposed development. This input has been considered in staff’s evaluation and is further detailed in the discussion section of this report.

Work plan

If the Planning Advisory Committee provides a positive recommendation to Council, staff will bring a draft Development Agreement forward to Council for first reading, followed by a public hearing and second reading.

Alternatives

Council can refuse entering into a Development Agreement with the developer.

Conclusion

The proposed cluster development supports the objectives of the Statement of Provincial Interest on Housing by expanding affordable housing options within a serviced area of the Municipality. Its location—between the Town of Bridgewater and Osprey Village—improves access to employment, services, and essential amenities.

The decision to proceed through a development agreement reflects the specific nature of the land-lease model and accommodates a more flexible construction timeline. The project meets the intent of MODL planning policies and regulatory expectations and is supported by preliminary technical assessments and inter-agency feedback. The developer engaged with the community and considered their concerns and feedback during the information session.

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

THIS DEVELOPMENT AGREEMENT made this _____ day of _____, A.D., 2025.

BETWEEN

JAYLYNN ENTERPRISES LIMITED, a body corporate, with registered offices in the Town of Bridgewater, in the County of Lunenburg, in the Province of Nova Scotia.

(Hereinafter called the "DEVELOPER")

OF THE FIRST PART

and

MUNICIPALITY OF THE DISTRICT OF LUNENBURG, a municipal body corporate, with offices in Cookville, in the County of Lunenburg, in the Province of Nova Scotia.

(Hereinafter called the "MUNICIPALITY")

OF THE SECOND PART

WHEREAS the Developer has good title to property identified as PID #60709383, which is also more commonly known as the property located at civic address Lot FE-1 MacCulloch Road, in the community of Cookville, Lunenburg County, Nova Scotia, and which is more fully bounded and described in Schedule "A" attached hereto;

AND WHEREAS the Developer requested to the Municipality their intention to develop the property located at Lot FE-1 MacCulloch Road, for the uses as identified in this Agreement;

AND WHEREAS the property described in Schedule "A" is subjected to Municipal Planning Strategy or Municipal Wide Land Use By-law

AND WHEREAS the lot described in Schedule "A" is located in an unzoned area. However subjected to MPS and LUB pertaining cluster development regulations.

AND WHEREAS Policies 5.3.3, 6.2.1, 6.3,1 and 6.41 of the Municipal Planning Strategy, and subsection 4.13 of the Municipal Wide Land Use By-law, provide that the land lease community will be permitted by Development Agreement;

AND WHEREAS the Municipality, by Resolution of Council passed at a meeting on DATE, approved the identified new residential and commercial development, subject to the execution of this Development Agreement by the parties hereto; and conditions therein, and

NOW THIS AGREEMENT WITNESSETH that in consideration of \$1, now paid, by the Developer to the Municipality and the foregoing recitals and for other good and valuable consideration the receipt and sufficiency of which is hereby confirmed, the parties hereto agree as follows:

1. DEFINITIONS

- a. **Property** unless where otherwise described, means the identified PID # PID #60709383, located at civic address Lot FE-1 MacCulloch Road as described in Schedule "A".
- b. **Cluster Development** means six (6) or more Dwelling Units contained in two or more Dwellings on a single Lot that is partly or entirely un-serviced by municipal water and sewer, including new phases or units in a phased-development condominium with six (6) or more Dwelling Units overall. A Recreational Vehicle Parking Site is not considered a Cluster Development.
- c. **Lot** means any parcel of land as described by its boundaries.

2. USE

- a. That the development and use of the property shall be restricted to cluster development, in accordance with definitions identified in this Agreement, or in the Municipal Wide Land Use By-law, the Developer's application to the Municipality and any related addendums, and with the Site Plans identified in Schedule "B" of this Agreement, attached hereto.

- b. That development and use of the property shall be limited to those structures and cleared areas of the lot, as have been identified on Site Plans found in Schedule "B". Any proposed additions to structures, any additional buildings or structures, or proposed clearing of the property, beyond that which has been outlined to be permitted by way of this Agreement, in relation to the identified Uses, shall require an amendment to this Agreement.

3. SITE PLAN DETAILS - SCHEDULE B

- a. That the Site Plan, identified in Schedule "B" of this Agreement, shows in relation to the use the location of all future buildings, structures, driveway access points, laneways, septic fields, stormwater management, and dimensions of all such.
- b. That the Developer will inform the Municipality of any proposed changes or alteration to the Site Plan, identified in Schedule "B".

4. SITE ACCESS & PARKING

- a. That the driveway entrance, and those areas identified for internal traffic movement on the property to be used by the general public and approved by department of public works as access from a public road.

5. SITE ALTERATIONS

- a. That internal roads shall be designed and constructed to accommodate emergency vehicle access and shall incorporate stormwater drainage directed toward the rear of the property. The design and construction of the internal roads and associated drainage shall be in accordance with the plans submitted by the Developer, as referenced in Schedule 'B' and dated INSERT DATE."

10. CHANGES AND ALTERATIONS

- a. That all matters in this Agreement which are not specified in clauses 10(b) below, are non-substantive matters, and may be changed or altered by amendment to this Agreement in accordance with clause 230(7) of the Municipal Government Act, provided that the Municipality determines that the changes do not significantly alter the intended effects of this Agreement;
- b. That Use of the property, as defined in section 2 of this Agreement; is identified as a substantive matter, and can only be altered by amendment to this Agreement.

11. REGISTRATION, EFFECT OF CONVEYANCE AND DISCHARGE OR TERMINATION

- a. That the Municipality may cause this Agreement to be registered, at the expense of the Municipality, in the Office of the Registrar of Deeds in Bridgewater, Lunenburg County;
- b. That pursuant to the Municipal Government Act, where the lands described in Schedule "A" or any part thereof which are subject to this Agreement is conveyed to a person not a party to this Development Agreement, this Agreement shall continue to apply to the lands described in Schedule "A" until discharged by the Municipality;
- c. That this Agreement shall be in effect until discharged by resolution of Council of the Municipality, pursuant to the Municipal Government Act, whereupon the Land Use By-law shall apply to the lands described in Schedule "A";
- d. That the Municipality may discharge this Agreement if the use and conditions described herein has not yet commenced within twelve (12) months of the date of the Agreement;
- e. That the Municipality retains the option of discharging this Development Agreement should any fact provided by the Developer to the Municipality constitute a material misrepresentation of the facts;
- f. That the provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision; and
- g. That this Agreement shall enure to the benefit of, and be binding upon the Municipality and the Developer, and their successors and assigns.

12. COMPLIANCE WITH OTHER BY-LAWS AND REGULATIONS

- a. That nothing in this Agreement shall exempt the Developer from complying with other By-laws or Regulations in force within the Municipality, or any provincial or federal statutes and regulations, and the Developer agrees to observe and comply with all such existing laws and future by-laws, statutes and regulations in connection with the development and use of the Property; and
- b. That where the provisions of this Agreement conflict with those of any by-law of the Municipality or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.

13. OWNERSHIP

- a. The Developer hereby certifies that **JAYLYNN ENTERPRISES LIMITED** is the sole owner of the property described in attached Schedule "A".
- b. The Developer also certifies that **JAYLYNN ENTERPRISES LIMITED** has not disposed of any interests in the property and there are no judgements, mortgages, or other liens or encumbrances (unless noted herein), affecting the property.

13. IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed by affixing their seals and corporate seals on the day and year first above written.

In the presence of:

JAYLYNN ENTERPRISES LIMITED

Per

WITNESS

Jay Richards
PRESIDENT / RECOGNIZED AGENT

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Per

WITNESS

April Whynot-Lohnes, CLERK

WITNESS

Elspeth McLean-Wile, MAYOR

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

I CERTIFY that on the _____ day of _____ A.D., 2025,
JAYLYNN ENTERPRISES LIMITED, caused the same to be executed in its name and on its behalf and
its corporate seal to be thereunto affixed by its proper officers and I have signed as a witness to such
execution.

A BARRISTER OF THE SUPREME COURT OF NOVA SCOTIA

PROVINCE OF NOVA SCOTIA
COUNTY OF LUNENBURG

I CERTIFY that on the _____ day of _____ A.D., 2025,
MUNICIPALITY OF THE DISTRICT OF LUNENBURG, caused the same to be executed in its name
and on its behalf and its corporate seal to be thereunto affixed by its proper officers and I have signed as
a witness to such execution.

A BARRISTER OF THE SUPREME COURT OF NOVA SCOTIA

Schedule "A"

PARCEL DESCRIPTION

AS TAKEN FROM THE NOVA SCOTIA REGISTRY OF DEEDS FOR PID #60709383
December 12, 2024

Title of Plan:

PLAN OF S/D SHOWING LOT FE-1, PROPERTY OF CHARLES CLARENCE FRASER & MARILYN LOUISE EISNOR, MACCULLOCH RD, COOKVILLE

Designation of Parcel on Plan: LOT FE-1

Registration Number of Plan: 112629630

Registration Date of Plan: 2018-05-23

Together with an easment over the road running from MacCulloch Road along the southwestern boundary of the portion of Lot F.E. 1 herein conveyed, being approximately 20.117m wide and running along the entire southwestern boundary of the said portion of Lot F.E. 1 from MacCulloch Road to the brook. The said easment shall be used in common with others and shall be for all times and purposes, including but not limited to ingress, egress and installation and maintenance of utilities. The grantee shall be responsible for repairing and damage it causes to the said roadway, returning the roadway to the state in which it was prior to any damage caused by grantee. For clarity, any lot subdivided from the lot herein conveyed shall inherit the benefit of this easment, along with the responsibility for any repairs.

*** Municipal Government Act, Part IX Compliance ***

Compliance:

The parcel is created by a subdivision (details below) that has been filed under the Registry Act or registered under the Land Registration Act

Registration District: LUNENBURG COUNTY

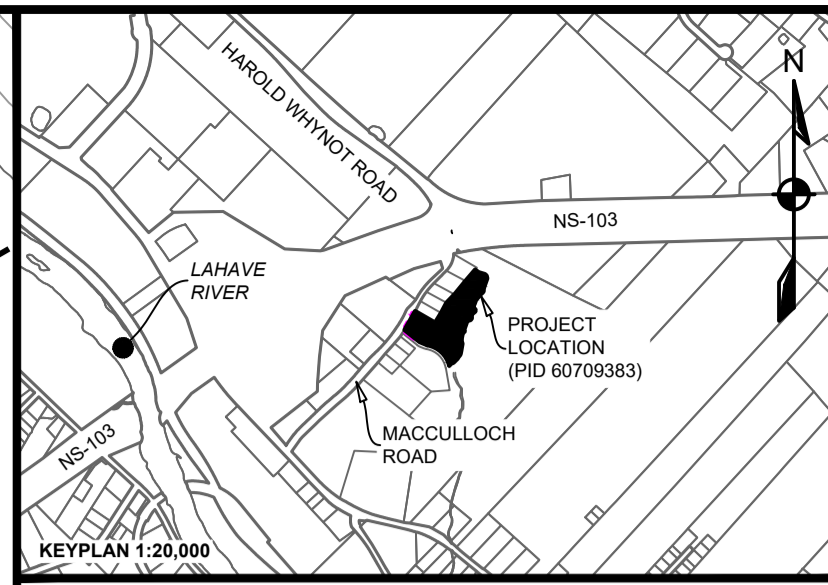
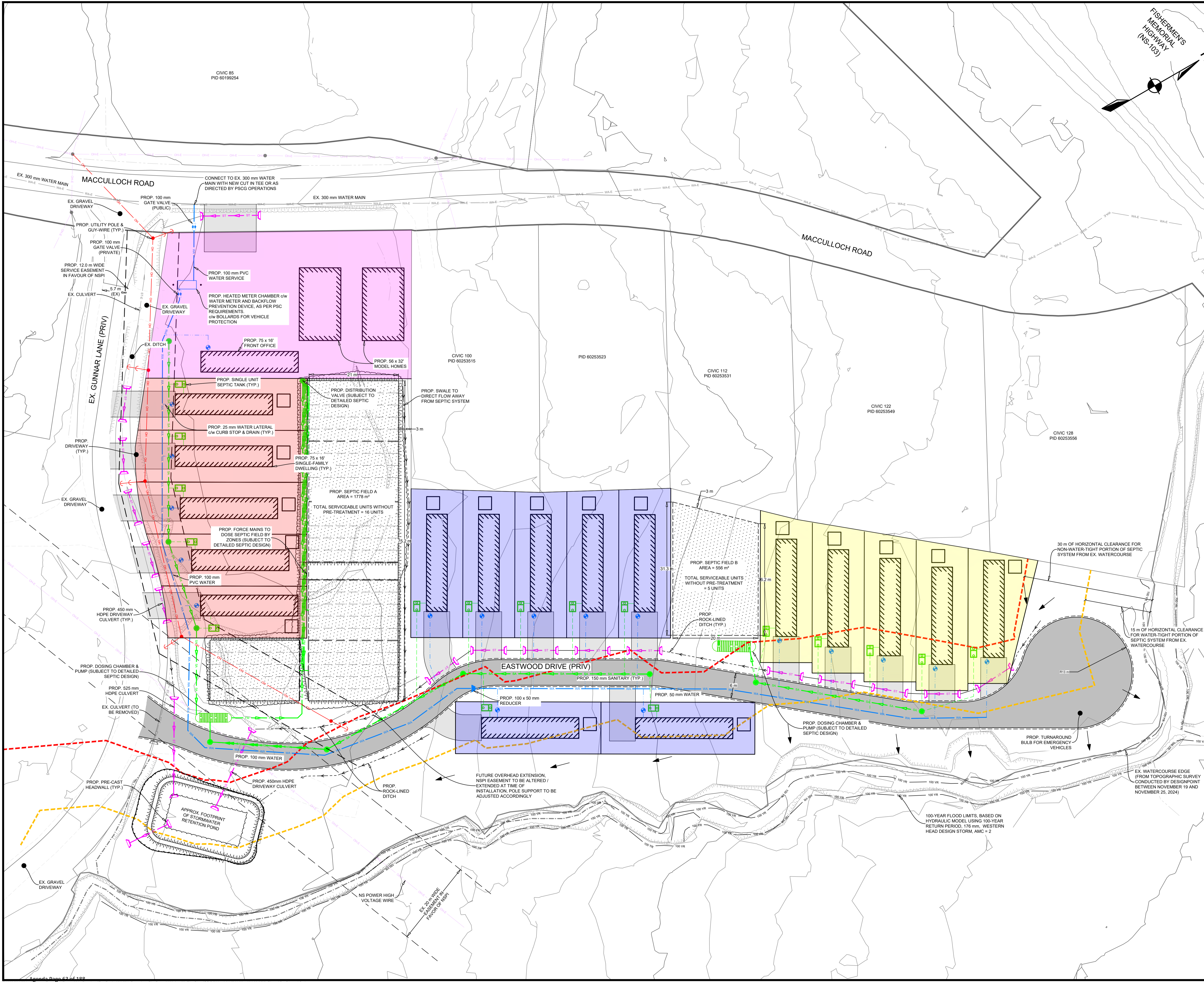
Registration Year: 2023

Plan or Document Number: 1226244696

The MGA compliance statement has been applied by SNSMR during the processing of Land Registration Plan.

Schedule "B" contents:

Site Plan - PRELIMINARY CONCEPT PLAN B project number 24-781
Drawing C-02 - dated April 23, 2025



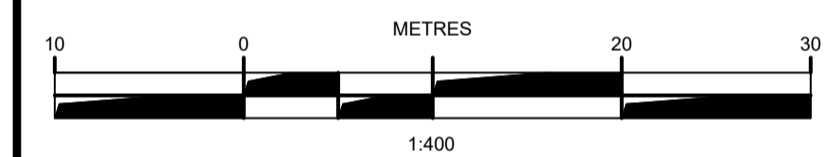
LEGEND

EXISTING	MAJOR CONTOUR	PROPOSED
---	10	---
---	MINOR CONTOUR	---
---	10	---
---	EASEMENT	---
---	RIGHT OF WAY	---
---	LOT LINE	---
---	WATER PIPE	---
---	SANITARY PIPE	---
---	STORM PIPE	---
---	WATER LATERAL	---
---	SANITARY LATERAL	---
---	STORM LATERAL	---
---	TOP OF SLOPE	---
---	BOTTOM OF SLOPE	---
---	FENCELINE	---

BEARINGS ARE GRID DERIVED FROM GNSS OBSERVATION TO NSHPN 200833, REFERENCED TO THE NOVA SCOTIA 3' MODIFIED TRANSVERSE MERCATOR PROJECTION, ZONE 5, CENTRAL MERIDIAN 64°30' W, BASED ON THE HORIZONTAL REFERENCE FRAME NAD83 (CSRS), EPOCH 2010.0.
 ELEVATIONS ARE REFERENCED TO NSHPN 200833, HAVING AN ELEVATION OF 68.312 METRES (CGVD2013).

PHASING LEGEND

PHASE 1A (OFFICE / DISPLAY)	---
PHASE 1 (5 - UNITS)	---
PHASE 2 (7 - UNITS)	---
PHASE 3 (5 - UNITS)	---



ISSUE	DATE	DESCRIPTION	INT.
4	APR. 23, 2025	ISSUED FOR REVIEW	DS
3	FEB. 28, 2025	ISSUED FOR D.A. REVIEW	JW
2	FEB. 14, 2025	ISSUED FOR REVIEW	DS
1	JAN. 06, 2025	ISSUED FOR REVIEW	AK

CONSULTANT

DESIGNPOINT
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902.832.5597 designpoint.ca

ISSUED FOR REVIEW, NOT FOR CONSTRUCTION

CLIENT

JAYLYNN ENTERPRISES LTD.

PROJECT DESCRIPTION

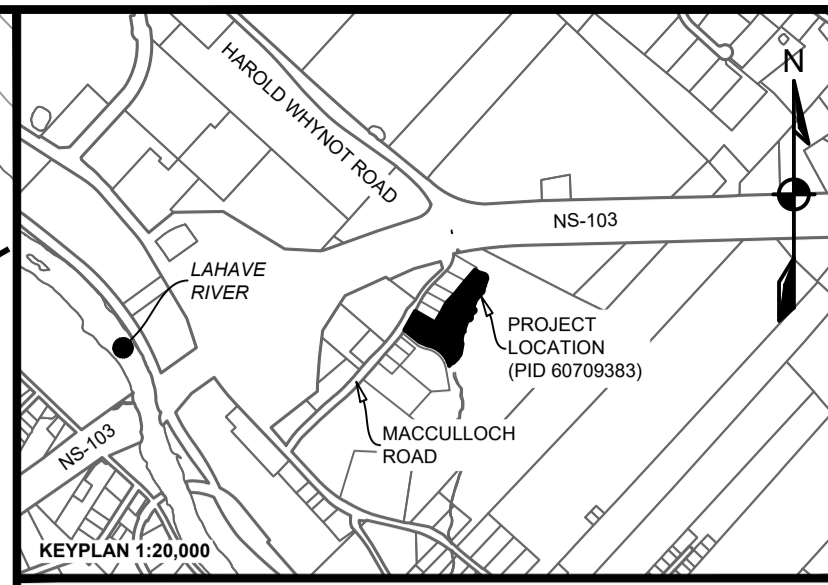
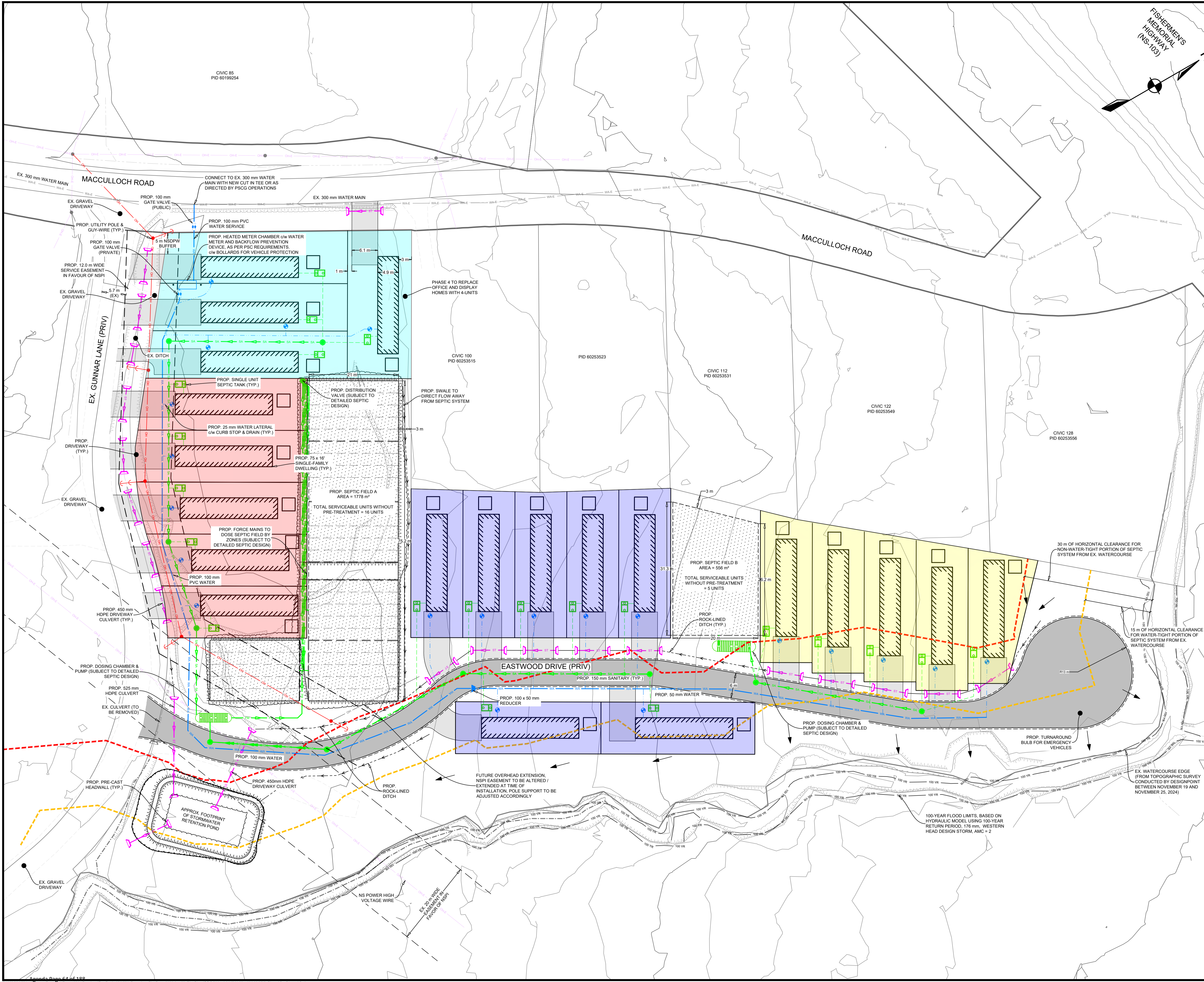
EASTWOOD ESTATES

COOKVILLE, NOVA SCOTIA

SHEET DESCRIPTION

PRELIMINARY CONCEPT PLAN A

Drawn A. KITSUTA	Engineer J. WYATT	Project No. 24-781	Drawing No. C-01
Scale 1:400	Filename 24-781_Base.dwg		1 of 2



LEGEND

EXISTING	MAJOR CONTOUR	PROPOSED
---	10	---
---	MINOR CONTOUR	---
---	10	---
---	EASEMENT	---
---	RIGHT OF WAY	---
---	LOT LINE	---
---	WATER PIPE	---
---	SANITARY PIPE	---
---	STORM PIPE	---
---	WATER LATERAL	---
---	SANITARY LATERAL	---
---	STORM LATERAL	---
---	TOP OF SLOPE	---
---	BOTTOM OF SLOPE	---
---	FENCELINE	---

BEARINGS ARE GRID DERIVED FROM GNSS OBSERVATION TO NSHPN 200833, REFERENCED TO THE NOVA SCOTIA 3' MODIFIED TRANSVERSE MERCATOR PROJECTION, ZONE 5, CENTRAL MERIDIAN 64°30' W, BASED ON THE HORIZONTAL REFERENCE FRAME NAD83 (CSRS), EPOCH 2010.0.

ELEVATIONS ARE REFERENCED TO NSHPN 200833, HAVING AN ELEVATION OF 68.312 METRES (CGVD2013).

PHASING LEGEND

PHASE 1 (5 - UNITS)	---
PHASE 2 (7 - UNITS)	---
PHASE 3 (5 - UNITS)	---
PHASE 4 (4 - UNITS)	---

Scale: 1:400

ISSUE	DATE	DESCRIPTION	INT.
4	APR. 23, 2025	ISSUED FOR REVIEW	DS
3	FEB. 28, 2025	ISSUED FOR D.A. REVIEW	JW
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ISSUED FOR REVIEW, NOT FOR CONSTRUCTION

CLIENT

JAYLYNN ENTERPRISES LTD.

PROJECT DESCRIPTION

EASTWOOD ESTATES

COOKVILLE, NOVA SCOTIA

SHEET DESCRIPTION

PRELIMINARY CONCEPT PLAN B

Drawn A. KITSUTA	Engineer J. WYATT	Project No. 24-781	Drawing No. C-02
Scale 1:400	Filename 24-781_Base.dwg	2 of 2	

Council
Item #10.3.2
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Municipal Council
Submitted by: Carin Mahon, Planner I
Date: May 13, 2025
Re: Osprey Village Plan Amendments

Recommendation

That Council accept the recommendations of the Planning Advisory Committee regarding the Osprey Village amendments by conducting first reading of:

- **By-law 020F - Amendments to the Osprey Village Secondary Planning Strategy 2025;**
and,
- **By-law 021I - Amendments to the Osprey Village Land Use By-Law 2025.**

and further that Council sets the date and time of June 10, 2025 at 5:30 p.m. for a public hearing.

Executive Summary

Osprey Village is experiencing development pressures, but outdated and inconsistent planning documents are creating barriers to appropriate growth. This report recommends targeted amendments to the Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB) to better align land use permissions with on-the-ground conditions and development potential. The proposed changes would:

1. Permit lower-density residential development on four unserved industrial-designated lots (Area 1);
2. Rezone municipally-owned land near Allée Champlain Drive (Area 2) from Institutional to General Commercial to enable mixed-use development; and

3. Rezone a constrained high-density residential parcel (Area 3) to Open Space to protect natural features.

These changes respond to stakeholder input, environmental and servicing considerations, and public engagement. On April 24, 2025, the Planning Advisory Committee recommended Council give notice of its intent to adopt the amendments and proceed to First Reading.

Background

Osprey Village is emerging as a key growth area, however certain sections of its planning documents are outdated and inconsistent, hindering suitable development. This stems from merged or obsolete strategies that no longer meet current lot needs. This report outlines proposed amendments to the Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB) to enable appropriate development by right and reduce delays caused by case-by-case approvals.

The Background and Analysis section considers how the Osprey Village Secondary Planning Strategy and Land Use By-law can be altered to permit a wider variety of land uses better tailored to the constraints and potential of specific properties.

On January 14th, 2025, Council directed staff to review the proposed amendments with the Planning Advisory Committee (PAC). Notice of the amendment was sent on February 4th, 2025, public postings were also made on MODL's website, Facebook page, and engage website. A public information session was held on February 5th and 10 members of the public attended.

Two PAC meetings were held on February 20th, and April 24th, 2025, to review the proposed amendments. On April 24th, 2025, the PAC recommended Municipal Council to conduct First Reading and give notice of its intention to approve and adopt the amendments to the Osprey Village Secondary Planning Strategy and Land Use By-law. The Planning Advisory Committee (PAC), at its meeting of Thursday, April 24th, 2025, made the following recommendations to Municipal Council:

- 1. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow lower density residential development on the four (4) unserviced properties of PID 60431913, 60582566, 60253374 and 60487824.**
- 2. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60730413 from the Institutional (IN) Zone to the General Commercial (GC) Zone under the Enterprise Designation.**
- 3. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60727641 from the High Density Residential (R-3) Zone to the Open Space (OS) Zone under the Community Designation.**

Discussion

There are three areas identified within Osprey Village where the current designation and zoning hinder the potential for suitable development, that are the catalyst for the recommendation to amend the planning documents.

Map 1: Three areas identified requiring amendments to the Osprey Village Plan



Area 1 on Harold Whynot Road

Area 1 contains 4 properties (PIDs 60431913, 60582566, 60253374, and 60487824) designated under Industrial in the Future Land Use Map of Osprey Village, and zoned Light Industrial (LI) under its Secondary Planning Strategy (SPS) and Land Use Bylaw (LUB). The properties make up a total of approximately 98,900 square meters (1,064,551 square feet) and located at the corner of Harold Whynot Road where it turns to intersect with Danica Drive as shown in Map 1. There has been recent interest specifically for PID 60487824 from developers to develop the property for residential use. These properties were originally part of the Lunenburg Municipal Industrial Planned Area – where much of the land is unserviced – before they were consolidated with the Osprey Village SPS and LUB in 2022. When it comes to residential use, the Osprey Village SPS encourages high-density residential development throughout their policies to best use the existing central water and sewer infrastructure. The SPS cites the Statements of Provincial Interest for this approach:

- **Policy 3.4:** To be consistent with the Statements of Provincial Interest Regulations, to encourage the most efficient use of existing infrastructure, and to accommodate the high demand of high-density residential use, the Municipality establishes a residential

designation to create a vibrant community where residents will have access to affordable, attainable, and rental housing.

The LUB regulations support this objective by setting a minimum residential density of 25 units per hectare, effectively preventing single-detached dwellings. However, this high-density standard did not change when the Osprey Village and Lunenburg Municipal Industrial Planning Areas merged. Because of this, this standard is also applied to unserviced properties within the Planned Area, such as the properties along Harold Whynot Road.

Area 1 Analysis

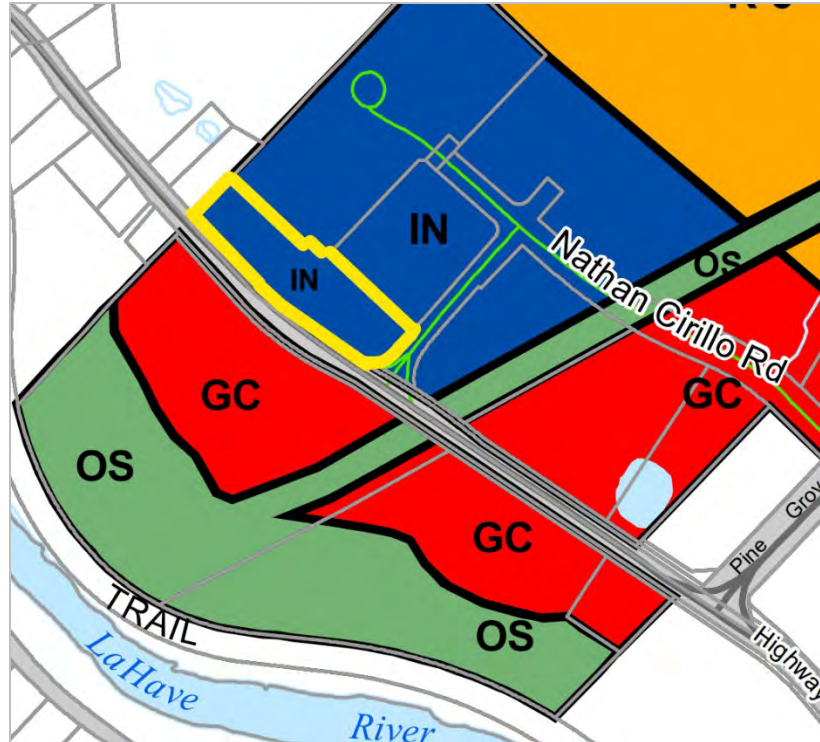
While promoting high-density development in serviced areas makes efficient use of existing infrastructure, applying the same standard to unserviced areas can hinder housing development where lower-density residential development may currently be the only viable option. Amending the Osprey Village LUB to remove the minimum density requirement of 25 units per hectare for the unserviced PIDs 60431913, 60582566, 60253374, and 60487824 will support more feasible residential development. These properties at the time of this report have no future plans for access to central water and sewage infrastructure. Removing the density requirement allows development to better reflect the limitations of these unserviced lands. The specific language and method of this amendment can be found in appendices A and B.

Area 2 on Allée Champlain Drive

Area 2 is a Municipally owned undeveloped property of approximately 143,748 square meters (1,547,291 square feet) at the corner of Highway 10 and Allée Champlain Drive as shown in Map 1 and is currently designated under Community Use in the Future Land Use Map, and zoned Institutional (IN) under the SPS and LUB. Area 2 and the surrounding properties zoned IN were originally designated and zoned in anticipation of a large recreation facility, however the site for this development was moved elsewhere. Because the designation and zoning of this area was chosen specifically for a development that ultimately will not exist at this location, in addition to the permitted uses being very restrictive, it has become a hinderance for the growth of other potential developments such as residential or commercial uses.

Map 2: Ownership and existing uses of properties around area 2.

Other properties zoned Institutional (IN) that surround area 2 (highlighted in yellow) are the French Language School, Centre Scolaire de la Rive Sud I at the end of Chemin Petite Évangéline Court; the Municipal Services Building at 10 Allée Champlain Drive; a provincially owned vacant lot along Allée Champlain Drive and along Chemin Petite Evangeline Court; and the Lumia Health Centre at the corner of Nathan Cirillo Road and Allée Champlain Drive owned by a numbered company.



Area 2 Analysis

To accommodate both residential and commercial uses in area 2 (PID 60730413), the most straightforward approach is to rezone and redesignate the property from Institutional (IN) to General Commercial (GC), aligning with the intended zoning principles of Osprey Village. In addition, the GC zone permits all uses allowed in the IN zone, and stipulates that any drinking establishment must be 500m away from any structure with an institutional use, helping to minimize the impact on existing institutional uses surrounding area 2. Changing area 2 would require a re-designation from the Community Use Designation to the Enterprise Designation which the GC Zone falls under in addition to the rezoning process, requiring amendments to both the SPS and LUB.

The specific language of this amendment can be found in Appendices B and C, along with the proposed changes to the zoning map and future land use map.

Area 3 on Pine Grove Road

Area 3 is a triangular property of approximately 18,286 square meters (196,829 square feet) near the corner of Nathan Cirillo Road and Pine Grove Road as shown in Map 1 that is currently designated under Residential in the Future Land Use Map, and zoned High Density Residential (R-3) under the SPS and LUB. While there have been discussions to develop this property under the R-3 Zone regulations, several constraints on the lot such as its size and soil make high-density residential development difficult.

Area 3 Analysis

As the property has been largely undisturbed and contains natural features, its use could be better reflected by rezoning to Open Space (OS). Like area2, changing this third property would require a re-designation from the Residential Designation to the Community Use Designation which the OS Zone falls under in addition to the rezoning process, requiring amendments to both the SPS and LUB. The specific language of this amendment can be found in Appendices B and C, along with the proposed changes to the zoning map and future land use map.

Public Engagement

A public information session was held on February 5th, 2025, at 6:30 p.m. in person and through a You Tube Livestream. The planning staff discussed the proposed amendments and the areas to be affected, ending with a question period for attendees.

One comment was received during the question period, inquiring how the rezoning and redesignation of the areas highlighted in Map 1 would affect the retention of open space. In relation to the proposed amendments specific to this report, the rezoning of PID 60727641 would be an example of identifying land that would be most valuable as open space. Outside of the proposed amendments affecting this specific property however, open space dedication is done through the MODL Subdivision Bylaw which will not be affected by the amendments. Nevertheless, the question did highlight the concern towards ensuring adequate open space is protected for the growing community of Osprey Village as a whole.

Stakeholder Engagement

On January 31st, 2025, staff inquired professional opinions on this plan review by contacting the following stakeholders:

1. NS Environment & Climate Change;
2. NS Public Works;
3. NS Health;
4. Royal Canadian Mounted Police;
5. Emergency Health Services;
6. Bridgewater Public Services Commission;
7. Northfield District Fire Department;
8. Oakhill District Fire Department;
9. South Shore Regional Centre for Education
10. CSAP (Conseil Scolaire Acadien Provincial)
11. MODL Department of Recreation
12. MODL Department of Engineering
13. MODL Fire Services

Implications

After stakeholder consultation, staff addressed several implications of the proposed amendments, such as adequacy of municipal services, community facilities for education, recreation and emergency services as well as other amenities.

Environmental Implications

A key consideration when developing in Osprey Village is sulphide bearing materials, also known as acid rock drainage. This general area of the municipality is known for having naturally occurring sulphide bearing materials present. Construction may disturb sulfide minerals in rocks which are harmful to aquatic habitats, which must be carefully considered due to the proximity to LaHave River. Staff has been advised to require future developers to hire a consultant to conduct an Environmental Site Assessment to obtain this information as it relates to specific properties when being developed, so as to not disturb the local environment.

There are other general recommendations received from the Department of Environment & Climate Change, such as identifying all wetlands and watercourses early in a planning stage and confirming approvals for sewer line extension on serviced land or on-site sewage disposal systems for unserviced land respectively.

Health Implications

The changes to land use planning in Osprey Village can lead to several health outcomes related to mental health, physical activity, social connectedness and inclusion, improved access to housing and amenities, among others. NS Health staff reviewed the proposed amendments with these outcomes in mind. In terms of housing accessibility, new housing developments that could come from the amendments would increase the local housing supply but may not be suitable for affordable housing, especially in areas lacking public transit and walkability which Osprey Village is still lacking. NS Health suggested that a comprehensive Housing Strategy could help assess and plan for adequate housing options. While permitting low-density residential in unserviced areas may have a lower environmental impact than other uses, NS Health still recommended conducting environmental assessment for future development that would happen on currently vacant land. In addition, any level of development will increase traffic, requiring plans for road maintenance, safety, and noise mitigation. As well, potential conflicts with neighboring industrial uses in the Industrial (LI) zone should be considered, ensuring protections for residents, such as traffic safety measures.

In response to the proposed amendments of area 2, NS Health recommended maintaining the 500m restriction on licensed drinking establishments near institutional uses that exists in the Osprey Village LUB and prohibiting the sale and advertising of tobacco, vaping products, and cannabis to reduce youth exposure in the area. Future development in area 2 should involve consultation with the school community, prioritizing health-promoting spaces while restricting harmful influences. Pedestrian safety should be a priority with crosswalks, sidewalks, and lighting.

In response to the proposed amendments of area 3, NS Health noted that parking lots are permitted within the Open Space (OS) zone in the Osprey Village LUB. If parking lots are developed in area 3, the Municipality should assess environmental impacts and implement protections to preserve green space, ensuring accessibility meets or exceeds provincial standards. Additionally, as Osprey Village develops, including nearby high-density housing, active transportation networks should be enhanced to promote safe and convenient access to green spaces through connected sidewalks and trails.

Fire protection implications

Fire protection services to Osprey Village are shared by the Oakhill Fire Department and Northfield Fire Department. The chiefs of the fire departments stated that the level of development that could come from the amendments will not affect the service level, as long as new development provides road access for fire trucks. The municipal fire services coordinator also supported the feedback from the fire chiefs.

Transportation, Traffic Implications

Comments received from the Department of Public Works stated that the current road network in Osprey Village should have the capacity to support future development brought on by the amendments, and details can be confirmed through a Work Within Highway Right-of-Way Permit approved by Public Works and a transportation impact study process at the time of the development application. Additionally, staff received comments that area 2 should be accessed from Allée Champlain Drive and not Trunk 10.

While the municipal engineering department agreed with these comments for area 1 and 3, they did note that increased vehicle and pedestrian traffic is expected in area 2 with further higher density development such as the recent Stonemont development. While the roads themselves are adequate, increased traffic may result in the need for traffic lights at Pine Grove/Nathan Cirillo Road as well as at Champlain Drive and Highway 10, pursuant to traffic studies. They also noted that sidewalks around the perimeter of area 2 are also planned and will improve pedestrian safety in response to the increased residential density.

Recreational Implications

As residential development is expected to continue to grow in Osprey Village, the retention of adequate open space to provide community character and recreational opportunities for residents is a key consideration moving forward. While the municipal recreation department agreed with the proposed amendment to rezone area 3 as Open Space (OS), they also noted that areas encouraging multi-unit housing developments and commercial businesses should require a percentage of green space in the design plans of the development – if not for public use, at least for the residents occupying the multi-unit dwellings to support their recreational needs and good neighbourhood design.

Central Servicing Implications

Osprey Village receives its central water servicing through a collaborative infrastructure arrangement between MODL and the Town of Bridgewater's Public Services Commission (PSC). As development continues, tracking water servicing capacity will be essential. Comments received from the Bridgewater PSC state that fire flow, the volume of water available for firefighting, is a key factor in determining development potential in serviced areas.

The current agreement between MODL and the PSC allows for a maximum of 75,000 imperial gallons per day (igpd), which is below the fire flow required for full development of Osprey Village. As a result, new development in the area may be constrained not by a specific use or zone, but by limited fire flow capacity. To address this, a new gravity-fed water storage tank is being constructed in Osprey Village, funded jointly by federal, provincial, and municipal partners, including the Town of Bridgewater. This project aims to improve water pressure and increase fire flow capacity, ultimately supporting future development. Until the tank is operational, however, development restrictions may remain in place.

Specific to the proposed zoning changes, area 1 lies outside the PSC service area and is not subject to existing water agreements, while areas 2 and 3 are within the service area and remain in compliance with the current agreement, provided water demand stays within the 75,000 igpd limit and fire flow requirements are met. Village receives its central water servicing through a collaborative infrastructure arrangement between MODL and the Town of Bridgewater's Public Services Commission (PSC).

Implications for Educational Institutions

As communities grow, access to essential community facilities such as schools is a key consideration to ensure the community is livable for school age children and their families. Staff received feedback from both the South Shore Regional Centre for Education (SSRCE) and the Conseil Scolaire Acadien Provincial (CSAP) regarding the proposed amendments.

SSRCE indicated they do not anticipate any negative impacts on their system and will consider any new developments in their future enrollment projections. In contrast, CSAP raised concerns specifically related to the rezoning of area 2 to General Commercial (GC), as the French Language School, Centre Scolaire de la Rive Sud is adjacent to the property. Their concerns included the potential safety risks posed by nearby commercial uses to students and the possibility that removing the Institutional (IN) zoning could limit future school expansion, as the school is currently at capacity. However, the proposed rezoning affects only one vacant, municipally owned lot (PID 60730413), and adjacent vacant lands within the IN zone will still remain available for potential school expansion. Additionally, the GC zone permits all uses allowed in the IN zone, meaning institutional uses such as schools would still be permitted after rezoning area 2. Regarding student safety and land use conflict, the GC zone includes a regulation that prohibits drinking establishments within 500 metres of any institutional structure, a measure also referenced by Nova Scotia Health during stakeholder consultations.

Planning Advisory Committee (Pac) Meeting Summary

On February 20th, and April 24th, 2025, the MODL PAC met in council chambers. Notice was sent seven days in advance including postings made on MODL’s website and engage website to encourage members of the public to attend and ask questions. Staff prepared a short slideshow presentation introducing the amendment, providing options, and giving a staff recommendation. On the April 24th, 2025 meeting concluded with the PAC making recommendations with the following motion:

1. That Municipal Council approve the proposed amendments to the Osprey Village Land Use Bylaw to allow lower density residential development on the four (4) unserviced properties of PID 60431913, 60582566, 60253374 and 60487824.
2. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60730413 from the Institutional (IN) Zone to the General Commercial (GC) Zone under the Enterprise Designation.
3. That Municipal Council approve the proposed amendments to the Osprey Village Secondary Planning Strategy and Land Use Bylaw to rezone and redesignate the property of PID 60727641 from the High Density Residential (R-3) Zone to the Open Space (OS) Zone under the Community Designation.

Strategic Focus

1. Removing the high-density residential requirements from unserviced lots in area 1 allows for more feasible growth within Osprey Village. While this amendment does not involve infrastructure expansion, it supports housing and other appropriate uses at a scale suited to the area's current servicing capacity, aligning with Council’s Strategic Priority for infrastructure upgrades, expansions, and management.
2. Rezoning and redesignating area 2 to the GC zone aligns Council’s Strategic Priority for regional economic development, as it will enable commercial and residential uses on lots previously not permitted for such uses.
3. Rezoning and redesignating area 3 to the OS zone aligns with Council’s Strategic Priority for quality of life, as the proposed amendments will allow for open space to be reserved within a growth center.

Work Plan

Table 1 shows the work schedule for the proposed amendments process.

Table 1: Work schedule for Osprey Village Plan Amendments

Legislative authority	Provision	Scheduled Date
MGA s. 205(1)	Council initiates a by-law amendment	January 14 th , 2025

MGA s. 205(4) Policy 66	Staff holds a public information session.	February 5 th , 2025
MGA s. 205(4) Policy 90	Staff holds a Planning Advisory Committee (PAC) meeting PAC recommends Council	February 20 th , 2025 April 24 th , 2025
MGA s. 205(2)	Council passes a first reading	May 13 th , 2025
MGA s. 206	Clerk publishes a notice of public hearing	May 20 th , 2025
MGA s. 205(2)	Council holds a public hearing	June 10 th , 2025
MGA s. 205(8)	Council passes a second reading	TBA
MGA s. 208(10)	Clerk publishes a notice of approval	TBA

Conclusion

Staff’s recommendation to Council is to approve the proposed amendments to the Osprey village SPS and LUB to remove the 25 units per hectare requirement for residential developments on the unserved properties of PID 60431913, 60582566, 60253374, and 60487824, rezone PID 60730413 from Institution (IN) to General Commercial (GC), and rezone PID 60727641 from High Density Residential (R-3) to Open Space (OS).

Report Preparation	
Department	Planning & Development
Report Prepared by	Carin Mahon, Planner I
Report Approved by	Jeff Merrill, MCIP, LPP, Director of Planning & Development Services
Date Reviewed by C.A.O.	

Appendix A: Proposed Land Use By-law amendments (Line by line edits)

5.2 Light Industrial Zone

5.2.1 Permitted Developments

A lot within the Light Industrial (LI) Zone may be used for one or more of the following uses:

- a) any activity connected with the automotive trade, including service stations, auto sales, automobile repair shops, auto body repair shops, but excludes salvage operations;
- b) automobile washing establishments;
- c) *repealed*;
- d) construction equipment storage, rental and repair;
- e) crematoria;
- f) *repealed*;
- g) *repealed*;
- h) *repealed*;
- i) *repealed*;
- j) landscaping business including equipment and material storage;
- k) machinery and motor vehicle repair shops;
- l) *repealed*;
- m) recreation facilities;
- n) recreation vehicle sales;
- o) repair shops;
- p) self storage facilities;
- q) supply and distribution centres;
- r) *repealed*;
- s) trucking and transport depots;
- t) *repealed*;
- u) veterinary clinics;
- v) wholesale and warehousing facilities;
- w) manufacturing, processing, assembly or production development;
- x) a use permitted in the General Commercial (GC) Zone, including a use permitted in the Institutional (IN) Zone.

5.2.1.1 Despite the uses permitted in Section 5.2.1(x) under the requirements of Section 6.3.1, the following lands listed by PID are exempt from a residential use meeting the High Density Residential minimum of 25 units per hectare:

PID	Civic Address
60431913	371 Harold Whynot Road

60582566	391 Harold Whynot Road
60253374	417 Harold Whynot Road
60487824	Harold Whynot Road

6.3 General Commercial (Gc) Zone

6.3.1 Permitted Developments

A lot within the General Commercial (GC) Zone may be used for one or more of the following uses:

- a) a retail use;
- b) an office use;
- c) a food establishment use;
- d) subject to being 500 metres away from a structure with an institutional use listed under subsection 7.2.5., a drinking establishment use;
- e) a short term rental use;
- f) a bakery, crafting, creative, and printing establishment use;
- g) other commercial uses except adult entertainment, wholesale, warehousing, and vehicle sale uses;
- h) a residential use, with the minimum density of 25 units a hectare;
- i) uses permitted in the Institutional Zone.

Appendix B: proposed Land Use By-law amendments (By-law 021I)

Amending By-law Details	
Name	Amendments to the Osprey Village Land Use By-Law 2025
Number	021I
Legislative Authority	Municipal Government Act, Section 205
Effective Date	

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority of Section 205 of the **Municipal Government Act**, as follows:

Title

- 1 This By-law is titled the Amendments to the Osprey Village Land Use By-law and may be cited as the Osprey Village Plan Amendment By-Law(2025).

Amendments to the Land Use By-law (By-law 021)

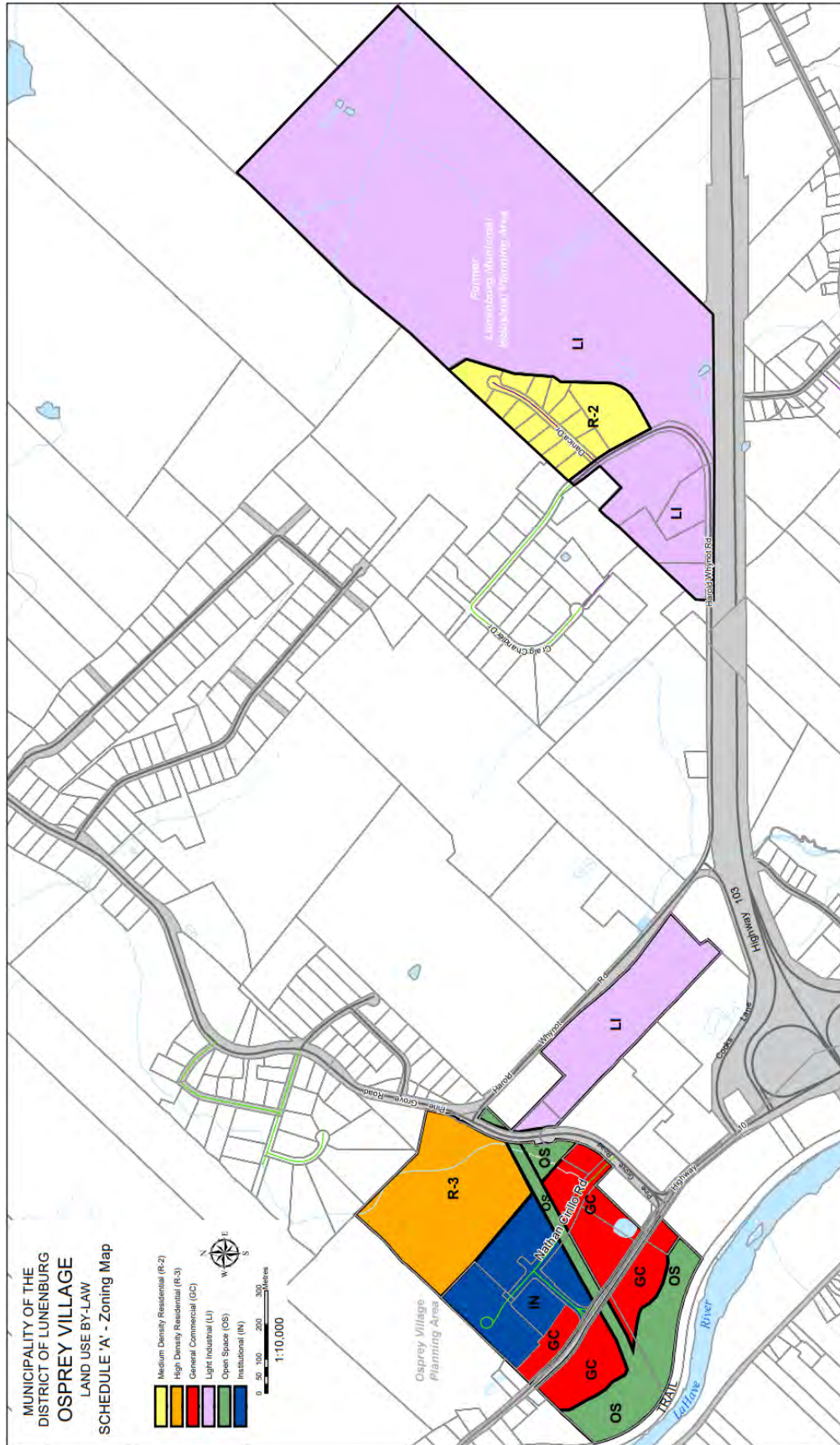
- 2 Part 5 of By-law 021 is amended by adding immediately after subsection 5.2.1 the following subsection:

5.2.1.2 Despite the uses permitted in Section 5.2.1(x) under the requirements of Section 6.3.1, the following lands listed by PID are exempt from a residential use meeting the High Density Residential minimum of 25 units per hectare:

PID	Civic Address
60431913	371 Harold Whynot Road
60582566	391 Harold Whynot Road
60253374	417 Harold Whynot Road
60487824	Harold Whynot Road

- 5 Schedule A of By-law 021, the zoning map, is amended as attached in Schedule A of this By-law.

Schedule A Zoning Map - Amendments to the Osprey Village Land Use By-Law 2025 (By-law 0211)



Appendix C: proposed Secondary Planning Strategy amendments (By-law 020F)

Amending By-law Details	
Name	Amendments to the Osprey Village Secondary Planning Strategy 2025
Number	020F
Legislative Authority	Municipal Government Act, Section 205
Effective Date	

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority of Section 205 of the **Municipal Government Act**, as follows:

Title

- 1** This By-law is titled the Amendments to the Osprey Village Secondary Planning Strategy and may be cited as the Osprey Village Plan Amendment By-Law(2025).

Amendments to the Secondary Planning Strategy (By-law 020)

- 2** Map 1 of By-law 020, the generalized future land use map, is amended as attached in Schedule A of this By-law.

Council
Item #11.1.1
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council

Submitted by: Ella R. Gindi, Planner II

Date: May 13, 2025

Re: Cluster Development Regulations - Second Reading

Recommendation

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

“That Municipal Council conduct Second Reading to:

- By-law 035C – Amendments to the Municipal Planning Strategy; and,**
- By-law 049A – Amendments to the Municipal-Wide Land Use By-law.”**

as presented at the May 13, 2025 public hearing which includes new sections outlining regulations for cluster development.”

Executive summary

The proposed cluster development regulations aim to ensure multi-unit residential projects meet appropriate standards for size, layout, and location. The process began in 2023 with input from residents, the Planning Advisory Committee, and legal counsel.

Concerns from developers of ongoing bare land condominium projects led to the inclusion of a “grandfathering” clause, initially exempting qualifying projects underway by December 31, 2025.

After First Reading passed in July 2024, the 150-day approval window lapsed in December, requiring the process to restart. A revised First Reading was held in January 2025, followed by public engagement in

March. In response to feedback, Council delayed Second Reading and directed staff to revise the regulations. Changes included extending the “grandfathering” deadline to December 31, 2026, giving developers time to obtain permits under previous rules.

The revised regulations received First Reading on April 22, 2025. At that meeting, Council also directed staff to hold a public information session and a public hearing. A public session was held on May 6, 2025; however, no members of the public attended.

Background

Cluster developments are residential developments where multiple detached or multi-unit dwellings are built on the same property. The goal of the proposed cluster development regulations is to ensure new developments align with appropriate standards based on size, layout, and location. The proposed amendments to these regulations can be found in Appendices A and B.

The regulations were drafted following public engagement in July 2023. Throughout the process, revisions were made in consultation with residents, the Planning Advisory Committee, and legal experts. Key considerations included the development agreement approval process, criteria for defining cluster developments, and specific development standards.

As a part of the process of drafting the original regulations, concerns were raised by developers of bare land condominiums that had already been issued condominium numbers and were conducting site work such as roads and servicing infrastructure that would be required to be completed prior to the final approval from the Registrar of Condominiums. Council then obtained legal advice with options on how to deal with these ongoing developments. Advice given to Council suggested that they could choose from options ranging from granting no special treatment to these developments, to the ability to extend the in-effect date for specific kinds of developments.

Ultimately, Council chose to include an extended in-effect date that would apply to bare land-style developments that had already obtained a condo number (proof they were already significantly underway) to recognize that these developments were quite advanced in their site work and that there could be challenges meeting, for example, road standards for roads that were already built. This “grandfathering” also placed a timeline for completion so that the new regulations would come into effect as of December 31, 2025. All ongoing projects would have to be completed, as evidenced by being fully registered with the Land Registry Office by that time.

The proposed regulations passed First Reading on July 30, 2024. As per Section 246(4) of the Municipal Government Act, First Reading temporarily put the regulations into effect for 150 days. However, this period expired before final approval, rendering the regulations inactive as of December 27, 2024.

To address this, the proposed amendments were reintroduced on January 28, 2025, when Council passed First Reading to amend the Municipal Planning Strategy and Land Use Bylaw to formally include cluster development regulations. Council then directed the planning staff to hold a public information session and a public hearing.

The public information session took place on March 3, 2025, where planning staff gave a brief presentation on the proposed amendments and provided an opportunity for public questions and feedback. Most feedback from the public information session and subsequent written submissions supported the amendment, with some concerns about density and the legal non-conforming clause.

A Public Hearing was held on March 11, 2025, providing members of the public an opportunity to share feedback on the proposed amendment both written and in-person. Some community members were in favour of the amendments, while others requested extensions or exemptions from the proposed regulations, for specific development proposals.

Following Council's direction, planning staff prepared a report outlining five options for consideration, ranging from full implementation of the original cluster development regulations to granting targeted exemptions or delaying enforcement. Additionally, the Chief Administrative Officer (CAO) submitted a separate options report for Council's review. Based on the CAO's report, Council directed staff to revise the documents accordingly and bring them back for the April 22 meeting.

Council passed the following motions in response to the CAO's report:

“Council direct Staff to draft an amendment to the Cluster Development Regulations to include a section (i.e., 5.3.2) that would permit developers a specified time period to get a building permit for a cluster development (that is not a phased development condominium) and, provided that construction commences within 12 months after the date of the permit, said development will be recognized by Council as non-conforming (and therefore not subject to the regulations).”

“Council direct Staff to draft an amendment to the Cluster Development Regulations at section 5.3.1 to change the date from December 31, 2025, to December 31, 2026.”

“Council direct Staff to set the ‘grandfathering clause’ at section 5.3.1 (be it the current December 31, 2025, or the recommended December 31, 2026) to also be the date set for the proposed ‘grandfathering clause’ for cluster developments.”

On April 22, 2025, Council held the first reading of the revised cluster development regulations. During this meeting, Council passed the following motions:

Motion 1:

“That Municipal Council give First Reading to:

- **By-law 035C – Amendments to the Municipal Planning Strategy**
- **By-law 049A – Amendments to the Municipal-Wide Land Use By-law.”**

As presented on April 22, 2025, which include new sections outlining regulations for cluster development.”

Motion 2:

"That Municipal Council direct staff to hold a public information session to present and discuss the revised cluster development amendments outlined in the proposed updates to the Municipal Planning Strategy and Municipal-Wide Land Use By-law, and further, that Council schedule a public hearing for May 13, 2025, at 5:30 p.m."

A public information session on the revised cluster development regulations was held on May 6, 2025; however, no members of the public attended. Planning staff have not received any new correspondence following the session. All previous correspondence submitted during earlier readings was made public at the time of the prior hearings.

Discussion

Planning staff have introduced specific amendments to Section 5.3 of the Municipal Planning Strategy, which addresses Non-Conforming Allowances for Cluster Developments. These changes aim to clarify how Council will handle cluster developments that do not fall under phased development condominiums. The new subsections, 5.3.2 and 5.3.3, provide a framework for recognizing such developments as non-conforming while ensuring flexibility for developers.

Under subsection 5.3.2, cluster developments will be recognized as non-conforming by Council if they are not phased development condominiums. To qualify for this recognition, developers must obtain a building permit by December 31, 2026, and begin construction within 12 months of the permit being issued. However, subsection 5.3.3 introduces a provision that allows developers to enter into a Development Agreement if they are unable to complete the

development within the specified timeframe, thus providing some leeway while still meeting the Council's original intent.

These changes offer exemptions as requested by the Council, while also giving developers the option to enter into a Development Agreement if their projects face delays beyond the building permit timeframe.

Planning staff have updated Section 4.6 of the Municipal-Wide Land Use By-law, focusing on Non-Conforming Allowances for Cluster Developments. This revision specifically clarifies that non-phased cluster developments with a complete building permit application by December 31, 2026, will be recognized as non-conforming by Council. Additionally, cluster developments registered as bare land or phased land condominiums by the same date will also be deemed non-conforming. In phased condominium developments, only the units registered by December 31, 2026, will be considered non-conforming, regardless of future phases.

The following changes:

Municipal Planning Strategy (Section 5.3)

Revised subsection:

5.3.1 As outlined in the Municipal-Wide Land Use By-law section on Non- Conforming Uses, it will be a policy of Council that, for cluster developments being developed as bare land condominiums or phased land condominiums, all units that have been accepted for registration by the Registrar of Condominiums as evidenced by their being registered at the appropriate Land Registration office established under the Land Registration Act by December 31, 2026, will be recognized by Council as non-conforming.

New subsections added:

5.3.2 Council will recognize cluster developments as non-conforming if they are not phased development condominiums. To qualify, a developer must have submitted a complete building permit application for the development by December 31, 2026.

5.3.3 Despite subsection 5.3.2, Council may allow cluster developments to be approved by development agreement prior to December 31, 2026 if it determines that the proposed development cannot be completed within the building permit timeframe.

Municipal Wide Land Use Bylaw (Section 4.6)

Revised subsection:

4.6 Non-Conforming Cluster Developments

For cluster developments established as bare land or phased land condominiums, all units registered with the Registrar of Condominiums by December 31, 2026—as evidenced by registration at the appropriate Land Registration Office under the *Land Registration Act*—will be recognized by Council as non-conforming. For non-bare land condominium cluster developments, Council will extend the same recognition to those that obtain a complete building permit application by December 31, 2026. In the case of phased condominium developments, only the units registered by December 31, 2026, will be considered non-conforming, regardless of whether the approved Condominium Declaration anticipates additional phases.

Strategic Focus

Cluster development, facilitated through the development agreement (DA) process, can help reduce urban sprawl and greenhouse gas emissions while aligning with Council's goals for sustainable growth and economic development. By promoting efficient land use, the DA process ensures that environmental considerations are incorporated, aiming to minimize potential impacts and contribute to climate change mitigation efforts, all while supporting broader community and economic objectives.

Budget/Financial Implications

Not Applicable

Inclusion Diversity equity and Accessibility (IDEA@MODL)

Not Applicable

Strategic Communications

Three public information sessions and one public hearing were held throughout the project. Staff ensured that all relevant information was shared through MODL's Engage platform, newsletters, newspaper notices, and social media to support public engagement and keep residents informed.

Work plan

If Council proceeds with Second Reading, staff will prepare the necessary package for submission to Municipal Affairs for review.

Alternatives

- 1. Do Not Implement Regulations:** Council would not move forward with cluster development regulations. Existing concerns around road standards, servicing, and environmental impacts would remain unaddressed.

- 2. **Defer Decision:** Council could delay a decision to allow time for further review or consultation. Cluster developments would continue without specific regulations in the meantime.
- 3. **Include in Municipal-Wide Planning Review:** Council may choose to address cluster development as part of the upcoming municipal planning review. This would allow for integration into broader land use policies but would delay regulation.

Conclusion

If Council deems it advisable to proceed with the Municipal Planning Strategy and Land Use By-law related to cluster development as outlined in By-law 035C - Amendments to the Municipal Planning Strategy; and By-law 049A - Amendments to the Municipal Wide Land Use By-law Council may move forward with Second Reading. Following approval, the amended documents will be forwarded to the Department of Municipal Affairs for review.

Once the Department confirms that the documents do not conflict with any provincial interests, a Notice of Approval will be published in the local newspaper to inform the public of the adoption. The date the Public Notice appears in the newspaper will serve as the effective date for the adoption of the documents.

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Ella R. Gindi, Planner II
Report Approved by	Reid Shepherd, LPP, MCIP
Date Reviewed by C.A.O.	

Appendix A – Land Use By-law Amendment Content

Within Section 2. Definitions, a definition for cluster development is added after ‘Building Footprint’.

Cluster Development means six (6) or more Dwelling Units contained in two or more Dwellings on a single Lot that is partly or entirely un-serviced by municipal water and sewer, including new phases or units in a phased-development condominium with six (6) or more Dwelling Units overall. A Recreational Vehicle Parking Site is not considered a Cluster Development.

Revised section **4.6 Non-Conforming Cluster Developments** to include non phased cluster developments as nonconforming if they secure a building permit application by December 31, 2026.

4.6 Non-Conforming Cluster Developments

For cluster developments established as bare land or phased land condominiums, all units registered with the Registrar of Condominiums by December 31, 2026—as evidenced by registration at the appropriate Land Registration Office under the *Land Registration Act*—will be recognized by Council as non-conforming. For non phased cluster developments, Council will extend the same recognition to those that obtain a complete building permit application by December 31, 2026. In the case of phased condominium developments, only the units registered by December 31, 2026, will be considered non-conforming, regardless of whether the approved Condominium Declaration anticipates additional phases.

A new section after 4.12 Sensitive Coastal Ecosystems is added called **4.13 Cluster Developments**. This section directs Cluster Development applications to be approved by development agreement and directs applicants to the Municipal Planning Strategy.

4.13 Cluster Developments

No development permit will be issued for any Cluster Development except in accordance with a development agreement approved under the policies in the Municipal Planning Strategy, including, but not limited to those in Sections 5 and 6.

Appendix B – Municipal Planning Strategy Content

New sections are added after Section 5. Municipal-Wide Land Use Policies called **5.1 Cluster Developments, 5.2 Cluster Developments by Development Agreement, and 5.3 Non-Conforming Allowances for Cluster Developments**. These sections outline policies directly related to Cluster Development.

5.1 Cluster Developments

Cluster developments are a type of residential development where several detached and/or multiple-unit dwellings are located on the same property. In response to concerns over the absence of development standards for this kind of development, Council has introduced a process by which Cluster Development proposals to develop or expand, including through new or additional phases, are able to be approved through a development agreement process. The following general policies apply to this kind of development:

5.1.1 Council will review cluster development regulations every five years and update them in accordance with best practices for development regulations.

5.1.2 Council will permit cluster developments in all areas of the Municipality unless stricter policies are contained in a Secondary Planning Strategy or associated Land Use By-law.

Conservation design development is a style of cluster development designed to conserve open space in rural areas and protect environmental features. The basic principle of the design is to locate homes on the portion of the site best suited for development while retaining the remainder of the site as open space. While conservation design is not being directly evaluated as part of the development agreement process, Council wishes to promote conservation design as one possible way of meeting environmental and servicing standards.

5.1.3 It will be a policy of Council to promote and encourage conservation design style cluster development.

5.2 Cluster Developments by Development Agreement

The evaluative criteria of the development agreement process provides Council the flexibility to uphold development standards that are appropriate to the size, configuration, and location of the proposed development.

5.2.1 Council will consider cluster development applications through the development agreement process.

5.3 Non-Conforming Allowances for Cluster Developments

A non-conforming use, sometimes called a grandfathered use, is a status given to a land use that pre-dates a regulation to allow its continuation under certain restrictions. A future date has been chosen for grandfathering by means of non-conforming status. This will allow a reasonable period

for completion of work needed to obtain registration of units or building permits at the time of the publication of the notice of intent to adopt these planning documents.

5.3.1 As outlined in the Municipal-Wide Land Use By-law section on Non- Conforming Uses, it will be a policy of Council that, for cluster developments being developed as bare land condominiums or phased land condominiums, all units that have been accepted for registration by the Registrar of Condominiums as evidenced by their being registered at the appropriate Land Registration office established under the Land Registration Act by December 31, 2026, will be recognized by Council as non-conforming.

5.3.2 Council will recognize cluster developments as non-conforming if they are not phased development condominiums. To qualify, a developer must hold a complete building permit application by December 31, 2026.

5.3.3 Despite subsection 5.3.2, Council may allow cluster developments to enter into a Development Agreement if it determines that the proposed development cannot be completed within the building permit timeframe.

6. Implementation

6.1 Development Agreements

A development agreement is a binding legal agreement between the Municipality and a property owner that can address specific details regarding the design and use of a proposed development.

6.1.1 Council will consider entering into a new development agreement where such an agreement is enabled by policies elsewhere in this Plan. Where Council approves a development agreement, the development agreement will:

- (a)** Specify the development, expansion, alteration, or change permitted;
- (b)** Specify the conditions under which the development may occur; and

- (c)** Set terms by which Council may amend or terminate and discharge the agreement.

6.1.2 Council will not approve or amend a development agreement unless Council is satisfied the proposed agreement is consistent with the enabling policy and the general criteria set out in Policy 6.3.

6.2 Content of a Development Agreement

6.2.1 Council may specify conditions in the Development Agreement to meet the enabling and general criteria outlined in Policy 6.3. These conditions may include but are not limited to controls regarding:

- (a)** Adequacy of street networks, site access, and emergency evacuation;
- (b)** Adequacy of services such as water and sewer;
- (c)** Access of emergency vehicles;
- (d)** Stormwater management;
- (e)** Grading and erosion control;
- (f)** The phasing of a development;
- (g)** Time limits for the initiation and/or completion of development;
- (h)** Availability of a safe water supply;
- (i)** The suitability of the site in relation to environmental impact; and
- (j)** All other matters enabled in Section 227 of the Municipal Government Act.

6.3 General Evaluation Criteria of a Development Agreement

6.3.1 Council will not approve a development agreement unless Council is satisfied the proposal:

- (a)** Is consistent with the intent of this Municipal Planning Strategy;
- (b)** Does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the Municipality;
- (c)** Is not premature or inappropriate due to:
 - (i)** Impacts on existing drinking water supplies, both private and public;
 - (ii)** The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
 - (iii)** The creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - (iv)** The adequacy of fire protection services and equipment;
 - (v)** Impacts on known habitat for species at risk;
 - (vi)** The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas; and
 - (vii)** The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.

6.4 Specific Evaluation Criteria of a Development Agreement

6.4.1 Council may require, in addition to any other required information, any or all the following information, prepared by an appropriate qualified professional at the applicant's cost, and at a level sufficiently detailed to determine whether the criteria for adopting a development agreement have been met.

- (a)** A detailed plot plan showing features such as, but not limited to:
 - (i)** The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment's on-site sewage technical guidelines;
 - (ii)** Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
 - (iii)** The location of dedicated green space, including open space and amenities;
- (b)** A hydrogeological assessment in accordance with the guidelines set out in Nova Scotia Environment's groundwater assessment standards;
- (c)** An environmental impact study identifying the potential impact and recommended mitigation measure for wetlands, natural habitats, or species at risk;
- (d)** Access for emergency vehicles; and
- (e)** Any other matters enabled in Section 227 of the Municipal Government Act.

5.2 Cluster Developments by Development Agreement

The evaluative criteria of the development agreement process provides Council the flexibility to uphold development standards that are appropriate to the size, configuration, and location of the proposed development.

- 5.2.1** Council will consider cluster development applications through the development agreement process.”

5.3 Non-Conforming Allowances for Phased and Bare Land Condominiums

A non-conforming use, sometimes called a grandfathered use, is a status given to a land use that pre-dates a regulation to allow its continuation under certain restrictions. Considering that work may have already begun on unregistered phased-development and bare land condominium units, relying on their unregulated status before the enactment of these planning documents, a future date has been designated for grandfathering. This non-conforming status allows a reasonable period for completing the necessary work to register units that were underway when the notice of intent to adopt these planning documents was published.

- 5.3.1** As outlined in the Municipal-Wide Land Use By-law section on Non- Conforming Uses, it will be a policy of Council that, for cluster developments being developed as bare land condominiums or phased land condominiums, all units that have been accepted for registration by the Registrar of Condominiums as evidenced by their being registered at the appropriate Land Registration office established under the Land Registration Act by December 31, 2025, will be recognized by Council as non-conforming.

- 3** Section 6. Implementation is added between Section 5.3.1 and Attachments which includes the following content:

6. Implementation

6.1 Development Agreements

A development agreement is a binding legal agreement between the Municipality and a property owner that can address specific details regarding the design and use of a proposed development.

- 6.1.1** Council will consider entering into a new development agreement where such an agreement is enabled by policies elsewhere in this Plan. Where

Council approves a development agreement, the development agreement will:

- (a) Specify the development, expansion, alteration, or change permitted;
- (b) Specify the conditions under which the development may occur; and
- (c) Set terms by which Council may amend or by which Council or the Chief Administrative Officer may terminate and discharge the agreement.

6.1.2 Council will not approve or amend a development agreement unless Council is satisfied the proposed agreement is consistent with the enabling policy and the general criteria set out in Policy 6.3.

6.2 Content of a Development Agreement

6.2.1 Council may specify conditions in the Development Agreement to meet the enabling and general criteria outlined in Policy 6.3. These conditions may include but are not limited to controls regarding:

- (a) Adequacy of street networks, site access, and emergency evacuation;
- (b) Adequacy of services such as water and sewer;
- (c) Access of emergency vehicles;
- (d) Stormwater management;
- (e) Grading and erosion control;
- (f) The phasing of a development;
- (g) Time limits for the initiation and/or completion of development;
- (h) Availability of a safe water supply;
- (i) The suitability of the site in relation to environmental impact; and
- (j) All other matters enabled in Section 227 of the Municipal Government Act.

6.3 General Evaluation Criteria of a Development Agreement

6.3.1 Council will not approve a development agreement unless Council is satisfied the proposal:

- (a) Is consistent with the intent of this Municipal Planning Strategy;

- (b) Does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the Municipality;
- (c) Is not premature or inappropriate due to:
 - (i) Impacts on existing drinking water supplies, both private and public;
 - (ii) The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
 - (iii) The creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - (iv) The adequacy of fire protection services and equipment;
 - (v) Impacts on known habitat for species at risk;
 - (vi) The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas; and
 - (vii) The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.

6.4 Specific Evaluation Criteria of a Development Agreement

6.4.1 Council may require, in addition to any other required information, any or all the following information, prepared by an appropriate qualified professional at the applicant's cost, and at a level sufficiently detailed to determine whether the criteria for adopting a development agreement have been met.

- (a) A detailed plot plan showing features such as, but not limited to:
 - (i) The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment's on-site sewage technical guidelines;
 - (ii) Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;

Municipality of the District of Lunenburg

Amending By-law Details	
Name	Amendments to the Municipal Planning Strategy, 2024
Number	035C
Legislative Authority	Municipal Government Act, Section 205
Effective Date	-

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority of Section 205 of the **Municipal Government Act**, as follows:

Title

- 1 This By-law is titled 'Amendments to the Municipal Planning Strategy, 2024' and may be cited as the Cluster Development Amendment (2024).

Amendments to the Municipal Planning Strategy (By-law 035C)

- 2 Section 5.1, 5.2, and 5.3 is added between Section 5. Municipal-Wide Land Use Policies and Section 6. Implementation. These sections include the following content: “

5.1 Cluster Developments

Cluster developments are a type of residential development where several detached and/or multiple-unit dwellings are located on the same property. In response to concerns over the absence of development standards for this kind of development, Council has introduced a process by which cluster development proposals to develop or expand projects, including through new or additional phases, are able to be approved through a development agreement process. The following general policies apply to this kind of development: “

- 5.1.1** Council will review cluster development regulations every five years and update them in accordance with best practices for development regulations.
- 5.1.2** Council will permit cluster developments in all areas of the Municipality unless stricter policies are contained in a Secondary Planning Strategy or associated Land Use By-law.

Conservation design development is a style of cluster development designed to conserve open space in rural areas and protect environmental features. The basic principle of the design is to locate homes on the portion of the site best suited for development while retaining the remainder of the site as open space. While conservation design is not being directly evaluated as part of the development agreement process, Council wishes to promote conservation design as one possible way of meeting environmental and servicing standards.

- 5.1.3** It will be a policy of Council to promote and encourage conservation design style cluster development.”

5.2 Cluster Developments by Development Agreement

The evaluative criteria of the development agreement process provides Council the flexibility to uphold development standards that are appropriate to the size, configuration, and location of the proposed development.

- 5.2.1** Council will consider cluster development applications through the development agreement process.”

5.3 Non-Conforming Allowances for Cluster Developments

A non-conforming use, sometimes called a grandfathered use, is a status given to a land use that pre-dates a regulation to allow its continuation under certain restrictions. A future date has been chosen for grandfathering by means of non-conforming status. This will allow a reasonable period for completion of work needed to obtain registration of units or building permits at the time of the publication of the notice of intent to adopt these planning documents.

- 5.3.1** As outlined in the Municipal-Wide Land Use By-law section on Non- Conforming Uses, it will be a policy of Council that, for cluster developments being developed as bare land condominiums or phased land condominiums, all units that have been accepted for registration by the Registrar of Condominiums as evidenced by their being registered at the appropriate Land Registration office established under the Land Registration Act by December 31, 2026, will be recognized by Council as non-conforming.

- 5.3.2** Council will recognize cluster developments as non-conforming if they are not phased development condominiums. To qualify, a developer must hold a complete building permit application by December 31, 2026.

- 5.3.3** Despite subsection 5.3.2, Council may allow cluster developments to enter into a Development Agreement if it determines that the proposed development cannot be completed within the building permit timeframe.

- 3** Section 6. Implementation is added between Section 5.3.1 and Attachments which includes the following content:

6. Implementation

6.1 Development Agreements

A development agreement is a binding legal agreement between the Municipality and a property owner that can address specific details regarding the design and use of a proposed development.

6.1.1 Council will consider entering into a new development agreement where such an agreement is enabled by policies elsewhere in this Plan. Where Council approves a development agreement, the development agreement will:

- (a) Specify the development, expansion, alteration, or change permitted;
- (b) Specify the conditions under which the development may occur; and
- (c) Set terms by which Council may amend or by which Council or the Chief Administrative Officer may terminate and discharge the agreement.

6.1.2 Council will not approve or amend a development agreement unless Council is satisfied the proposed agreement is consistent with the enabling policy and the general criteria set out in Policy 6.3.

6.2 Content of a Development Agreement

6.2.1 Council may specify conditions in the Development Agreement to meet the enabling and general criteria outlined in Policy 6.3. These conditions may include but are not limited to controls regarding:

- (a) Adequacy of street networks, site access, and emergency evacuation;
- (b) Adequacy of services such as water and sewer;
- (c) Access of emergency vehicles;
- (d) Stormwater management;
- (e) Grading and erosion control;
- (f) The phasing of a development;
- (g) Time limits for the initiation and/or completion of development;
- (h) Availability of a safe water supply;
- (i) The suitability of the site in relation to environmental impact; and
- (j) All other matters enabled in Section 227 of the Municipal Government Act.

- 6.3.1** Council will not approve a development agreement unless Council is satisfied the proposal:
- (a)** Is consistent with the intent of this Municipal Planning Strategy;
 - (b)** Does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the Municipality;
 - (c)** Is not premature or inappropriate due to:
 - (i)** Impacts on existing drinking water supplies, both private and public;
 - (ii)** The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
 - (iii)** The creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - (iv)** The adequacy of fire protection services and equipment;
 - (v)** Impacts on known habitat for species at risk;
 - (vi)** The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas; and
 - (vii)** The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.

6.4 Specific Evaluation Criteria of a Development Agreement

6.4.1 Council may require, in addition to any other required information, any or all the following information, prepared by an appropriate qualified professional at the applicant's cost, and at a level sufficiently detailed to determine whether the criteria for adopting a development agreement have been met.

- (a)** A detailed plot plan showing features such as, but not limited to:
 - (i)** The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment's on-site sewage technical guidelines;

- (ii) Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
- (iii) The location of dedicated green space, including open space and amenities;
- (b) A hydrogeological assessment in accordance with the guidelines set out in Nova Scotia Environment’s groundwater assessment standards;
- (c) An environmental impact study identifying the potential impact and recommended mitigation measure for wetlands, natural habitats, or species at risk;
- (d) Access for emergency vehicles; and
- (e) Any other matters enabled in Section 227 of the Municipal Government Act.”

4 Sections titled ‘Reserved for Future Use’ removed throughout.

By-law Adoption	
Date of first reading of amending by-law	May 14, 2024
Date of second reading of amending by-law	
Date of advertisement of passage of amending by-law Effective date of the by-law unless otherwise specified in the text of this by-law.	
Date of mailing a certified copy of amending by-law to Minister	
I certify that this “Repeal and Replace of the Municipal Planning Strategy (2024)” was adopted by Municipal Council and published as indicated above.	
Signature of Municipal Clerk	Date



Municipality of the District of Lunenburg

Municipal Planning Strategy

(MODL By-law 035)

Approved by Council on: 2024-06-18

Amended on: YYYY-MM-DD

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1. Part 1 – Overview

1.1 Background

The Municipality of the District of Lunenburg (MODL) is one of five municipal units found in Lunenburg County, Nova Scotia. The Municipality was first incorporated as a separate political entity with the concurrent incorporation of the District of Chester in 1879. The County itself was first established in 1759. Covering an area of approximately 1,760 square kilometres, the Municipality surrounds the three towns of Bridgewater, Mahone Bay and the Town of Lunenburg.

The Municipality consists of over 130 established communities, many of which date from the period of European settlement in the eighteenth and nineteenth centuries. Initial settlement created a dispersed community pattern, with many north-south roadways, reflecting the significantly higher degree of private land that was originally granted in Lunenburg County than can be found in other parts of Nova Scotia.

The 2016 Statistics Canada Census population for MODL was 24,863. Population decline for the Municipality has occurred in the last four census periods. Within the Municipality, there are identified areas of more recent population growth, with new subdivision and building occurring more intensively, while other communities are facing notable decline, specifically with a diminishment in average household sizes.

Population: 1991 to 2016 (taken from various Statistics Canada Censuses)

Year	1991	1996	2001	2006	2011	2016
Municipality	25,684	25,949	25,570	25,160	25,138	24,863
County	47,630	47,560	47,595	47,150	47,310	47,126
Province	899,945	909,280	908,005	913,465	921,725	923,598
Canada	27.2M	28.8M	30.0M	31.6M	33.4M	35.1M

Coupled with the evident stagnation in local population growth, the shift in local age demographics has also shaped the Municipality's development in the last two decades. Such shifts alter individual perspectives on both the use and type of services that a Municipality offers to residents.

Age: 1991 & 2016, Municipality & Nova Scotia Comparisons, Percentages

Age Range	Municipal		Provincial	
	1991	2016	1991	2016
0-19	26%	17%	28%	20%
20-39	30%	17%	33%	23%

40-64	29%	42%	26%	37%
65+	15%	24%	13%	20%

The Municipality’s proximity to the Halifax Regional Municipality, which has acted as the employment and population growth centre for the province for the last two decades, has also had consequences on the Municipality’s development. Where there has been a long history of interaction between the Towns the Municipality surrounds, in terms of employment and services, communities on the South Shore have increasingly identified where, as a region, local communities have been impacted by Halifax’s predominance and economic growth. Continued change resulting from broader technological, cultural, and economic transitions in society are anticipated to bring opportunities and challenges.

1.2 Authority and Scope

The *Municipal Government Act* allows Council to adopt a Municipal Planning Strategy which sets out Council's policies for governing the Municipality. The *Municipal Government Act* also specifies how Council adopts or amends a Municipal Planning Strategy and how to present it for the review of the Director of Planning for Municipal Affairs.

Section 212 of the *Municipal Government Act* allows Council to adopt a Municipal Planning Strategy for all or for part of the Municipality. The Strategy can address problems and opportunities in the development of land, as well as the environmental, social, and fiscal effects of developments. It can also establish programs for putting policies into effect.

Sections 213 and 214 of the Act allows a Municipal Planning Strategy to include policy statements on matters such as:

- The goals and objectives of the Municipality;
- The improvement of the physical and social environment;
- The use, protection, and development of lands;
- The protection of pits, quarries, and aggregate deposits;
- The provision of municipal services and facilities;
- Environmental protection;
- Municipal finances;

- Land subdivision;
- Use and conservation of energy;
- Public involvement in planning;
- Stormwater management and erosion control;
- Municipal investment in public and private development; and
- Any other matter related to the physical, social, or economic environment of the Municipality.

Council's policies on these matters can be put into effect through resolutions of Council or through a wide range of municipal By-laws. The *Municipal Government Act* specifically enables Council to adopt two By-laws which have special relationships with the Municipal Planning Strategy: the Land Use By-law and the Subdivision By-law. Under Section 210 of the *Municipal Government Act*, a Land Use By-law cannot be adopted or amended contrary to the policies stated in the Municipal Planning Strategy. Under Section 271(2) of the *Municipal Government Act*, a Subdivision By-law cannot conflict with the Provincial Subdivision Regulations and may address some topics only if the Municipal Planning Strategy has policies to support the By-law. Council has adopted eight Land Use By-laws applying to various parts of the Municipality, and a Subdivision By-law applying to the whole of the Municipality.

1.3 Purpose

The following policies express Council's purposes in adopting this Municipal Planning Strategy:

- 1.3.1** This Municipal Planning Strategy provides a framework and a process to accommodate change in development, land use, and division of land in the Municipality.
- 1.3.2** This Municipal Planning Strategy applies to the whole of the Municipality and expresses those policies of Council which apply to the whole of the Municipality.

1.4 Structure

- 1.4.1** This Municipal Planning Strategy applies to the whole of the Municipality, which is an area of land shown throughout Maps 1, 2, and 3.
- 1.4.2** This Municipal Planning Strategy is a primary policy document through which the future growth and development of the Municipality will be encouraged, guided, and controlled.

- 1.4.3** The Maps referred to in the various policies of this Municipal Planning Strategy form part of the Municipal Planning Strategy.
- 1.4.4** Throughout this Municipal Planning Strategy, the Subdivision By-law, and Land Use By-laws, the metric measurement system is used to show the required standards.

1.5 Administration

The Municipal Planning Strategy is adopted under the authority of the *Municipal Government Act*. It governs the subdivision of land and the use of land within the boundaries of the Municipality. The Planning Strategy expresses Council's intentions and policies. The Subdivision By-law and Land Use By-laws provide the detailed requirements and rules which carry out the intent of the Planning Strategy. Amendments to the Subdivision By-law and to the Municipal Planning Strategy follow the same procedure and any amendment may require the approval of the Minister of Municipal Affairs. Council may amend a Land Use By-law provided the amendment conforms with the policies in the Municipal Planning Strategy.

Council's specific policies for administration of the Municipal Planning Strategy, the Subdivision By-law and Land Use By-laws are:

When considering amendments to the Subdivision By-law or to Land Use By-laws, the Council must consider the following:

- That the proposal conforms to the intent of the Municipal Planning Strategy; and
- That the proposal conforms to all applicable requirements of all municipal By-laws and the Provincial Subdivision Regulations.

A Public Participation Program must be held prior to any proposed amendment to the Municipal Planning Strategy, to the Subdivision By-law, or to a Land Use By-law as well as in conjunction with the ten-year review of the Municipal Planning Strategy, and the purpose of the Public Participation Program will be to hear the opinions of the public.

The Municipal Engineer appointed by Council will be responsible for the review and approval of all engineering drawings and proposals for all municipal services, including proposals for central sewer and central water systems.

Amendment of this Planning Strategy will be required where any policy expressed in the Planning Strategy is to be changed or where any amendment to a Subdivision By-law or a Land Use By-law would be in conflict with the policies expressed in this Planning Strategy.

This Municipal Planning Strategy and any subsequent amendments must be reviewed as required by the *Municipal Government Act*, when requested by the Minister of Municipal Affairs, or when deemed advisable by Municipal Council, but in any case, not later than ten years from the date of its coming into force and effect.

2. Part 2 – Land Use Control

2.1 Powers

Although a Municipal Planning Strategy may state policies which are carried out through resolutions of Council or through By-laws other than the Land Use By-law, the Land Use By-law has a special relationship with the Municipal Planning Strategy. Section 210 of the Act forbids Council from adopting or amending a Land Use By-law contrary to the policies stated in the Municipal Planning Strategy.

Sections 220 to 224 of the Act detail specific aspects of land use which a municipality can regulate through a Land Use By-law. They include such things as:

- Creating zones together with lists of structures and land uses permitted or prohibited in each zone;
- Lot frontage, area, yard requirements and density;
- Location, height, floor area, and external appearance of structures;
- Population density;
- The nature, kind, size and description of advertising;
- Fences, walks, landscaping and outdoor lighting;
- The excavation or filling in of land;
- Development near watercourses, on unstable ground, or adjacent to pits and quarries;
- Parking requirements; and
- Temporary developments.

Where there is a Land Use By-law in effect Section 244 of the Act states that a Municipal Development Permit is required for any development, but also allows the By-law to specifically exempt some developments from this requirement.

2.2 History

Council considered the possibility of regional planning in the middle 1970s, and rejected a proposal for land use control in the Village of Hebbville in 1977 after a lively public debate. Similar proposals for detailed land use control in other communities have resulted in similar lively public debates. Because of these experiences, Council has been unwilling to consider land use control under the authority of the *Municipal Government Act* unless a community requests such zoning.

Those communities which are subject to Secondary Planning Strategies and Land Use By-laws are discussed in Part 4, Secondary Planning Strategies. Land use controls which are subject to the Municipal-Wide Land Use By-law are discussed in Part 5, Municipal-Wide Land Use Policies.

2.3 Intent

The following policies express Council's intentions for the control of land use within the Municipality.

- 2.3.1** It is the policy of Council to refrain from imposing land use control through a Land Use By-law on any part of the Municipality unless a community specifically requests Council to adopt a Land Use By-law for that community.
- 2.3.2** Despite Policy 2.3.1, Council may prepare a Secondary Planning Strategy and a Land Use By-law on its own initiative where Council deems that such land use control is in the best interests of the community and of the Municipality.
- 2.3.3** Despite Policy 2.3.1, Council may prepare a municipal-wide Land Use By-law on its own initiative where Council deems that such land use control is in the best interests of the Municipality.

2.4 Method

Where Council wishes to regulate land use in accordance with Policy 2.3.1, Policy 2.3.2 or 2.3.3, Council can do so only by adopting a Land Use By-law. As discussed in Subsection 2.1 above, these Land Use By-laws must conform with policies set out in a Municipal Planning Strategy. Policy 1.3.2 states that this Municipal Planning Strategy applies to the whole Municipality and so any land use By-laws must conform to the policies of this Municipal Planning Strategy.

The *Municipal Government Act* provides in Section 212 for Council to adopt Secondary Planning Strategies which form part of this Municipal Planning Strategy and which apply to specific areas of the Municipality. These Secondary Planning Strategies are discussed in Part 3 (below) of this Municipal Planning Strategy, and will express Council's specific policies regarding land use control in specific areas of the Municipality.

- 2.4.1** It is the policy of Council to consider adopting a Secondary Planning Strategy and a Land Use By-law for the purpose of regulating land use in accordance with Policy 2.3.1, Policy 2.3.2 or 2.3.3.

3. Part 3 – Subdivision Control

3.1 Powers

This Municipal Planning Strategy sets out Council's policies on the subdivision of land, in support of the Municipal Subdivision By-law.

The *Municipal Government Act* defines "Subdivision" in Section 191, Clause (q):

"'subdivision' means the division of any area of land into two or more parcels, and includes a re-subdivision or a consolidation of two or more parcels."

Subsection 268(2) of the *Municipal Government Act* reduces the impact of this definition by listing ways of dividing land which the Act specifically does not affect. The following divisions of land do not require approval by a Municipal Development Officer under a Municipal Subdivision By-law:

- (a) Where all lots to be created, including the remainder lot, exceed ten hectares in area;
- (b) Resulting from an expropriation;
- (c) Resulting from an acquisition or disposition of land by His Majesty the King in right of the Province or in right of Canada or by an agency of His Majesty;
- (d) Of a cemetery into burial lots;
- (e) Resulting from an acquisition of land by a municipality for municipal purposes;
 - (i) Resulting from an acquisition of land by a village for village purposes;
- (f) Resulting from the disposal, by a municipality or His Majesty the King in right of the Province, of a street or part of a street or a former street or part of a former street, including the consolidation of a street or part of a street or a former street or part of a former street with adjacent land;
 - (i) Resulting from the disposal of a trail or part of a trail, including the consolidation of a trail or part of a trail with adjacent land;
- (g) Of an abandoned railway right of way;
- (h) That is a consolidation of a part of an abandoned railway right of way with adjacent land;

- (i) Resulting from a lease of land for twenty years or less, including any renewal provisions of the lease;
- (i) Resulting from the acceptance for registration by the Registrar of Condominiums of a phase of a phased development condominium that meets the requirements, if any, prescribed by the regulations made pursuant to the Condominium Act;
- (ii) Resulting from the quieting of a title; and
- (j) Resulting from a devise of land by will executed on or before January 1, 2000.

The *Municipal Government Act* further restricts the powers of a Municipality's Subdivision By-law at Section 271(2), by requiring the By-law to include all applicable parts of the Provincial Subdivision Regulations. These may not be relaxed unless a Municipal Planning Strategy explains the relaxation. Relaxing the requirements is greatly restricted by Section 208(3) which allows the Minister of Municipal Affairs to refuse approval of a Municipal Planning Strategy if it conflicts with any provincial interest. The Provincial Subdivision Regulations express provincial interests and no relaxation of requirements will be permitted without background studies to show that those interests are protected and to support Municipal Planning Strategy policy statements.

Section 271(2) of the *Municipal Government Act* also allows Council to impose requirements which are more restrictive than the Provincial Subdivision Regulations. The use of this provision is also limited by the Minister's obligation to protect Provincial interests as expressed in the Provincial Subdivision Regulations and the Provincial Statements of Interest, see also section 208(3) of the *Municipal Government Act*.

Other subsections of Section 271 list matters of Municipal interest which are not addressed by the Provincial Subdivision Regulations but may be addressed in a Municipal Subdivision By-law, such as:

- Public Street construction standards;
- Construction standards for private roads in a rural municipality;
- Standards for water mains, sanitary sewer, storm drainage and other utilities;
- Public Open Space for recreation purposes;
- Limits on the number of lots subdivided in one year from any property;

- Fees for review and approval of plans;
- Access to lots;
- Shapes of lots (including frontage and area);
- Concept Plans;
- Transportation Reserves;
- Development on roads;
- Infrastructure Charges.

The inevitable conclusion is in four parts: (1) that a Municipal Subdivision By-law must conform with the minimum requirements of the Provincial Subdivision Regulations regarding lot sizes, lot access, contents of a plan, and the procedure to be followed in approving a plan; (2) that the Municipal Planning Strategy and Subdivision By-law can be more restrictive than the Provincial Regulations; (3) that the Strategy and By-law can address subjects of Municipal interest such as recreation space and sewer, water, or road construction; and (4) that the Strategy and By-law can be less stringent than Provincial Subdivision Regulations only if they do not conflict with Provincial Interests.

3.2 History

The Minister of Municipal Affairs first prescribed Subdivision Regulations for the Municipality on 5 March, 1975 and soon afterward the Municipal Council adopted a Subdivision By-law which became law on 19 December, 1975. From that time, all subdivisions of land in the Municipality required the approval of the Municipal Development Officer.

From the time the former Planning Act was amended in 1987, every subdivision of land in the province has required approval. The Provincial Subdivision Regulations applied where there was no Municipal Subdivision By-law.

The *Municipal Government Act* stipulates that in those municipal units in which there is no Subdivision By-law, the Provincial Subdivision Regulations will become the Subdivision By-law for these municipal units. Thus, under the *Municipal Government Act* subdivision controls are mandatory for all municipal units.

Since Municipal Council first adopted a Subdivision By-law in 1975 the construction and design requirements for private road design and construction have seen numerous changes.

The Subdivision By-law during the period of 1975-1993 enabled the creation of cottage lots on private “designed” roads. Cottage Subdivisions implied that the lots were to be

used for seasonal or periodic occupancy. The Subdivision By-law enabled the creation of 10 lots on a private “designed” road, without the requirement that the designed road be constructed. Upon creation of the 11th lot, the road had to be constructed to the designed road construction standards of the Subdivision By-law for cottage subdivision roads.

In 1993, Municipal Council repealed the 1975 Subdivision By-law and adopted a new Subdivision By-law. The 1993 Subdivision By-law enabled the creation of lots on private “designed” roads, regardless of whether the intended occupancy of the lot was permanent or seasonal. The Subdivision By-law further exempted the developer from a requirement to construct the road if six or fewer lots were created on a private “designed” road. Upon the creation of the seventh lot, the developer was required to construct the road to the private “designed” road construction standards of the Subdivision By-law.

In 1997 Municipal Council amended the Subdivision By-law to remove the construction standards for private “designed” roads. The result was that private “designed” roads were no longer required to be constructed.

In late 1998 the former Nova Scotia Planning Act was replaced with the *Municipal Government Act*.

In 1999 Municipal Council updated the Subdivision By-law by repealing and replacing the previous version.

During the period from 2001 to 2004 Municipal Council conducted a review of both public and private “designed” road design standards. Although private “designed” road construction standards were proposed, Council did not implement private “designed” road construction standards. Private “designed” roads were required to be designed but not constructed to the design.

Private roads are sometimes difficult to maintain. The greater the number of lots using the roadbed, the greater the traffic and increased numbers of people who must be persuaded to share the maintenance costs.

Since the last review, the Municipality has received feedback from residents on private roads who are frustrated with the challenges of maintaining their private road. Identified challenges include the construction quality of private roads; maintenance costs associated with private roads; and residents being unaware of the potential issues associated with living on a private road.

With the adoption of the Subdivision By-law in 2018, Municipal Council has approved new design, construction, and inspection requirements for public and private designed roads. These new road standards respond to feedback by private road residents and

emergency response providers and reflect Council's desire to ensure adequate access by implementing road construction standards.

3.3 Intent

The following policies express Council's intentions in adopting this Municipal Planning Strategy for the subdivision of land:

- 3.3.1** This Municipal Planning Strategy provides a background and a rationale for the control of subdivision of lands in the Municipality, expressing Council's intentions for such control.
- 3.3.2** It is the intention of Council to control the subdivision of land in an orderly manner so as to: protect public health by promoting proper sewage disposal; promote public safety and cost-efficiency in the construction and use of new roads; ensure that new municipal services are constructed and maintained at minimum cost to the municipality; and provide essential information about land ownership within the municipality.

3.4 Method

To carry out the intentions and purposes set out in Subsection 3.3 above, Council has adopted this Municipal Planning Strategy according to the following policies:

- 3.4.1** The Subdivision By-law applies to the whole of the Municipality, including any areas affected by a Secondary Planning Strategy.
- 3.4.2** This Municipal Planning Strategy is the policy document through which the subdivision of lands will be guided and controlled.
- 3.4.3** The Subdivision By-law provides the principle means for control of land subdivision through which the intent of this Municipal Planning Strategy is put into effect.
- 3.4.4** The Development Officer of the Municipality appointed under the authority of the *Municipal Government Act* will be responsible for the administration of the Subdivision By-law and will issue or refuse subdivision approvals.
- 3.4.5** The Subdivision By-law regulates the subdivision of lands within the Municipal boundaries so as to ensure:
 - (a)** That such subdivisions of land conform with any applicable requirements of any applicable Land Use By-law for minimum lot area and lot frontage;

- (b)** Where there is no Land Use By-law and no central sewer system, that such subdivisions of land provide an adequate lot size for on-site sewage disposal while providing flexibility for the creation of very small lots where on-site sewage disposal is not required;
- (c)** Where there is no Land Use By-law but lots are served by a central sewer system, that such subdivisions of land provide an adequate lot size for ordinary residential purposes;
- (d)** That such subdivisions of land provide for safe, adequate access from the Public Road network to each approved lot;
- (e)** That any central sewer systems and central water systems are professionally designed and constructed, as well as connected to existing municipal systems where possible;
- (f)** That provisions are made for the contribution of cash-in-lieu of land for parks, playgrounds, and similar public purposes, or that land is contributed to provide public access to waterways;
- (g)** That surveyors' plans of subdivision showing such subdivisions are approved and filed at the Registry of Deeds;
- (h)** That where a plan of subdivision involves the addition or consolidation of parcels or areas of land the deeds to effect the addition or consolidation, along with the approved plan, are filed at the Registry of Deeds.
- (i)** That sufficient information is shown on such surveyors' plans of subdivision to conform with the applicable requirements of the *Municipal Government Act* and the Provincial Subdivision Regulations as well as to enable evaluation of the proposal;
- (j)** That engineering drawings are prepared by qualified persons and filed with the Municipal Engineer to show the construction details of any new central sewer or water services and of any new Public Roads and Private Designed Roads;
- (k)** That the Municipal Engineer must inspect the construction of any new central sewer or water services and of any new Public Roads;
- (l)** That a Private Engineer must inspect the construction of any new Private Designed Road; and

- (m) That consistent procedures are followed in the review and approval of such plans so as to conform with the requirements of the *Municipal Government Act* and the Provincial Subdivision Regulations.

3.5 Provincial Subdivision Regulations

As explained in Subsection 3.1 above, the Municipality must include in the Subdivision By-law all the crucial parts of the Provincial Subdivision Regulations as they are at the time the By-law is adopted. These parts govern the contents of subdivision plans and the procedure used in processing them, access to lots, and lot sizes. Where the Minister allows the Municipality to be stricter or less strict than these requirements, the variation is explained in this section of the Municipal Planning Strategy.

In the administration of regulations as complicated as the Subdivision Regulations there is always a need to interpret the meaning of various sections in order to guide the Development Officer in specific situations. Where the Municipality has adopted the exact wording of the Provincial Subdivision Regulations it is generally in the interests of developers, surveyors and lawyers to have consistent administration from one jurisdiction to another. In order to provide this consistency, Council must allow its Development Officer to follow the lead of the Department of Municipal Affairs in interpreting those parts of the By-law which directly copy the Provincial Subdivision Regulations.

In view of these considerations, Council has adopted the following policies:

- 3.5.1** To adopt a Subdivision By-law which is not inconsistent with the Provincial Subdivision Regulations and further, to include in the Subdivision By-law any provisions of the Provincial Subdivision Regulations which are applicable to the Municipality.
- 3.5.2** To be guided by any interpretation by the Department of Municipal Affairs of all provisions of the Provincial Subdivision Regulations which are directly incorporated into the Subdivision By-law.

3.6 Procedure and Information

The compulsory procedures for reviewing and approving a subdivision plan are set out in the *Municipal Government Act* and the Provincial Subdivision Regulations. The Regulations also specify what information must be shown on or accompany a subdivision plan. Although these are incorporated into the Subdivision By-law, Council has additional requirements as set out in the following policies:

- 3.6.1** To allow subdivided land to be easily and accurately shown on maps, to require the subdivision plan to show the bearing and distance from the

subdivided land to a Nova Scotia High Precision Network Monument or Nova Scotia Co-ordinate Referencing System Monument wherever possible, or in lieu of Monument ties, measurements to features which are defined on existing mapping.

- 3.6.2** In order to ensure efficient street networks, adequate storm water management measures, adequate layout of public open space and the suitability of subdivision for on-site or central services to require in the Subdivision By-law, that where new streets or roads are proposed, the subdivider be required to submit a Concept Plan. Furthermore, to specify in the Subdivision By-law the contents necessary in order to evaluate street networks, stormwater management, layout of public open space, and suitability of site for on-site or central services.

The Provincial Subdivision Regulations require, amongst other things, that Concept Plans show the estimated lot yield figure, based on zoning requirements or requirements of Nova Scotia Environment, and that a concept plan be evaluated in terms of any proposed community and commercial uses. Council feels that these items are necessary only in areas with larger developments, as opposed to the Municipality. In addition, most of the municipality does not have any zoning regulations and as such, for many of the subdivisions there would be no requirements upon which to evaluate commercial or community uses. It is for this reason that the Subdivision By-law is less stringent than the provincial subdivision regulations with regards to the required contents of Concept Plans, as indicated in the following policy of Council.

- 3.6.3** Due to sparsely zoned areas in the Municipality and the relatively small scale, low density residential nature of development in the municipality it is Council's policy to not require Concept Plans to show the estimated lot yield or to be evaluated based upon a proposed commercial or community use.

3.7 Lot Size

Minimum lot sizes for on-site sewage disposal by septic tank and disposal field are set by Nova Scotia Environment's "On-Site Sewage Disposal Systems Regulations". The Provincial Subdivision Regulations do not have a minimum lot area requirement, but rather rely on the results of an assessment conducted by Nova Scotia Environment to set the minimum lot area. In those areas in which a Land Use By-law exists that contain minimum lot area requirements, a lot being created must satisfy the more stringent requirement.

The Provincial Subdivision Regulations further require that in areas not served by a central sewer, all plans of subdivision must be forwarded to Nova Scotia Environment to determine compliance with the 'On-Site Sewage Disposal Systems Regulations'. This

requirement is waived, however, when the lot is more than 9,000 square metres; has a width of 75 metres or more; and the applicant has certified that the lot is being created for a purpose which does not require an on-site sewage disposal system.

Council has experienced considerable difficulty over the years with "remainder lots", defined as "a lot for which subdivision approval is not requested or granted, but which results from the approval of lots shown on a plan of subdivision". Because these lots are not required to satisfy one or another of the By-law requirements (in particular the survey requirement) they are often created with an area, width or frontage which renders them unsuitable for on-site sewage disposal. Council sees a definite need to have these lots assessed for the suitability to install/construct an on-site sewage disposal system. This assessment is difficult when boundaries are not clearly defined. Nova Scotia Environment's 'On-Site Sewage Disposal Systems Regulations' require that any lot less than 9,000 square metres be assessed for the suitability of the lot for the installation / construction of an on-site sewage disposal system. Nova Scotia Environment advises that lots in excess of this are usually capable of supporting an on-site sewage disposal system. Council will, therefore, require all new lots under that size threshold to be surveyed, shown on a plan of subdivision, approved by the Development Officer and approved by Nova Scotia Environment as complying with the 'On-Site Sewage Disposal Systems Regulations'. This is intended to provide more useful information to the subdivider as well as subsequent purchasers of the land.

Where there is a central sewer system the minimum lot area will continue to be the standard established in the Municipal Subdivision By-law in 1975.

In most other respects, the Subdivision By-law follows the provisions of the Provincial Subdivision Regulations in accordance Policy 3.5.1 above.

To carry out these intentions, Council adopts the following policies:

- 3.7.1** In conformity with the Provincial Subdivision Regulations, to require plans of subdivision to be forwarded to Nova Scotia Environment to determine if the lots shown comply with the 'On-Site Sewage Disposal Systems' Regulations.
- 3.7.2** To waive the requirements of Policy 3.7.1 where
 - (a)** The proposed lot:
 - (i)** Has an area more than 9,000 square metres,
 - (ii)** Has a width of 75 metres or more, and
 - (iii)** Is to be used for a purpose which does not require an on-site sewage disposal system, or

(b) The proposed lot:

(i) Is served by a central sewer system and has the minimum lot area established in the Subdivision By-law, for lots served by a Central Sewer System.

3.7.3 In conformity with the Provincial Subdivision Regulations, to require all lots approved by the Development Officer on a Plan of Subdivision to be surveyed.

3.7.4 In addition to the requirements of the Provincial Subdivision Regulations, to require all new lots of less than 9,000 square metres area to be surveyed, and approved by the Development Officer, pursuant to Policy 3.7.1 and Policy 3.7.2.

3.7.5 To waive the requirements of Policies 3.7.3 where lot boundaries are being altered and no new lots are being created.

3.8 Lot Access

The Provincial Subdivision Regulations require that lots must abut a public highway; a right-of-way at least 20 metres wide, or a lesser width permitted by a Subdivision By-law; or an existing right-of-way which has been listed on a schedule in the Subdivision By-law (Schedule 'B'). There is also a provision for lots on an island and a provision for one division of any existing lot without any specific access requirement.

Although Policies 3.5.1 and 3.5.2 express Council's acceptance of this general arrangement, there are two road issues of concern to Council: Public Roads and Private Designed Roads.

Prior to 1995, new public roads in subdivisions were the responsibility of the Province. However, with servicing adjustments in 1995, new public roads became the responsibility of municipalities. Now, whenever a public road is built, it is turned over to the Municipality to maintain. In 2018, Council conducted a review of the Municipal Public Roads built since 1995 in the Municipality and determined that many of them cost more to maintain than the property taxes collected from the properties they serve. Council, therefore, feels that it is premature to allow the development of any new Municipal Public Roads without careful consideration of whether that new Municipal Public Road is economically sustainable. Council will only consider new Municipal Public Roads on a case-by-case basis through amendments to Schedule 'K' of the Subdivision By-law.

To ensure consistent design and construction quality for the creation of new roads in the Municipality as well as proper emergency vehicle access, Council has adopted Municipal Road Design and Construction Standards. These standards are based on a

five-tiered road class designation system and recognize the different functions of roads in urban and rural contexts. The Municipal Road Design and Construction Standards recognize the challenges of building roads in the Municipality due to the topography in the area and therefore allow for a lower design speed road option for Private Designed Roads. In response to the challenges with topography, the Subdivision By-law also enables a limited number of flag lots and access exemption lots.

New Public Roads are to be constructed and conveyed to the Municipality prior to subdivision approval for any lots serviced by the Public Road. Alternatively, Council may enter into an agreement with the subdivider, which guarantees construction of a Public Road, and subdivision approval may be granted prior to construction provided that the agreement is backed by an appropriate bond or other security acceptable to Council. This agreement will also clearly define the subdivider's responsibilities for the work to be completed.

New Private Designed Roads must conform to the design and construction standards of the Subdivision By-law.

Private roads are sometimes challenging to maintain. The greater the number of lots using the roadbed, the greater the challenge, with increased traffic and increased numbers of people who must be persuaded to share the maintenance costs. These challenges are sometimes solved by the Municipality, upon petition by lot owners, to build the road to the required municipal standard and recover the costs from the landowners abutting the road by means of an area rate. To facilitate the construction of a Public Road at any future time, Council will require the subdivider to design the Private Road with a right-of-way width and drainage that satisfies the Municipal Road Design and Construction Standards of the Subdivision By-law.

In addition to road issues, another concern of Council is lots with no frontage. Council is aware of the provision within the Provincial Subdivision Regulations which allows for a lot with no frontage to be created within an area of land as it existed on August 1, 1987, and two lots with no frontage out of an area of land that does not meet the frontage requirements of the Subdivision By-law. However, it is Council's opinion that this provision discourages development and therefore, will enable one lot with no frontage to be created out of an area of land as it existed on December 30, 1994, and two lots with no frontage to be created out of an area of land which does not meet the frontage requirements of the Subdivision By-law.

These concerns give rise to the following policies:

- 3.8.1** Where the Subdivision By-law enables lots to be approved with frontage on a right-of-way 15.2 metres wide, to require such rights-of-way to be acceptable to the Municipal Engineer as having sufficient width and drainage provisions

to satisfy Municipal Road Design and Construction Standards of the Subdivision By-law, in order to facilitate construction of a Public Road at any future time.

3.8.2 To enable the division of land into lots which do not have frontage on a Public Road provided that such lots have frontage on any private right-of-way which is indexed on Schedule "B" of the Subdivision By-law.

3.8.3 To consider proposals for indexing private rights-of-way on Schedule "B" of the Subdivision By-law provided Council is satisfied that:

- (a) The existing road is constructed within a right-of-way which was being used to provide access to three or more developed lots prior to 19 December, 1975;
- (b) The right-of-way intersects with a Public Road, and the intersection point has been approved by the authority having jurisdiction over the Public Road;
- (c) The minimum width of the right-of-way was on 19 December, 1975, and is at the time of indexing, 7.62 metres;
- (d) The length of the right-of-way to be included in the schedule does not extend beyond the last existing residential use;
- (e) The road and the right-of-way are shown on a survey plan prepared by a licensed Nova Scotia Land Surveyor, unless Council is satisfied that existing surveys are sufficient to determine the exact location of the right-of-way;
- (f) The road within the right-of-way is soundly constructed on a stable base, with a gravel or asphalt surface, well-drained by means of ditches, culverts or storm sewers as appropriate so that it is capable of carrying the anticipated traffic load;
- (g) It is not feasible to provide a Public Road to serve the proposed lots and it is not feasible to provide a right-of-way with a minimum width of 15.2 metres.

3.8.4 To include in the subdivision By-law standards for design and construction of Public Roads and Private Designed Roads.

3.8.5 To enable the approval of a final plan of subdivision prior to construction of the required Public Roads and Private Designed Roads where:

- (a) The developer has entered into an agreement, which is satisfactory to Council, to carry out and complete the required work within a period of time as specified in the agreement; and
- (b) The developer has posted a performance bond or other security acceptable to Council, and
- (c) The agreement provides that the developer may receive subdivision approval for lots after posting the performance bond or other acceptable security, but prior to construction of the proposed Public Roads and Private Designed Roads; and
- (d) The agreement provides for the conveyance of all road rights-of-ways and road beds necessary to the operation of the Public Road, together with easements sufficient for the maintenance of all associated road drainage systems.

3.8.6 Notwithstanding Policy 3.4.5(d) to enable the division of one lot with no frontage from an area of land as it existed on December 30, 1994 and the division of two lots with no frontage from an area of land which does not meet the frontage requirements of the Subdivision By-law, as it existed on December 30, 1994.

3.8.7 To only permit the development of new Public Roads in areas identified in Schedule 'K' of the Subdivision By-law. In considering adding areas to Schedule 'K' of the Subdivision By-law, Council will evaluate whether or not the proposal for new Public Roads is economically-premature based on the density of development, required length of road, expected market uptake of created lots, proximity to existing Municipal Public Roads, and any other factor that Council deems relevant.

3.9 Sewer Services

Other than specifying minimum sizes for lots in serviced areas, the Provincial Subdivision Regulations are silent about central sewer systems. These services are the responsibility of municipal government, and Council has a number of concerns because of experience in dealing with sewer services.

The Municipality owns and operates central sewer systems and sewage treatment plants in the New Germany area, Cookville, and in the Riverside Subdivision in Conquerall Bank. In addition, the Municipality owns the sewage collection system including easements, pipes and pumping stations in Hebbville, but has connected this system to the Town of Bridgewater system for sewage disposal.

Council encourages the extension of the existing Municipally-owned sewer systems and encourages connection of future development to the existing municipal systems, subject to the operating capacity of these systems.

Past experience with privately-owned central sewer systems has convinced Council that these systems often cause maintenance problems for lot owners, especially if the construction of the system is inadequate in the first place.

Where there is no central sewer system available, Council will permit new lots to be serviced by on-site sewage disposal systems on each lot. A lot which satisfies the minimum lot size requirement of the "Regulations Respecting On-site Sewage Disposal Systems" may be perceived by the public to be suitable for on-site sewage disposal. However, because not all such lots are suitable due to shallow soil depth, proximity to watercourses, steep slopes, impermeable soil, development density, etc., Council wishes to ensure that these lots are assessed by Nova Scotia Environment and that their suitability or lack of suitability is shown on the Plan of Subdivision in accordance with Policies 3.7.1 and 3.7.4 above.

These concerns give rise to the following policies:

- 3.9.1** To enable the subdivision of land into lots serviced by any existing central sewer system owned and operated by the Municipality.
- 3.9.2** To enable the subdivision of land into lots which are to be serviced by a central sewer system where:
 - (a)** The developer has entered into an agreement which is satisfactory to Council, to carry out and complete the required work within a specified period of time as set out in the agreement; and
 - (b)** The developer has posted a performance bond, or other security acceptable to Council; and
 - (c)** The agreement provides that the developer may receive subdivision approval for lots after posting the performance bond, or other acceptable security, but prior to construction of the proposed sewer system; and
 - (d)** The agreement provides for the conveyance of all assets necessary to the operation of central sewer systems, together with easements sufficient for the maintenance of all services.

3.10 Water Services

The Municipality does not own or operate any central water supply. Dug wells and drilled wells on individual lots are the normal sources of drinking water in the Municipality and this is likely to continue. A limited area of the Municipality has access to central water systems. The Municipality will consider the creation of new lots on these existing systems according to the standards of the Subdivision By-law.

In view of these possibilities, Council's policies are:

- 3.10.1** To permit the subdivision of land into lots which are to be serviced by on-site wells.
- 3.10.2** To permit the subdivision of land into lots serviced by an existing central water system provided that the system is constructed to the standards of the Subdivision By-law.

3.11 Public Open Space

The Municipality is responsible for providing recreation services. To this end, the Municipality offers public recreational services and programs through the Municipal Recreation Department. The Municipality also provides recreational opportunities through the provision of a recreation complex in Dayspring, as well as a Municipal Beach at Lake Mush-A-Mush, and walking trails at Miller Point Park, along the LaHave River. In addition to these facilities and parklands, the Municipality has acquired numerous parcels through the former Public Open Space requirements of the Subdivision By-law.

The Municipality had been acquiring Public Open Space within their Subdivision By-law for developments that have occurred between the years 1975 and 2001. The *Municipal Government Act* enables Council to require, within the Subdivision By-law, that a subdivider convey land, equivalent value to land, or a combination of both for public open space purposes. Council is also able to specify those instances where land or an equivalent value is required. Prior to July 2001, Council required that the developer convey useable land or cash-in-lieu of land.

Between June 1999 and March 2000 municipal staff undertook research related to Public Open Space. The objective of this research was to determine whether the former public open space requirements were satisfying the needs of the Municipality, based upon the past 25 years of development and the anticipated development pattern. This report concluded that the recreational needs of the Municipality were not being satisfied (Public Open Space Study, March 2000). The report further recommended that Council adopt a municipal wide approach to public open space,

being that public open space should benefit all of the municipality's residents, not just those in a local subdivision. To this end, Council, in September 2001, removed the former public open space requirements of the Subdivision By-law, and has incorporated new policy and subdivision By-law requirements into this Planning Strategy and accompanying Subdivision By-law.

As provided for in the *Municipal Government Act*, Council will require that a subdivider contribute two percent (2%) of the market value of all new lots created. Council does not wish to impose this requirement on any division in which the lot(s) created contains an existing main building, is a remainder lot, is a consolidation of two or more lots, is a private designed road approved as a separate lot, is an alteration of lot boundaries in which no new additional lots are created, or is on land owned by the Municipality.

Council also recognizes that some subdivisions may provide the opportunity to acquire waterfront land that was not necessarily considered and planned for through the Open Space Strategic Plan. Therefore, Council will consider proposals from subdividers for the contribution of at least 5% of the area of the subdivision lands in lieu of the cash dedication. Where accepted, open space lands must be usable and must include public access on a Public Road.

As required by the *Municipal Government Act*, Council will use the funds for no other purpose other than the acquisition of, and capital improvements to, parks, playgrounds and similar public purposes and may use the interest on the funds not expended for these purposes for the operation and maintenance costs of parks, playgrounds, and similar public purposes. This will enable Council to strategically acquire and develop recreational lands in a location and of a quality and quantity that will benefit the municipality as a whole. To ensure that land is strategically acquired, Council will develop a strategic plan for the acquisition of future land. As part of this strategic plan, Council will review the existing municipal land inventory to determine the usefulness of these parcels in relation to the Strategic Plan. This plan will include estimated times and budget expenditures necessary to reach Councils' goals.

To provide the residents in the Municipality with reasonable access to park, playground and similar public areas, Council's policies are:

- 3.11.1** To require subdividers to contribute cash in the amount of two percent of the market value of all new lots created and for which subdivision approval has been requested or is required.
- 3.11.2** To waive the requirements of Policy 3.11.1 where:
 - (a)** A lot created contains an existing main building;

- (b) A lot created is a remainder lot;
- (c) An approval is for the consolidation of two or more lots;
- (d) Lot boundaries are altered and no new additional lots are created;
- (e) An approval is for a designed road as a separate lot; or
- (f) The Municipality owns the property being subdivided.

3.11.3 To develop a Strategic Plan for the acquisition and disposition of land by the Municipality, which will identify Councils' goals with respects to recreational lands and incorporate projected budget expenditure estimates and the time frames necessary to reach these goals.

3.11.4 To consider proposals for usable land consisting of at least 5% of the subdivided lands, by area, in lieu of the cash dedication. Such lands must include water access and must include frontage on a Public Road.

4. Part 4 – Secondary Planning Strategies

4.1 Background

Where Council has adopted a Municipal Planning Strategy for the whole municipality such as this one, the *Municipal Government Act* provides that Council may adopt a secondary planning strategy which applies, as part of the Municipal Planning Strategy, to specific areas within the municipality. Where planning strategies are put in place in conformance with Policy 2.3.1 because of a request from a community for land use control, or in conformance with Policy 2.3.2, they will be secondary planning strategies included within this Municipal Planning Strategy.

Considering the powers set out in the *Municipal Government Act*, and in order to carry out intentions and policies set out in Sections 2.3 and 2.4 of this Municipal Planning Strategy, Council has adopted the following policies:

- 4.1.1** It is the policy of Council to provide planning staff and to consider adopting a Secondary Planning Strategy for any community which specifically requests Council for such services and consideration.
- 4.1.2** The Secondary Plan Areas Map (1) which is attached to this Municipal Planning Strategy is a generalized representation of the location of areas affected by Secondary Planning Strategies and Land Use By-laws.
- 4.1.3** The exact boundaries of the areas affected by Secondary Planning Strategies are shown on the Future Land Use Maps and Zoning Maps appended to the Secondary Planning Strategies and Land Use By-laws in effect in various parts of the Municipality.
- 4.1.4** Where there is any conflict between the policies expressed in this Municipal Planning Strategy and the policies expressed in any Secondary Planning Strategy, the most stringent will prevail.
- 4.1.5** The Coastal Protection Area Map (2) which is attached to this Municipal Planning Strategy is a generalized representation of the location of areas affected by Coastal Protection policies and regulations.
- 4.1.6** The Municipal-Wide Land Use Map (3) which is attached to this Municipal Planning Strategy is a generalized representation of the location of areas affected the Municipal-Wide Land Use policies and the associated Municipal-Wide Land Use By-law.

4.2 Village of Hebbville

On February 14, 2012, Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for the Village of Hebbville. The Minister of Services Nova Scotia and Municipal Relations reviewed these documents and deemed them not to require ministerial approval. The Secondary Planning Strategy for the Village of Hebbville is to be included within this Municipal Planning Strategy as a Secondary Planning Strategy. On March 21, 2012 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.2.1 It is the policy of Council that the Secondary Planning Strategy for the Village of Hebbville as approved by Municipal Council, effective March 21, 2012, is incorporated into this Municipal Planning Strategy for the Municipality as a Secondary Planning Strategy.

4.3 Oakland

On September 9, 2003, Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for the community of Oakland. The Minister of Service Nova Scotia and Municipal Relations reviewed the Oakland Secondary Planning Strategy and Land Use By-law and deemed them not to require ministerial approval. On October 22, 2003 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.3.1 It is the policy of Council that the Secondary Planning Strategy for the community of Oakland as approved by Municipal Council, effective October 22, 2003, is incorporated into this Municipal Planning Strategy for the Municipality as a Secondary Planning Strategy.

4.4 Riverport and District

On July 12, 2005 Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for Riverport and District plan area. The Minister of Service Nova Scotia and Municipal Relations reviewed the Riverport and District Secondary Planning Strategy and Land Use By-law and deemed them not to require ministerial approval. On August 10, 2005 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.4.1 It is the policy of Council that the Secondary Planning Strategy for Riverport and District as approved by Municipal Council, effective August 10, 2005, is incorporated into this Municipal Planning Strategy for the Municipality as a Secondary Planning Strategy.

4.5 Princes Inlet and Area

On January 12, 2016 Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for Princes Inlet and Area. The Minister of Service Nova Scotia and Municipal Relations reviewed the Princes Inlet and Area Secondary Planning Strategy and Land Use By-law and deemed them not to require ministerial approval. On February 17, 2016 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.5.1 It is the policy of Council that the Secondary Planning Strategy for the Princes Inlet and Area, as approved by Municipal Council, effective February 17, 2016 is incorporated into this Municipal Planning Strategy for the Municipality, as a Secondary Planning Strategy.

4.6 Blockhouse

On September 9, 2008 Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for Blockhouse. The Minister of Service Nova Scotia and Municipal Relations reviewed the Blockhouse Secondary Planning Strategy and Land Use By-law and deemed them not to require ministerial approval. On October 14, 2008 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.6.1 It is the policy of Council that the Secondary Planning Strategy for the Blockhouse Area, as approved by Municipal Council, effective October 14, 2008, is incorporated into this Municipal Planning Strategy for the Municipality, as a Secondary Planning Strategy.

4.7 Osprey Village

On December 12, 2006 Municipal Council approved a revised Secondary Planning Strategy and Land Use By-law for Osprey Village. The Minister of Service Nova Scotia and Municipal Relations reviewed the Osprey Village Secondary Planning Strategy and Land Use By-law and deemed them not to require ministerial approval. On January 24, 2007 the first notice of Municipal Council's approval appeared in the local newspaper and is the effective date of the document.

4.7.1 It is the policy of Council that the Secondary Planning Strategy for Osprey Village as approved by Municipal Council, effective January 24, 2007, is incorporated into this Municipal Planning Strategy for the Municipality as a Secondary Planning Strategy.

4.8 Hemford Forest

On April 13, 2021 Municipal Council approved a Secondary Planning Strategy and Land Use By-law for Hemford Forest Plan Area, following a plebiscite conducted on September 22, 2018 to regulate land use planning.

- 4.8.1** It is the policy of Council that the Secondary Planning Strategy for Hemford Forest as approved by Municipal Council is incorporated into this Municipal Planning Strategy for the Municipality as a Secondary Planning Strategy.

5. Municipal-Wide Land Use Policies

In response to concerns over unregulated development occurring along the coastline, as well as unregulated cluster developments occurring in both coastal and inland areas, Council initiated the process of introducing targeted land use controls to address these concerns in 2023 through new policies and the introduction of a Municipal-Wide Land Use By-law. These land use regulations are recognized as temporary measures to control specific types of development, particularly in areas outside of the existing Secondary Plan Areas, recognizing that full land use controls will be implemented shortly. However, as they impact areas across the municipality, the policies contained in the Cluster Development and Coastal Protection sections also apply to Secondary Plan Areas. Therefore, in cases where similar policies or regulations overlap, the most stringent ones will apply.

5.1 Cluster Developments

Cluster developments are a type of residential development where several detached and/or multiple-unit dwellings are located on the same property. In response to concerns over the absence of development standards for this kind of development, Council has introduced a process by which Cluster Development proposals to develop or expand, including through new or additional phases, are able to be approved through a development agreement process. The following general policies apply to this kind of development:

- 5.1.1** Council will review cluster development regulations every five years and update them in accordance with best practices for development regulations.
- 5.1.2** Council will permit cluster developments in all areas of the Municipality unless stricter policies are contained in a Secondary Planning Strategy or associated Land Use By-law.

Conservation design development is a style of cluster development designed to conserve open space in rural areas and protect environmental features. The basic principle of the design is to locate homes on the portion of the site best suited for development while retaining the remainder of the site as open space. While conservation design is not being directly evaluated as part of the development agreement process, Council wishes to promote conservation design as one possible way of meeting environmental and servicing standards.

- 5.1.3** It will be a policy of Council to promote and encourage conservation design style cluster development.

5.2 Cluster Developments by Development Agreement

The evaluative criteria of the development agreement process provides Council the flexibility to uphold development standards that are appropriate to the size, configuration, and location of the proposed development.

5.2.1 Council will consider cluster development applications through the development agreement process.

5.3 Non-Conforming Allowances for Cluster Developments

A non-conforming use, sometimes called a grandfathered use, is a status given to a land use that pre-dates a regulation to allow its continuation under certain restrictions. A future date has been chosen for grandfathering by means of non-conforming status. This will allow a reasonable period for completion of work needed to obtain registration of units or building permits at the time of the publication of the notice of intent to adopt these planning documents.

5.3.1 As outlined in the Municipal-Wide Land Use By-law section on Non-Conforming Uses, it will be a policy of Council that, for cluster developments being developed as bare land condominiums or phased land condominiums, all units that have been accepted for registration by the Registrar of Condominiums as evidenced by their being registered at the appropriate Land Registration office established under the Land Registration Act by December 31, 2026, will be recognized by Council as non-conforming.

5.3.2 Council will recognize cluster developments as non-conforming if they are not phased development condominiums. To qualify, a developer must hold a complete building permit application by December 31, 2026.

5.3.3 Despite subsection 5.3.2, Council may allow cluster developments to enter into a Development Agreement if it determines that the proposed development cannot be completed within the building permit timeframe.

5.4 Coastal Protection

In response to the dynamic challenges posed by climate change and our coastal environment, Council has introduced a comprehensive set of coastal protection policies. In the face of sea-level rise, erosion, and the potential loss of critical ecosystems, these policies stand as a guide for responsible coastal development, fostering environmental sustainability, and safeguarding both our communities and the natural beauty of our coast.

These policies outline a framework addressing coastal flooding, erosion control, and the preservation of sensitive coastal ecosystems. At its core, they are a commitment to striking a harmonious balance between development and the natural environment. By guiding responsible land use and incorporating climate change resilience, these policies are in place to safeguard human developments from the coast and, equally crucial, to protect the coast from the adverse impacts of human development. These policies signify Council's commitment to the well-being of our communities and the preservation of the unique ecological diversity inherent to our coastal region.

Considering these issues, the following general policies regarding coastal protection are as follows:

- 5.4.1** Council will build public awareness about coastal flooding, erosion issues, the protection of coastal ecosystems, and the regulations intended to deal with them. Council will also promote utilizing natural-based solutions such as vegetative buffers and living shorelines.
- 5.4.2** Council will conduct periodic reviews of the coastal protection regulations outlined in the Land Use By-law every five (5) years, with a commitment to updating them in alignment with the most current information on erosion and climate change models and projections.
- 5.4.3** Coastal protection policies generally apply to areas along the coastline, as shown in Map 2, Designated Coastal Protection Area. The Municipal-Wide Land Use By-law will also include boundaries of areas requiring development permits and where specific coastal protection regulations apply.

5.5 Coastal Flooding

The Municipality of the District of Lunenburg is facing sea level rise, erosion, and the loss of sensitive ecosystems along its coastline. If measures to combat the effects of climate change are not put in place, local sea levels are projected to rise by 1.57 metres by the year 2100. When combined with a significant storm surge and Higher High Water Large Tides, areas with elevations of up to 3.97 metres could be periodically inundated with sea water. New development along the coast must consider the risks associated with climate change, and existing structures below the Higher High Water Large Tide must be prepared to either adapt or retreat from the coast over time.

Of particular concern in MODL are dense coastal communities, where a substantial amount of existing development lies within areas known to be at risk of the effects of sea level rise and climate change. Implementing policies and strategies to regulate development along the coast is vital to ensure the resilience and sustainability of

MODL's coastal communities. These policies outline key actions that will help manage the risks imposed by rising sea levels and protect current and future development in the face of climate change uncertainties.

Policy Objectives:

- To reduce the risk and impact of coastal flooding on communities.
- To effectively manage land use and development along the coast.
- To safeguard public health, safety, and welfare by minimizing exposure to coastal inundation and storm surge risks.
- To promote sustainable land use practices that consider the long-term resilience of the community in the face of rising sea levels and increased storm events.
- To balance economic and environmental sustainability.

5.6 Coastal Flood Area Policies

The Flood Risk Area delineates areas along the coastline which are most at risk of coastal flooding due to tide levels, sea level rise and storm surges. It shows areas that may be either permanently or temporarily inundated by water by the year 2100. Policies that apply to these areas are designed to help safeguard residents and developments from the risks posed by coastal flooding. The following policies apply to this area:

- 5.6.1** The Municipal-Wide Land Use Bylaw will include a Coastal Flood Risk Area to protect development from flooding in areas that are projected to be vulnerable to flooding by 2100.
- 5.6.2** Council, through the Municipal-Wide Land Use Bylaw, will prohibit the construction of habitable floor space below an elevation of 3.97 metres with reference to the Canadian Geodetic Vertical Datum of 2013.
- 5.6.3** Council recognizes the critical importance of safeguarding vulnerable communities and will protect them from the threats of flooding and potential emergency evacuations by prohibiting institutional uses within the Coastal Flood Risk Area, regardless of elevation.
- 5.6.4** Within the Municipal-Wide Land Use Bylaw, Council will grant exemptions for non-habitable accessory structures and marine related uses.
- 5.6.5** Despite Section 5.6.2, Council will, through the Land Use Bylaw, authorize non-conforming structures to undergo renovations, rebuilding, or relocation.

5.6.6 Despite Section 5.6.2, Council may, through the Land Use Bylaw, authorize limited additions to non-conforming structures that do not meet the elevation requirements.

5.6.7 Council, through the Land Use By-law, may grant property owners the authority to relocate existing developments, so long as the relocation does not reduce the elevation requirement, by relaxing development standards, including property lines setbacks.

5.7 Coastal Erosion

Coastal shoreline erosion is an inherent and continuous process, that can pose adverse impacts on shoreline developments. The extent of erosion within the Municipality varies along the coastline due to distinct surficial geological conditions and differing exposure levels to wind, waves, runoff and storm events. Erosion rates range from as high as 0.7 metres per year in some areas to a much slower pace in others. Consequently, certain erosion control methods, like seawalls, can contribute to adverse environmental effects, disrupting natural coastal processes, reducing marine life habitat, and exacerbating erosion in neighbouring areas.

Recognizing these challenges, Council acknowledges the wealth of academic research supporting natural-based solutions for erosion mitigation. These solutions include initiatives such as coastal salt marsh restoration and the creation of ‘living shorelines.’ These strategies employ grading techniques and meticulous vegetation selection to provide adequate stabilization.

Council will implement land use controls governing shoreline development in response to erosion risk concerns. These regulations involve the establishment of a Coastal Erosion Risk Area and Vegetative Buffers. These measures aim to safeguard development and human life from potential erosion threats while preserving the natural environment from harmful human development.

Policy Objectives:

- To safeguard human health, safety, and welfare by minimizing the risks to public safety associated with coastal erosion.
- To effectively manage development along the coast.
- To preserve and protect coastal ecosystems by implementing measures to mitigate the impact of human development.

- To increase public awareness on the options that exist for reducing erosion on their property.
- To increase public awareness and understanding of the benefits of soft barriers such as living shorelines.

5.8 Coastal Erosion Risk Area Policies

The Coastal Erosion Risk Area represents an area within 30 horizontal metres from the coast. This area is designed to safeguard properties within the structure’s lifetime from risks associated with erosion and preserve coastal ecosystems. It is designed as an overlay approach where some areas experience higher or lower erosion rates. The following policies apply to this area:

- 5.8.1** Council, through the Municipal-Wide Land Use Bylaw, will establish a Coastal Erosion Risk Area and prohibit development within a 30-metre area along the coastal shoreline.
- 5.8.2** Despite Section 5.8.1 the Municipal-Wide Land Use By-law will include exemptions for non-habitable accessory and marine related uses.
- 5.8.3** Through the Municipal-Wide Land Use Bylaw, Council will establish a structured process that allows property owners seeking to build within the Coastal Erosion Risk Area, the ability to submit a site-specific erosion study conducted by a qualified professional. The study must demonstrate that building within the Erosion Risk Area does not pose any hazards to the proposed development.
- 5.8.4** Under the provisions outlined in the Municipal-Wide Land Use Bylaw, Council will authorize property owners with existing structures to undertake expansions that extend beyond their current footprints, provided such expansions are situated away from the Coastal Erosion Risk Area.
 - (a)** Despite Section 5.8.1 additions to existing structures within the Erosion Risk Area that consist of habitable space and which are proposed to be closer to the coastal shoreline will require a study done by a qualified professional in line with the requirements outlined in Section 5.8.3
- 5.8.5** The Municipal-Wide Land Use By-law will include regulations allowing flexibility in certain lot requirements for property owners to relocate existing structures away from eroding banks on undersized lots and improve compliance with buffer requirements when moving existing buildings.

5.9 Vegetative Buffer Area Policies

The Vegetative Buffer represents a strip of land situated between the edge of the coastline and areas further inland that is intended to serve as a naturalized buffer that protects the natural functions of the coast and shoreline from potential impacts of development. This area is important because it helps prevent erosion along the coast, filters run-off and provides key habitat for wildlife. The following policies apply to this area:

- 5.9.1** Through the Land Use Bylaw, Council will require a 15-metre Vegetative Buffer to help mitigate erosion, reduce flood risk, and safeguard sensitive coastal ecosystems.
- 5.9.2** Despite Section 5.9.1 the Municipal-Wide Land Use By-law will allow a portion of the vegetative buffer to be cleared to provide water views, water access and accessory use provisions.
- 5.9.3** Despite Section 5.9.1 the Municipal-Wide Land Use By-law will specify certain marine-related uses that require direct access to the coastline and which are exempt from the buffer requirements.

5.10 Sensitive Coastal Ecosystems

Sensitive Coastal Ecosystems form an interdependent and intricate system, including salt marshes, dunes, and beaches. Their sensitivity to development pressure is notable, as they collectively contribute to a multifaceted ecosystem. These environments provide essential functions such as coastal protection and serve as habitats for diverse plant and animal species. However, human actions like development can disrupt wetland habitats and hinder their crucial ecological roles.

Policy Objectives:

- To protect existing coastal ecosystems such as wetlands, dunes, and beaches from disruption caused by development.
- To encourage the maintenance of vegetation along the coast to help prevent erosion and avoid disrupting coastal ecosystems.
- To increase public awareness around the importance of coastal ecosystems to biodiversity and our natural landscape and ways to protect them.

As it relates to the protection of beaches and dunes, the following general policy applies:

- 5.10.1** Council recognizes the invaluable role that ecosystems, including beaches and dunes, play in ensuring the health and well-being of our coastline. The regulations addressing flooding and erosion mitigation are recognized as

helping to safeguard these sensitive coastal environments by directing development away from the coast.

5.11 Coastal Wetland Protection Policies

The Sensitive Coastal Ecosystems policies pertain to coastal wetlands have been primarily identified by the province. These policies aim to protect and conserve these areas from the negative impacts of development through prohibiting development within the wetlands and extending the prohibition to areas surrounding the wetlands by employing a vegetative buffer. The vegetative buffer is intended to help with filtration of contaminates and provide crucial habitat for wildlife and aquatic life. The following policies apply to this area:

- 5.11.1** Through the Municipal-Wide Land Use By-law, coastal wetlands will be recognized in a Development Constraints Map which is based on the provincial Wetlands, Vegetation and Classification Inventory map.
- 5.11.2** Under the provisions outlined in the Municipal-Wide Land Use Bylaw, Council will establish a 30-metre horizontal development setback and vegetative buffer around identified coastal wetlands in the Development Constraints Map to safeguard wetlands from the impacts of development.
- 5.11.3** Council acknowledges there are potential inaccuracies in the provincial mapping. Property owners may request revisions to the Development Constraints Map by submitting a study conducted by a qualified professional, with the purpose of either incorporating or excluding specific wetland areas from the map.
 - (a)** The Municipality may require confirmation from the Department of Environment and Climate Change prior to accepting changes to wetland protection boundaries shown on the Development Constraints Map.
- 5.11.4** At its sole discretion, Council may enhance the Development Constraints Map by including additional wetlands that have been properly documented by qualified professionals. This may be achieved through accepting documentation provided or collaborating with environmental organizations to obtain wetland delineation documentation.
- 5.11.5** Council will foster collaboration and partnerships with environmental groups and organizations to aid in facilitating scientific knowledge pertaining to coastal ecosystems and thereby therefore promoting an understanding of coastal ecosystems and encouraging informed decisions for their conservation and effective management.

6. Implementation

6.1 Development Agreements

A development agreement is a binding legal agreement between the Municipality and a property owner that can address specific details regarding the design and use of a proposed development.

6.1.1 Council will consider entering into a new development agreement where such an agreement is enabled by policies elsewhere in this Plan. Where Council approves a development agreement, the development agreement will:

- (a)** Specify the development, expansion, alteration, or change permitted;
- (b)** Specify the conditions under which the development may occur; and
- (c)** Set terms by which Council may amend or terminate and discharge the agreement.

6.1.2 Council will not approve or amend a development agreement unless Council is satisfied the proposed agreement is consistent with the enabling policy and the general criteria set out in Policy 6.3.

6.2 Content of a Development Agreement

6.2.1 Council may specify conditions in the Development Agreement to meet the enabling and general criteria outlined in Policy 6.3. These conditions may include but are not limited to controls regarding:

- (a)** Adequacy of street networks, site access, and emergency evacuation;
- (b)** Adequacy of services such as water and sewer;
- (c)** Access of emergency vehicles;
- (d)** Stormwater management;
- (e)** Grading and erosion control;
- (f)** The phasing of a development;
- (g)** Time limits for the initiation and/or completion of development;
- (h)** Availability of a safe water supply;
- (i)** The suitability of the site in relation to environmental impact; and
- (j)** All other matters enabled in Section 227 of the Municipal Government Act.

6.3 General Evaluation Criteria of a Development Agreement

6.3.1 Council will not approve a development agreement unless Council is satisfied the proposal:

- (a)** Is consistent with the intent of this Municipal Planning Strategy;
- (b)** Does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the Municipality;
- (c)** Is not premature or inappropriate due to:
 - (i)** Impacts on existing drinking water supplies, both private and public;
 - (ii)** The adequacy of central water and sewage services or, where such services are not available, the suitability of the site to accommodate on-site water and sewage services;
 - (iii)** The creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;
 - (iv)** The adequacy of fire protection services and equipment;
 - (v)** Impacts on known habitat for species at risk;
 - (vi)** The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas; and
 - (vii)** The suitability of the site in terms of grades, soil and geological conditions, the location of watercourses and wetlands, and proximity to utility rights-of-way.

6.4 Specific Evaluation Criteria of a Development Agreement

6.4.1 Council may require, in addition to any other required information, any or all the following information, prepared by an appropriate qualified professional at the applicant's cost, and at a level sufficiently detailed to determine whether the criteria for adopting a development agreement have been met.

- (a)** A detailed plot plan showing features such as, but not limited to:

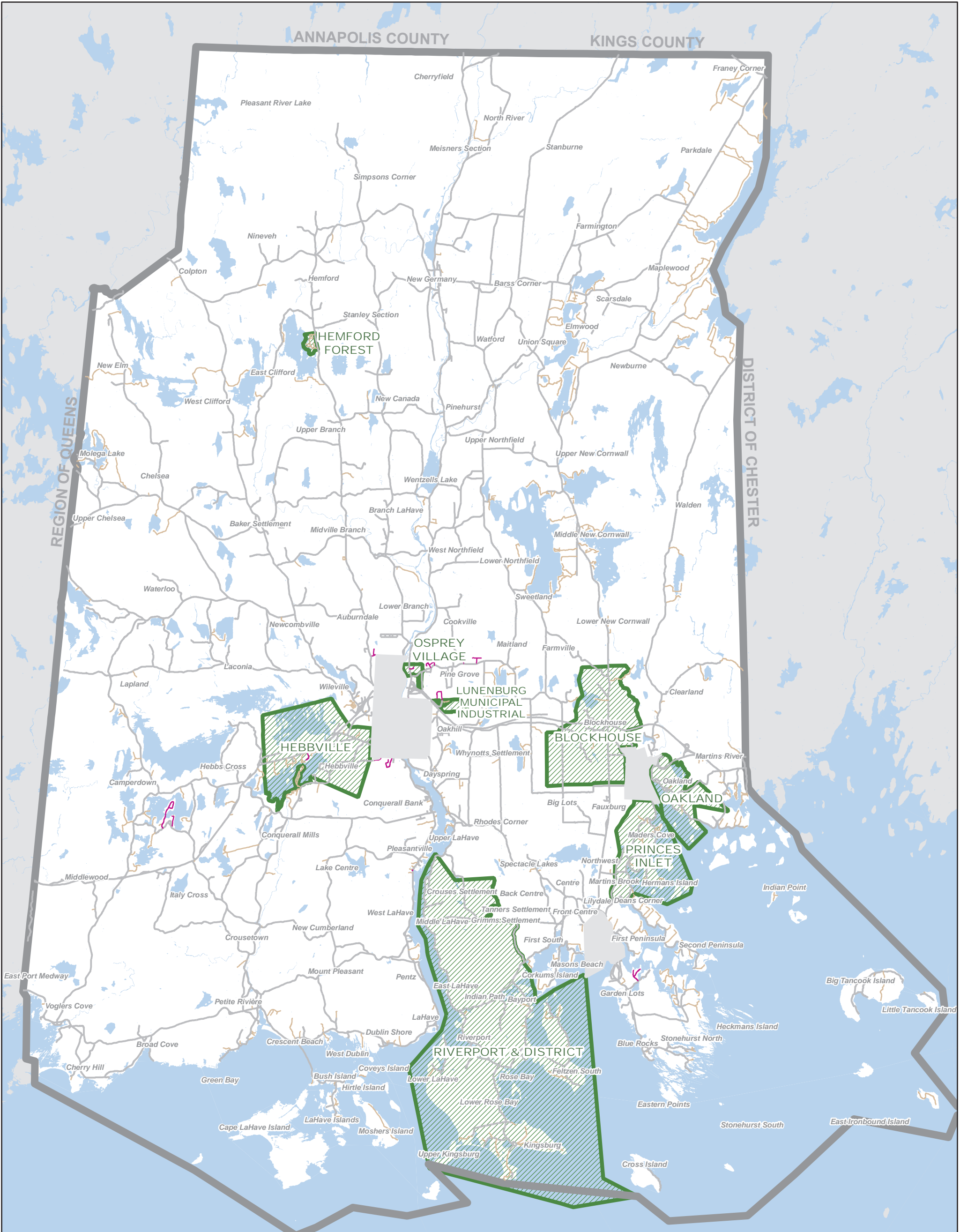
- (i)** The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment’s on-site sewage technical guidelines;
- (ii)** Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;
- (iii)** The location of dedicated green space, including open space and amenities;
- (b)** A hydrogeological assessment in accordance with the guidelines set out in Nova Scotia Environment’s groundwater assessment standards;
- (c)** An environmental impact study identifying the potential impact and recommended mitigation measure for wetlands, natural habitats, or species at risk;
- (d)** Access for emergency vehicles; and
- (e)** Any other matters enabled in Section 227 of the Municipal Government Act.

Attachments

Map 1: Secondary Plan Areas

Map 2: Designated Coastal Protection Area

Map 3: Municipal-Wide Land Use

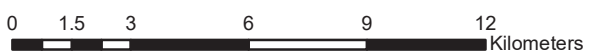


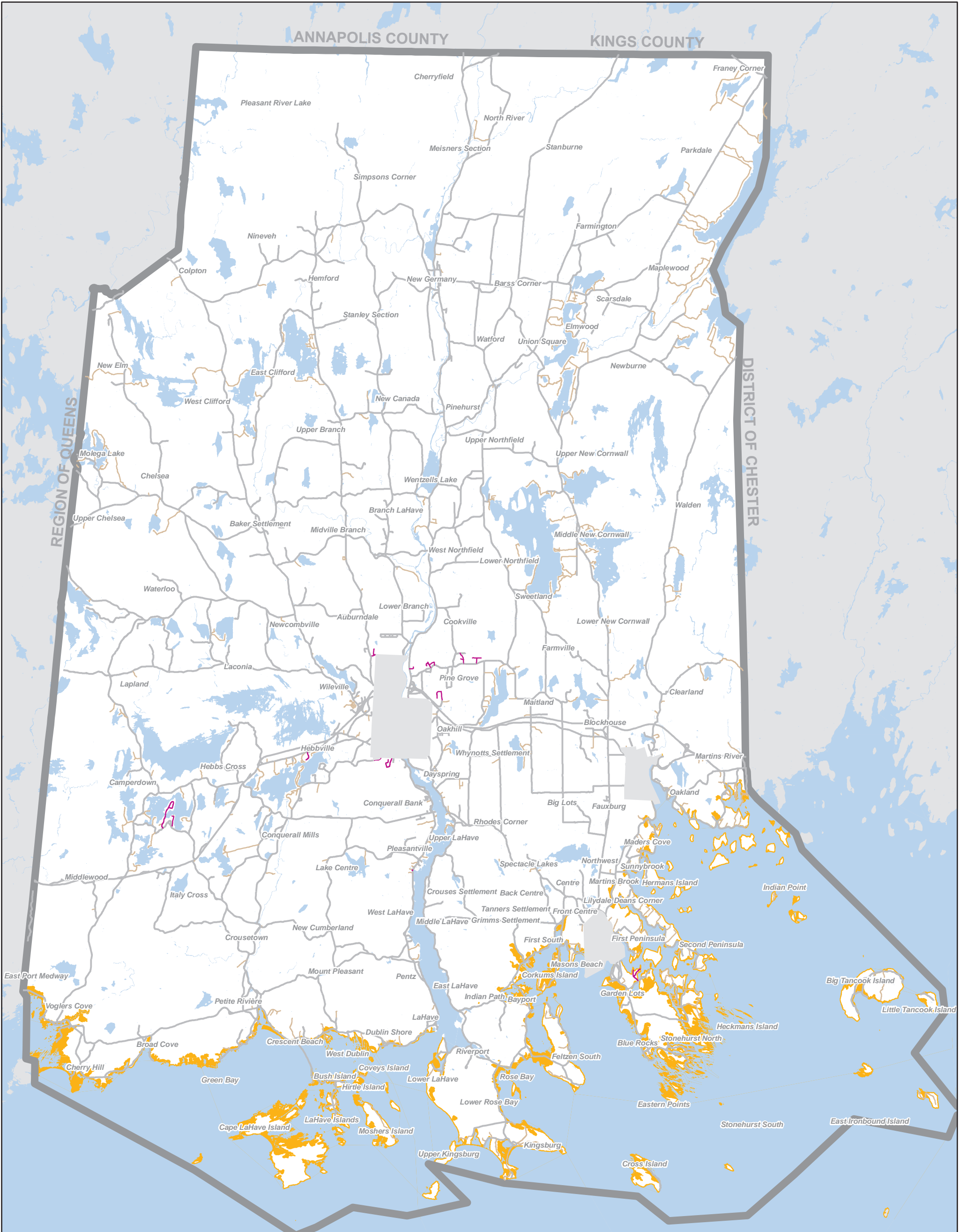
MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Municipal Planning Strategy MAP 1: Secondary Plan Areas

- Towns Not Within the Municipality
- Areas With Zoning

- Provincial Road
- Municipal Road
- Private Road
- Municipal Boundary
- Waterbody



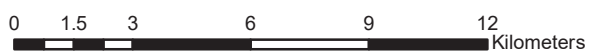


MUNICIPALITY OF THE DISTRICT OF LUNENBURG

**Municipal Planning Strategy
MAP 2: Designated Coastal Protection Area**

- Towns Not Within the Municipality
- Designated Coastal Protection Area

- Provincial Road
- Municipal Road
- Private Road
- Municipal Boundary
- Waterbody





MUNICIPALITY OF THE DISTRICT OF LUNENBURG

**Municipal Planning Strategy
MAP 3: Municipal-Wide Land Use**

- Towns Not Within the Municipality
- Areas Regulated By Regional Land Use By-Law

- Provincial Road
- Municipal Road
- Private Road
- Municipal Boundary
- Waterbody



0 1.5 3 6 9 12 Kilometers

Municipality of the District of Lunenburg

Amending By-law Details	
Name	Amendments to the Municipal Wide Land Use By-law, 2024
Number	049A
Legislative Authority	Municipal Government Act, Section 205
Effective Date	-

Be it enacted by the Council of the Municipality of the District of Lunenburg, under the authority of Section 205 of the **Municipal Government Act**, as follows:

Title

- 1 This By-law is titled ‘Amendments to the Municipal Wide Land Use By-law, 2024’ and may be cited as the Cluster Development Land Use By-law Amendment (2024).

Amendments to the Municipal Planning Strategy (By-law 049A)

- 2 The Definitions section is amended by adding the definition text: “**Cluster Development** means six (6) or more Dwelling Units contained in two or more Dwellings on a single Lot that is partly or entirely un-serviced by municipal water and sewer, including new phases or units in a phased-development condominium with six (6) or more Dwelling Units overall. A Recreational Vehicle Parking Site is not considered a Cluster Development.” After the ‘Building Footprint’ and before ‘Coastal Erosion Risk Area’ definitions.
- 3 New section ‘4.13. Cluster Developments’ is added after 4.12 Sensitive Coastal Ecosystems and before section 5. List of Attachments with the following text: “

4.13 Cluster Developments

Cluster Developments are permitted in all areas of the Municipality, except in cases where more stringent policies apply in Secondary Plan Areas. No development permit will be issued for any Cluster Development except in accordance with a development agreement approved under the policies in the Municipal Planning Strategy, including, but not limited to those in Sections 5 and 6.”

- 4 New section ‘4.6 Non- Conforming Cluster Developments’ is added after subsection 4.5 Non-Conforming Structures and before subsection 4.7 Multiples Uses in a building. List of attachments with the following texts:

4.6 Non-Conforming Cluster Developments

For cluster developments established as bare land or phased land condominiums, all units registered with the Registrar of Condominiums by December 31, 2026—as evidenced by registration at the appropriate Land Registration Office under the *Land Registration Act*—

Council will extend the same recognition to those that obtain a complete building permit application by December 31, 2026. In the case of phased condominium developments, only the units registered by December 31, 2026, will be considered non-conforming, regardless of whether the approved Condominium Declaration anticipates additional phases.

By-law Adoption	
Date of first reading of amending by-law	April 22, 2025
Date of second reading of amending by-law	
Date of advertisement of passage of amending by-law Effective date of the by-law unless otherwise specified in the text of this by-law.	
Date of mailing a certified copy of amending by-law to Minister	
I certify that this “Amendments to the Municipal Wide Land Use By-law, 2024” was adopted by Municipal Council and published as indicated above.	
Signature of Municipal Clerk	Date



Municipality of the District of Lunenburg

Municipal-Wide Land Use By-Law

(MODL By-law 049)

Approved by Council on: 2024-06-18

Amended on: YYYY-MM-DD

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1. Title and Purpose

1.1 Title

This By-law is titled the Municipality of the District of Lunenburg Municipal-Wide Land Use By-law.

1.2 Purpose

The purpose of this By-law is to carry out the intent of the Municipality of the District of Lunenburg Municipal Planning Strategy, under the Municipal Government Act, by regulating the land use and structures within the Municipality.

1.3 Compliance with Other By-laws and Regulations

This By-law does not exempt any person from complying with the requirements of other laws or regulations in force within the Municipality of the District of Lunenburg, or from obtaining any license, permission, permit, authority, or approval required thereunder. Where any provisions of this By-law conflicts with those of any other Municipal, Provincial or Federal regulation, by-law or code, the more stringent requirement will apply.

1.4 Effective Date

This By-law will take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Regional Municipal Planning Strategy and its implementing Land Use By-law are in effect.

2. Definitions

Annual Erosion Rate means the measurement of the quantity of soil or land that is lost through the process of erosion over a one-year period.

Boathouse means a permanent or temporary roofed structure, which does not contain toilet facilities, and which is used for the shelter or storage of boats, watercraft and associated marine accessories and equipment. No part of a boathouse may be used as a Dwelling Unit, for the habitation of animals, or for commercial uses. A boathouse does not include a garage.

Building Footprint means the horizontal area, measured from the outside of all exterior walls and supporting columns of a building. Excluded from this measurement are carports, patios, decks, balcony areas, porches, projections, as well as ramps and stairways necessary for access.

Cluster Development means six (6) or more Dwelling Units contained in two or more Dwellings on a single Lot that is partly or entirely un-serviced by municipal water and sewer, including new phases or units in a phased-development condominium with six (6) or more Dwelling Units overall. A Recreational Vehicle Parking Site is not considered a Cluster Development.

Coastal Erosion Risk Area means an area along a coastline prone to erosion. These areas are vulnerable to the gradual loss of land due to natural forces like geological conditions, lack of vegetation, waves, and tides.

Coastal Flood Risk Area means the temporary inundation of land along coastlines, caused by the overflow of water that can threaten communities, ecosystems, and infrastructure.

Coastal Wetland means a Wetland dominated by rooted herbaceous plants that drains directly into coastal waters and has the potential to be at least partially inundated with salt or brackish water.

Commercial Use means the use of land for the primary purpose of buying, selling or trading of merchandise or services.

Council means the Council of the Municipality of the District of Lunenburg.

Development means any construction, erection, alteration, placement, replacement, location, relocation of, or addition to any structure and any change or alteration in the use made of land or structures.

Development Agreement means a legal agreement between Council and a property owner governing the use of the property owner's land, as enabled by the Municipal Government Act and Municipal Planning Strategy and registered on title.

Development Permit means the permit issued by the Development Officer certifying that a proposed development complies with the provisions of the Land Use By-law.

Dune means an unconsolidated sand or gravel deposit found in a beach environment and recognized by raised topography. Dunes may be vegetated with salt-tolerant vegetation such as marram grass or may be established with ericaceous vegetation or tree species (e.g. forested Dune).

Dwelling means a building containing at least one Dwelling Unit for human habitation, which is capable of being occupied as a home or residence.

Dwelling Unit means one or more habitable room(s) that may be used as a residence by an independent, separate household, which: has a bathroom for exclusive use of the household; has a kitchen for the exclusive use of the household; and has a private entrance from outside the building or from a common hallway or stairway.

Elevation Setbacks means a mandate that structures, or the uses within a structure to be located at a certain elevation above the projected water levels to mitigate risks associated with natural events like flooding, storm surges, or other environmental factors.

Floor Area means the total area of all floors of a building, above and below grade, measured between the exterior faces of the exterior walls of the building or from the centreline of a wall separating two buildings.

Habitable Floor Space means the interior area within a building that is designed and suitable for human occupancy. This includes spaces such as living rooms, bedrooms, kitchens, and other areas where people can reside or carry out daily activities and does not include unfinished basements or attached garages.

Institutional Use means the use of land, building or structures for religious, educational, health or charitable purposes.

Lot means any parcel of land as described by its boundaries.

Marine-Related Uses means non habitable activities tied to the marine environment, including but not limited to industrial, commercial, and recreational pursuits such as boat building, marinas, fisheries, and fish processing plants.

Marine-Related Accessory Uses means activities or structures on land that support or complement marine activities, such as boat storage, marine equipment, repair facilities, and boat launching ramps.

Municipal Planning Strategy means the Municipal Planning Strategy of the Municipality of the District of Lunenburg.

Non-Conforming Use means a non-conforming structure and use as described in Sections 238-241 of the Municipal Government Act.

Non-Habitable Accessory Uses means a separate non habitable structure located on the same Lot as the main building or principal use, and of a nature customarily and clearly subordinate and incidental to the main building or main use of land.

Person means an individual, association, firm, partnership, corporation, trust, incorporated company, organization, trustee or agent, and the heirs, executors or other legal representatives of a person to whom the context can apply according to law.

Qualified Professional means an individual who has undergone proper educational training and gained experience and expertise to become certified or recognized as able to practice in a particular profession in the province of Nova Scotia and, if required by applicable legislation, is a member in good standing in the professional body representing and/or regulating the profession in Nova Scotia.

Recreational Vehicle Parking Site means a pad or area of land designated for the parking of a recreational vehicle.

Site Plan Approval means an approval process that evaluates the layout of site features such as buildings, parking areas, and landscaping for compliance with the Land Use By-law.

Top of Bank means the location up-slope from the scoured channel of a stream, or shoreline, where an abrupt change of slope occurs.

Use means the purpose for which any land, building or structure is utilized, and also means the purpose for which any land, building or structure is designed, arranged, or intended or the purpose for which any land, building or structure is occupied or maintained or leased.

Vegetated Buffer means a designated strip of land containing a mix of species including trees, shrubs and grasses, whether naturally occurring or planted during restoration, that provides filtration of pollutants and sediment, and promotes bank stability as a means to protect water quality and habitat of all waterbodies and Watercourses and protects property from flooding and erosion.

Watercourse means the bed and shore of every lake, river, stream, ocean, estuaries, or other body of water.

Wetland means a distinct ecosystem located in low-lying area of land where water is present either permanently or seasonally, featuring unique hydrology, soils, and vegetation.

3. Administration

3.1 Development Officer

This By-law will be administered by the Development Officer appointed by the Council of the Municipality of the District of Lunenburg, and the Development Officer will issue Development Permits under this By-law.

3.2 Acting Development Officer

In the absence or incapacity of the Development Officer, the Acting Development Officer appointed by Council will act in the Development Officer's stead.

3.3 Requirement for Development Permits

No person may undertake, or cause or permit to be undertaken, any development in the Designated Coastal Protection Area identified on Schedule A, unless a Development Permit has been obtained in relation to such development from the Development Officer or Acting Development Officer, as appointed by Council.

3.4 No Development Permit Required

Despite Section 3.3, a Development Permit is not required for:

- 3.4.1** A development that involves interior renovations of a building that will not add more Dwelling Units or will not involve a change in the use of the building.
- 3.4.2** Minor structures such as retaining walls, children's play structures, hot tubs, cold frames, garden trellises, clothesline poles, dog houses, propane cylinders, and heat pumps.

3.5 Requirement for Development Permit Application

Development Permits submitted to the Development Officer must be in the form prescribed by the Development Officer.

- 3.5.1** The application for a Development Permit must be signed by the owner of the Lot, or by their authorized agent.
- 3.5.2** The application for a Development Permit must set forth in detail the current and proposed use of the Lot and each building or structure, or part thereof, together with all information necessary to determine whether the proposed development conforms to the requirements of this By-law.

3.6 Contents of Development Permit Application

Every application for a Development Permit must be accompanied by a plan drawn to an appropriate scale and showing:

- 3.6.1** The true shape and dimension of the Lot to be used or upon which the development is proposed;
- 3.6.2** The proposed location, height and dimensions of any building or structure for which the permit is applied and the locational information must include measurements of the Lot frontage and front, side and rear yards;
- 3.6.3** The location of every building or structure already constructed, or partly constructed, on such Lot and the location of every building or structure existing upon abutting Lots;
- 3.6.4** The proposed location and dimensions of parking areas, parking spaces, loading spaces, driveway accesses, and curbs;
- 3.6.5** The location of existing and proposed landscaping, fencing, and outdoor storage;
- 3.6.6** The location of any Watercourse and location of any existing or proposed building or structure in relation to the Watercourse;
- 3.6.7** The location of existing and proposed public and private roads; and
- 3.6.8** Other such information as may be necessary to determine whether or not the proposed development conforms to the requirements of this By-law.

3.7 Requirement for Site Plan Approval Application

Every person wishing to obtain a Site Plan Approval must submit an application for such Site Plan Approval to the Development Officer in the form prescribed from time to time by Council.

3.8 Contents of Application for Site Plan Approval

An application for a Site Plan Approval must be accompanied by a plan or sketch, drawn to an appropriate scale and showing sufficient detail to address any additional matters as contained in this By-law.

3.9 Survey of Lands

Where the Development Officer is unable to determine whether the proposed development conforms to this By-law, the Development Officer may require that the plans submitted under Section 3.6 be based upon an actual survey by a Nova Scotia Land Surveyor.

3.10 Signatures

The application for a Development Permit must be signed by the owner(s) of the Lot, or by their authorized agent, and must demonstrate in detail the current and proposed use of the Lot and each building or structure, or part thereof, together with

all information necessary to determine whether or not the proposed development conforms to the requirements of this By-law.

3.11 Issuance of Development Permit

The Development Officer will not issue a Development Permit unless:

- 3.11.1** The proposed development is in conformance with this By-law;
- 3.11.2** A site sketch has been approved by the Development Officer in conformance with this By-law, pursuant to the Municipal Government Act and the time for appeal has elapsed or the appeal has been disposed of.

3.12 Deviations

No developer may deviate, or allow deviations to be made, from the description of the proposed development that is contained in the Development Permit, unless the developer has obtained a new Development Permit from the Development Officer.

3.13 Right of Entry

The Development Officer, at all reasonable times, may enter into or upon any property within the area to which this Land Use By-law applies for the purposes of any inspection necessary in connection with the administration of this By-law, (pursuant to the Municipal Government Act).

3.14 Lapse of Permits

Every Development Permit issued under this By-law will automatically lapse, and become null and void, if the development to which it relates has not commenced and one year has passed since its issuance.

3.15 Decision in Writing

Any decision of the Development Officer to refuse the issuance of a Development Permit will be given by a written and or electronic notice, whereas any decision to revoke a Development Permit will be given by written notice served by registered mail, and such revocation will become effective on the third business day after it was sent.

3.16 Revocation of Development Permit

The Development Officer may revoke a Development Permit where the Development Permit was issued based upon false or mistaken information.

3.17 Violations

In the event of any alleged breach of the provisions of this By-law, the Municipality of Lunenburg may take action as outlined in the Municipal Government Act.

3.18 Service of Notice of Amendments or Development Agreement

Where Council has given notice of its intention to adopt an amendment to this By-law, which is not general in scope but which is in direct response to a specific development proposal, or has given notice of its intention to enter into a Development Agreement or to amend a Development Agreement, Council will serve notice of the proposed amendment, Development Agreement or amendment thereto, to affected property owners whose property lies within 305 metres of the property which is the subject of the proposed amendment, Development Agreement or amendment thereto. The notice will:

- 3.18.1** Provide a synopsis of the proposed amendment, Development Agreement, or amendment thereto,
- 3.18.2** State the date, time, and place set for the public hearing on the amendment, Development Agreement, or amendment thereto, and
- 3.18.3** Be served by ordinary and/or electronic mail.

A suitable notice, containing the above-mentioned information, must also be erected upon the property that is the subject of the proposed amendment or Development Agreement or amendment thereto.

3.19 Cost of Advertising & Notice for Amendments or Development Agreement

An advertising deposit must be paid to the Municipality as part of any application to amend this By-law, the Municipality Planning Strategy, or a development agreement. The deposit will be based on the costs of conducting a public participation program. After the advertisement is complete, the applicant must pay any additional advertisement costs; the Clerk will refund any surplus to the applicant.

3.20 Effective Date

Pursuant to the Municipal Government Act, this By-law will take effect on the date a notice is published in a newspaper, circulating in the Municipality, informing the public that the Planning Strategy and its implementing Land Use By-law are in effect.

3.21 Service of Notice of Site Plan Approval

Pursuant to the Municipal Government Act, where the Development Officer has approved a site plan, the Development Officer will serve a notice of the approval upon affected property owners whose property lies within 30 metres (100 feet) of the property which is subject of the Site Plan Approval. Such notice will:

- 3.21.1** Provide a synopsis of the Site Plan Approval;
- 3.21.2** Identify the property where the Site Plan Approval is granted; and

3.21.3 Set out the right to appeal the decision of the Development Officer.

4. General Provisions

4.1 Application

The provisions of Part 4, General Provisions will apply to the entire Municipality except where otherwise stated.

4.2 Scope

No person may undertake a development, nor will a Development Permit be issued, unless the proposed development conforms to all of the provisions of this Land Use By-law.

4.3 Compliance with Other By-Laws and Regulations

4.3.1 This By-law does not exempt any person from complying with the requirements of other by-laws or regulations in force within the Municipality of Lunenburg or from obtaining any license, permission, permit, authority, or approval required thereunder.

4.3.2 Where any provisions of this By-law conflict with those of any other Municipal, Provincial, or Federal regulation, by-law or code, the more stringent requirement will apply.

4.4 Non-Conforming Uses

4.4.1 Uses of land that existed on the date of adoption of this By-law and that do not conform to the requirements of this By-law are considered non-conforming under section 238 of the Municipal Government Act and may continue to exist subject to the provisions of the Act (sections 239-241) or applicable policies of the Municipal Planning Strategy. Non-conforming uses that have been discontinued for a period less than 12 months will be permitted to be recommended.

4.4.2 Non-conforming structures for residential uses may be:

- (a) Rebuilt, replaced or repaired if destroyed or damaged by fire or otherwise, if it is substantially the same as it was before the destruction or damage and it is occupied by the same use;
- (b) Enlarged, reconstructed, repaired or renovated where:
 - (i) The enlargement, reconstruction, repair or renovation does not further reduce the minimum required yards or separation distance that do not conform with the Land Use By-law, and
 - (ii) All other applicable provisions of the Land use By-law except minimum frontage and area are satisfied.

4.5 Non-Conforming Structures

- 4.5.1** A structure lawfully in existence on the date of adoption of this By-law that does not meet the requirements of the zone in which it is located, is considered a non-conforming structure under section 238 of the Municipal Government Act.
- 4.5.2** Non-conforming structures must be subject to the following requirements:
- (a) Non-conforming structures may expand provided the expansion to the building or structure does not further reduce the setback that does not conform to the requirements.
 - (b) Non-conforming structures containing main residential uses may be rebuilt or replaced in substantially the same location and be occupied by the same use.

4.6 Non-Conforming Cluster Developments

For cluster developments established as bare land or phased land condominiums, all units registered with the Registrar of Condominiums by December 31, 2026—as evidenced by registration at the appropriate Land Registration Office under the *Land Registration Act*—will be recognized by Council as non-conforming. For non phased cluster developments, Council will extend the same recognition to those that obtain a complete building permit application by December 31, 2026. In the case of phased condominium developments, only the units registered by December 31, 2026, will be considered non-conforming, regardless of whether the approved Condominium Declaration anticipates additional phases.

4.7 Multiples Uses in a Building

Where any main building is to be used for more than one purpose and applicable requirements are in conflict, the more stringent requirement(s) apply.

4.8 Miscellaneous Minor Accessory Structures

- 4.8.1** An accessory structure may be used only as an accessory use to the main building or use.

4.9 Coastal Protection

- 4.9.1** Within the Designated Coastal Protection Area, as indicated in Schedule A, all developments must submit a development permit application to the Development Officer that demonstrates adherence to the regulations specified in subsections 4.13, 4.14 and 4.15, in addition to any other requirements outlined in the Municipal Land Use By-law.

4.10 Coastal Flooding

- 4.10.1** In all coastal areas on lands within the Coastal Flood Risk Area, as shown in Schedule C, no building may be constructed with the finished floor level of any habitable space located below a vertical elevation of 3.97 metres, relative to the Canadian Geodetic Vertical Datum of 2013.
- 4.10.2** Institutional uses are explicitly prohibited in the Coastal Flood Risk Area regardless of elevation.
- 4.10.3** Despite Subsections 4.13.1 and 4.13.2, existing structures may be reconstructed, rebuilt, renovated, repaired, moved, or replaced. New additions may expand at or above the elevation of the current structure, up to 100% of the existing footprint, as it existed as of the date of the first publication of the notice of intention to adopt the Land Use By-law, provided that all other applicable provisions of this Bylaw are met.

4.11 Coastal Erosion

- 4.11.1** Within the Coastal Erosion Risk Area, all developments are strictly prohibited within 30 horizontal metres measured from the top of the bank to the main wall of the building.
 - (a) If the top of the bank is not discernible within a 30-metre range of the marine shoreline, the ordinary high watermark will be used and defined by a Nova Scotia land surveyor.
- 4.11.2** Within the Coastal Protection Area, a 15-metre Vegetated Buffer area consisting of natural vegetation is required to lessen the impact of runoff and erosion and protect sensitive coastal ecosystems. The following requirements apply to the buffer:
 - (a) No natural vegetation may be removed within 15-metres of the Top of Bank or the ordinary high watermark.
 - (b) Despite Section 4.14.2 natural vegetation may be removed to a maximum of the lesser of either 25% or 10-metres, of the waterfrontage to enable water views, access, and the development of marine-related accessory uses.
 - (c) In undeveloped areas, it is mandatory to restore a Vegetated Buffer featuring a blend of woody and grassy vegetation before obtaining a development permit, unless the natural landscape is inherently unvegetated.
 - (d) Despite Section 4.14.2 the removal of dangerous or severely diseased vegetation is permitted.
 - (e) Despite Section 4.14.2, Commercial, Industrial, Recreational, and Scientific uses that require direct access to the water are exempt from maintaining a vegetative buffer.

4.11.3 Under the provisions of Non-Conforming Structures the following must be met:

- (a) Within the Coastal Erosion Risk Area, existing structures may undergo reconstruction, renovation, repair relocation or replacement.
- (b) New additions to a Building Footprint must be developed furthest from the risk area, unless a qualified professional under the provisions stated in 4.14.5 determines the addition is not at risk of coastal erosion.
- (c) All other applicable provisions of this Land Use By-law.

4.11.4 Permitted developments within the Coastal Erosion Risk Area include:

- (a) Boat houses, fishing gear sheds, docks, decks, wharves, piers, slipways, and other marine related uses;
- (b) Scientific research structures;
- (c) The removal of vegetation and grade alterations necessary for erecting erosion control and flood control measures above the ordinary high-watermark. Natural vegetation must be reinstated when excess vegetation has been removed within the vegetative buffer area;
- (d) Removal of windblown, diseased, or dead trees in hazardous conditions;
- (e) Trimming tree branches to improve the view plane and ventilation, and
- (f) Safety fences not exceeding a height of 1.9 metres.

4.11.5 Despite Sections 4.14.1 and 4.14.2, the Development Officer may grant a permit for building within the Erosion Risk Area. This is contingent upon the completion of a Coastal Erosion Risk Factor Assessment that shows the proposed development is not at risk due to coastal erosion. The study must be conducted in accordance with the methodology outlined by the Nova Scotia Department of Environment and Climate Change's Development of a Coastal Erosion Risk Factor Assessment Standard Technical Background and Guidance report. The assessment, including a site plan carried out at the applicant's expense by a qualified professional must also demonstrate the following:

- (a) The proposed development maintains a minimum setback of 15 metres from the top of the bank.

4.12 Sensitive Coastal Ecosystems

4.12.1 All Development is prohibited within 30 metres of Coastal Wetlands, as specified in Schedule B, the Development Constraints Map.

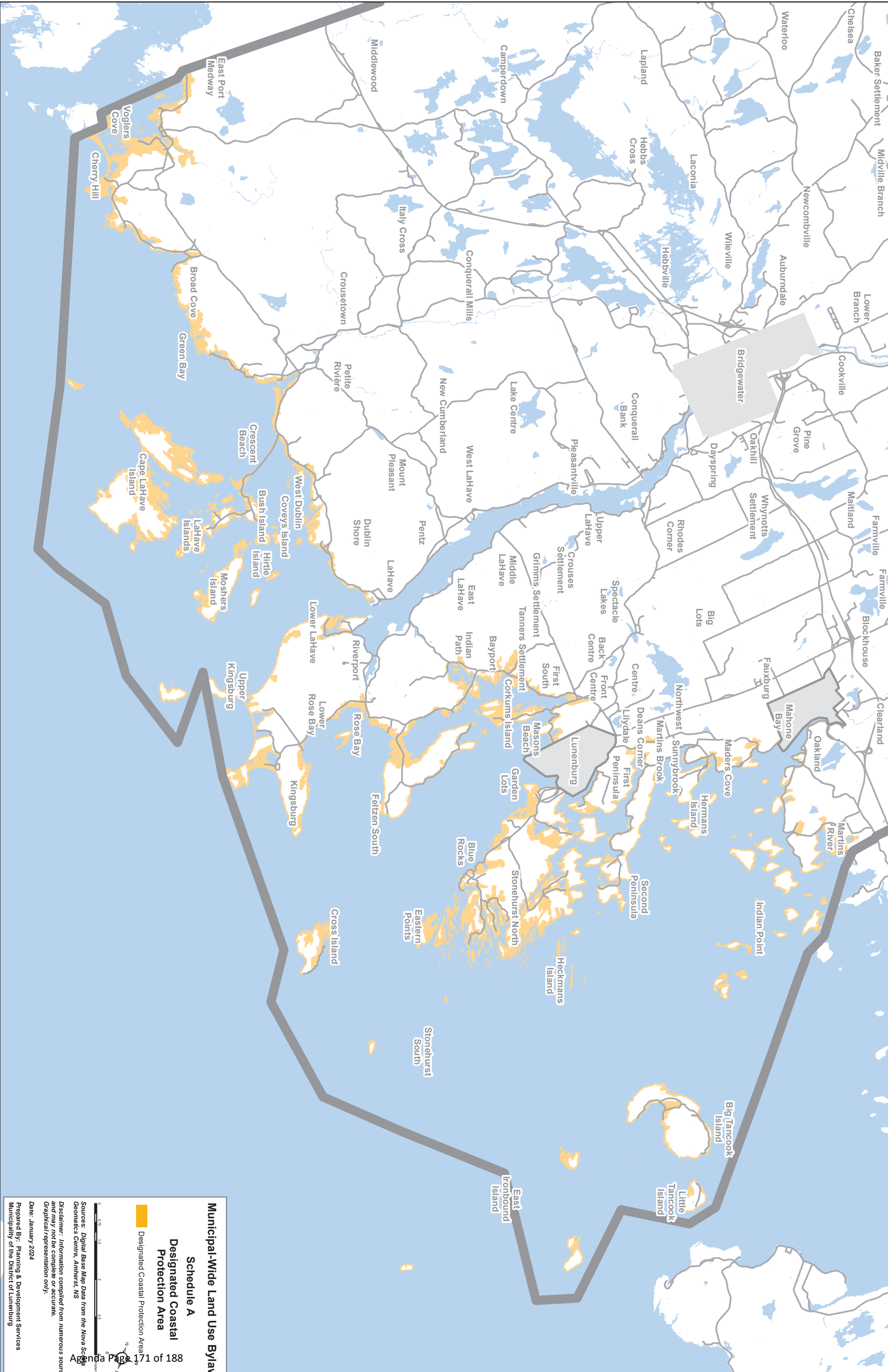
- 4.12.2** All Development is prohibited within a 30-metre vegetative buffer surrounding Coastal Wetlands, as specified in Schedule B, the Development Constraints Map. This buffer must be maintained in a naturalized state.
- 4.12.3** Despite Sections 4.15.1 and 4.15.2, a property owner may submit a study as evidence to demonstrate the absence of a Wetland and request the removal of the Wetland from Schedule B, the Development Constraints Map.
- (a) The Municipality may require confirmation from the Department of Environment and Climate Change prior to accepting changes to wetland protection boundaries shown on the Development Constraints Map.
- 4.12.4** Permitted developments within Coastal Wetlands or the associated vegetative buffers include:
- (a) Boardwalks or nature interpretation stands;
- (b) Conservation projects;
- (c) Walking or hiking trails; and
- (d) Recreational trails;
- 4.12.5** Under the provisions of Non-Conforming Structures the following must be met:
- (a) Existing structures may undergo reconstruction, renovation, repair relocation or replacement.
- (b) New additions to a Building Footprint must be developed furthest from coastal wetlands.
- (c) All other applicable provisions of this Land Use Bylaw.

4.13 Cluster Developments

No development permit will be issued for any Cluster Development except in accordance with a development agreement approved under the policies in the Municipal Planning Strategy, including, but not limited to those in Sections 5 and 6.

5. List of Attachments / Schedules

Schedule A	Designated Coastal Protection Area
Schedule B	Development Constraints Map
Schedule C	Flood Risk Area



Municipal-Wide Land Use Bylaw

**Schedule A
Designated Coastal
Protection Area**

Designated Coastal Protection Area

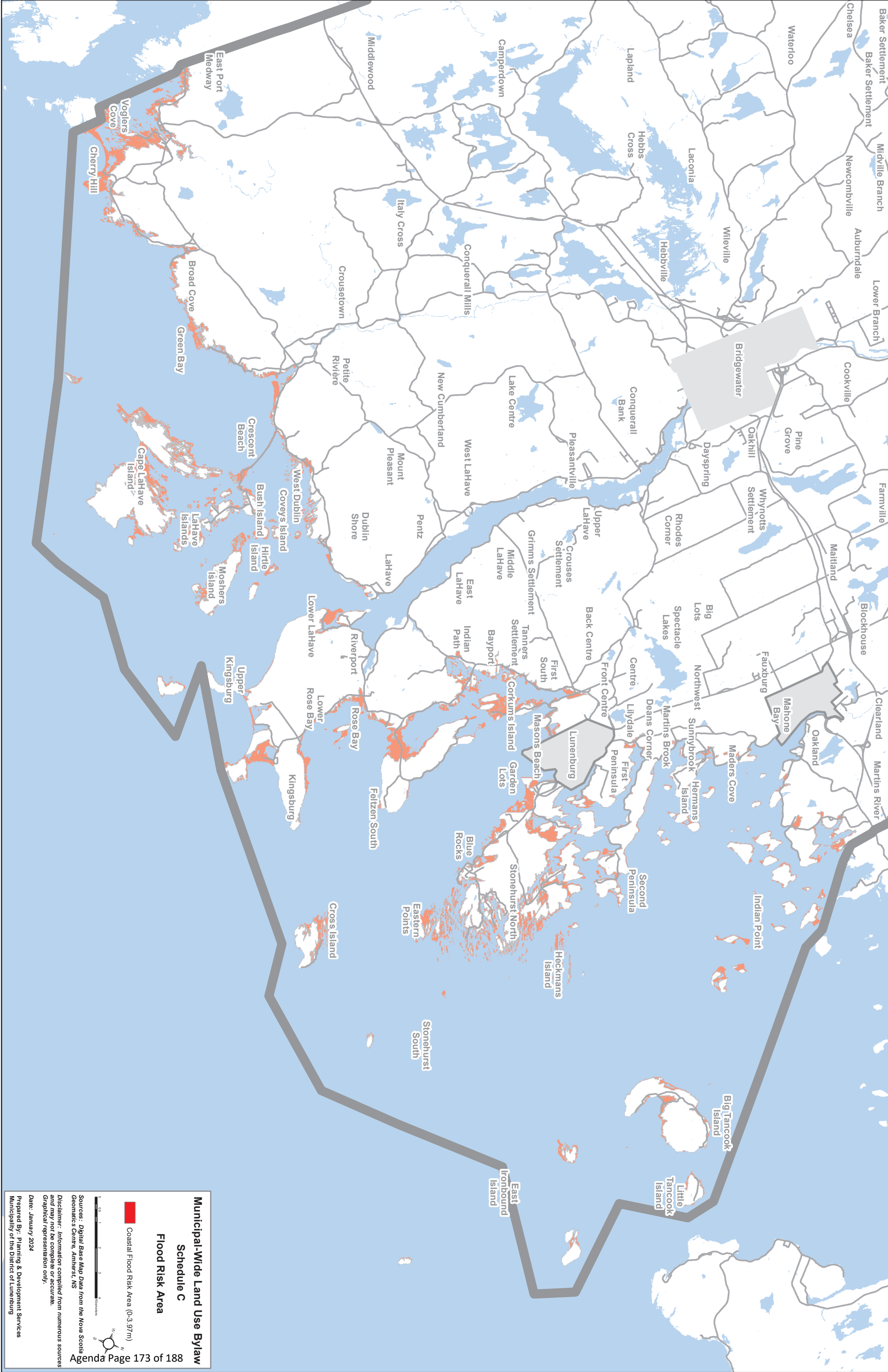


Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS

Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.

Date: January 2024

Prepared By: Planning & Development Services Municipality of the District of Lunenburg



Municipal-Wide Land Use Bylaw
Schedule C
Flood Risk Area

■ Coastal Flood Risk Area (0-3.97m)

Sources: Digital Base Map Data from the Nova Scotia Geomatics Centre, Amherst, NS
 Disclaimer: Information compiled from numerous sources and may not be complete or accurate. Graphical representation only.
 Date: January 2024
 Prepared By: Planning & Development Services
 Municipality of the District of Lumenburg

0 1 2 3 4 Kilometers

0 1 2 3 4 Miles

Agenda Page 173 of 188

Memo to Council: Request for Mayoral Support on Library Funding Letter

TO: Councils of Municipal Units in Lunenburg and Queens Counties
FROM: Ashley Nunn-Smith, CEO & Chief Librarian, South Shore Public Libraries
DATE: April 30, 2025
RE: Request for Endorsement and Signature – Letter to the Province on Public Library Funding

Dear Council,

We are respectfully requesting that the mayors and wardens of the municipal units served by South Shore Public Libraries consider joining their municipal colleagues in the Annapolis Valley and Pictou-Antigonish regions by signing a letter (draft provided as an attachment) to the Honourable Dave Ritcey, Minister of Communities, Culture, Tourism and Heritage. The letter urges the Province of Nova Scotia to revisit the current public library funding formula, which has not been substantially updated in more than a decade.

Public libraries are more than repositories for books—they are essential service providers and inclusive community hubs. They deliver critical programs and services to all residents, including children, seniors, newcomers, and vulnerable populations. However, stagnant provincial funding is placing increasing strain on our ability to meet community needs.

The purpose of this joint letter is to present a unified voice from municipal leadership in the South Shore region in support of sustainable and equitable library funding. It is our hope that the Province will recognize the growing importance of libraries and respond by engaging with stakeholders to modernize the funding formula.

The attached letter has been prepared for consideration and is ready for endorsement. If your council is in agreement, we ask that your mayor or warden sign the letter and confirm participation at your earliest convenience.

We are grateful for your ongoing support of public libraries in our communities.

Sincerely,



Ashley Nunn-Smith
CEO & Chief Librarian, South Shore Public Libraries



April 30, 2025

The Honourable Dave Ritcey
Minister of Communities, Culture, Tourism and Heritage
1741 Brunswick St, 3rd Floor
P.O. Box 456, STN Central
Halifax, NS B3J 2R5

Email: MIN_CCTH@novascotia.ca

Dear Minister Ritcey,

We, the undersigned Mayors and Wardens representing the municipalities served by South Shore Public Libraries, write to you with a shared concern and a unified voice. As leaders of our communities, we are calling on the Province of Nova Scotia to revisit and revise the library funding formula, which is no longer sustainable or reflective of the growing needs and realities of public libraries in our region.

Public libraries are a cornerstone of healthy, connected, and resilient communities. In our towns and rural areas alike, libraries serve not only as vital access points for books and information, but also as trusted community hubs—offering everything from early learning programs and digital literacy training to newcomer supports, public internet access, job-seeking assistance, referrals to social and government agencies and resources, and safe, welcoming spaces for all ages.

Despite the growing demand for these services, provincial funding for public libraries has remained largely stagnant since 2003. Rising costs—driven by inflation and tariffs—have steadily eroded the purchasing power of public dollars year over year. The longstanding funding formula does not account for these economic pressures, population growth, or the evolving role of libraries in our communities. As a result, libraries are being asked to do more with less, straining the system and, in some cases, threatening the sustainability of essential services.

We appreciate the support the Province has shown to libraries in the past, and we recognize that public resources are limited. However, in times of economic uncertainty, public libraries play an increasingly critical role in supporting individuals and families. Maintaining a flat or outdated funding model in the face of increasing needs risks undermining the very goals we share: vibrant communities, equitable access to information, and lifelong learning opportunities for all Nova Scotians.

We urge the Province to engage in meaningful consultation with regional library boards and municipalities to develop a fair, modern, and responsive funding formula. As an immediate step, we also respectfully request that the Province approve the emergency bridge funding request of \$1.6 million. This temporary support is critical to sustaining essential services while a long-term solution is developed.

This is not only a matter of dollars and cents—it is a matter of equity, community well-being, and our shared future. We would welcome the opportunity to discuss this issue further and look forward to working collaboratively with your department to ensure that libraries continue to thrive as essential public institutions in our province.

Thank you for your attention and consideration.

Sincerely,

Allen Webber, Warden
Municipality of the District of Chester

Jamie Myra, Mayor
Town of Lunenburg

David Mitchell, Mayor
Town of Bridgewater

Scott Christian, Mayor
Region of Queens Municipality

Elsbeth McLean-Wile, Mayor
Municipality of the District of Lunenburg

Suzanne Lohnes-Croft, Mayor
Town of Mahone Bay

cc. Council of Regional Librarians
Mayor Pam Mood, President, NSFM
Lynn Somers, Director, Nova Scotia Provincial Library, CCTH
Stephanie Smith, Executive Director, Libraries, Archives, and Museums, CCTH
Christopher Shore, Deputy Minister, CCTH
Tim Houston, Premier of Nova Scotia

Council
Item #11.2.2
Date: May 13, 2025
Authorization: T. MacEwan



Municipality of the District of Lunenburg

Report to Council

Report To: Municipal Council
Submitted By: April Whynot-Lohnes, Municipal Clerk
Date: May 13, 2025
Re: Second Reading – Neighbourhood Nuisance By-law

Municipal Council, in session on April 22, 2025 conducted First Reading of the Neighbourhood Nuisance By-law and gave notice of its intention to adopt the By-law by conducting Second Reading at the May 13, 2025 Council meeting.

Notice was given through local media and on the MODL website that Municipal Council would be conducting Second Reading at the May 13, 2025 meeting.

If adopted, the By-law will provide the Municipality’s policing services with the ability to issue summary offence tickets for activities that unreasonably disturb the peace of a neighbourhood.

To adopt the proposed by-law, the following motion is required:

“that Municipal Council conduct Second Reading and adopt By-law 050 Neighbourhood Nuisance, as presented”.

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes, Municipal Clerk
Report Approved by	
Date Reviewed by C.A.O.	

Tuesday, May 6, 2025

Honourable Members of Municipal Council
The Municipality of the District of Lunenburg
10 Allée Champlain Drive
Cookville, Nova Scotia B4V 9E4

Re: Neighbourhood Nuisance By-law (By-law 050)

Dear Members of Municipal Council,

I am writing to express my formal objection of the implementation of the proposed Neighbourhood Nuisance By-Law. As a resident of this rural community, I am concerned the by-law interferes and infringes on one's right to enjoyment of property.

On a personal note, my family and I have fallen victim to multiple instances of harassment the last couple of years by an occupant of a neighbouring property. After many instances of being dragged into court with an attempt to prosecute us under false accusations, of which the court clearly recognized, our family still fears for our safety and well-being. The responsibility to prove our innocence very much fell on our shoulders in these instances, despite how the law is written, and it took a very big toll on our family, regardless of the success we had in court. I will never get the time back spent defending our family over the course of two years.

While I can respect the theory behind implementing By-laws such as this, I cannot help but identify opportunities within that allow predatory individuals to gain ammunition and falsify evidence. I fear that without setting clear boundaries, this by-law not only supports further harassment but may encourage it.

Below, I have identified my concerns as they specifically relate to the proposed by-law:

DEFINITIONS	
Within the proposed by-law, Appropriate means as being reasonable in the circumstances considering the intensity, frequency, duration, and timing of the activity.	
While the definition of Appropriate considers <u>intensity, frequency, duration, and timing of the activity</u> , the by-law fails to identify a standard or baseline for these factors to determine what is in fact reasonable.	
For example, when considering noise, we examine the following:	
Intensity	There are only two ways to determine the Intensity of noise, neither of which are being

	<p>considered in this by-law as a tool to gauge the intensity of noise.</p> <ul style="list-style-type: none"> • The use of a Sound Level Meter (SLM) or, • Calculating sound intensity using appropriate formulas.
<p>Frequency, Duration</p>	<p>Benchmarks for Frequency and Duration have not been clearly defined to determine what is <i>reasonable in the circumstances</i>. Absence of a benchmark could present a double standard.</p> <p>How do you determine <i>reasonable in the circumstances</i> between a business owner exempt from this by-law with the ability to operate heavy machinery for personal use all day, and a homeowner for playing background music all day while working in their yard? Who determines this? Are exhausting court resources the only option in matters of dispute?</p>
<p>Timing of the activity</p>	<p>Failure to put time restrictions in place, as would be in most noise by-laws, becomes immeasurable in determining what is reasonable when considering timing of the activity.</p> <p>Most may agree that loud excessive noise at 2am would be disruptive to the neighbourhood. However, without clearly defining parameters to the timing of the activity, the same noise at 3pm could be determined by some as unreasonable where others would find it ordinarily acceptable at that time of day.</p> <p>How is this determined that someone is in violation of the Bylaw, without set parameters? Is this another item for the courts?</p>
<p>4.1.(f) Neighbourhood means in the same area or nearby including but not limited to the area within sight and/or sound of the subject property and/or the activity.</p>	
<p>Clearer definitions, rather than blanket definitions</p>	<p>As noted within the Prohibitions clause, accounts from “2 or more residents occupying at least 2 different properties are disturbed...is evidence...”</p>

	How is it possible for residents that are not within sight and/or sound of the subject property and/or the activity in the case of a noise disturbance, to provide evidence in prosecution for a violation of the Bylaw?
Setting parameters	Due to the large geographical area, Neighbourhood should be defined to specifically identify distance measurements/radius or that are within sight and/or sound of the subject property and/or the activity of the disturbance.
PROHIBITIONS	
<p><i>Prohibitions – 5.3. - In a prosecution for a violation of the Bylaw, evidence that 2 or more residents occupying at least 2 different properties are disturbed by the activity is evidence that the activity has unreasonably disturbed the peace of the neighbourhood.</i></p> <p>This provision should be closely examined to address the following:</p>	
Revision of provision	A revision to the following provision, “2 or more residents of the neighbourhood occupying at least 2 different properties within the neighbourhood... ”.
Absence of Police witness	<p>Additionally, there is concern that in a prosecution for violation of the proposed bylaw as described, <i>unreasonably disturbed</i> can be defined by unauthoritative parties, such as disgruntled neighbours, and used as evidence to prosecute.</p> <p>This borders on hearsay which is often inadmissible in court due to the potential for untruthfulness or misrepresentation.</p> <p>This is a large geographical area making it difficult for timely Policing response. But is allowing hearsay testimony from disgruntled neighbours to serve as evidence in a prosecution the answer?</p>
EXEMPTIONS	
The by-law proposal fails to adequately define activities and events that are exempt from the By-law.	
Example - recreation activity as set out under Exemptions 6. (g).	What constitutes recreation activity?

	<p>A team sporting event, a birthday party or simply small children enjoying their yard on a sunny day?</p> <p>It is imperative to define the activities and events specified under the exemptions to avoid misinterpretation of the Bylaw.</p>
<p>PENALTIES</p>	
<p>The proposed By-law does not appear to address penalties for residents that abuse the resources used to enforce this By-law.</p> <p>If the RCMP receives multiple complaints, and the Officer’s investigation results in no violation of the By-law, at what point can the complainant be held accountable? Are there no penalties that may be imposed?</p>	

By not specifically identifying parameters within the by-law, such as those listed here, property owners are vulnerable to harassment and the inability to exercise their right to enjoyment of property.

Furthermore, the abuse of RCMP and judicial resources is at risk with the absence of clearly defined standards that are left open to interpretation. Perhaps establishing ‘quiet hours’ as part of a noise by-law and identifying clear mandates may be a better solution for the community and prevent the misuse and/or abuse of our local policing and court resources.

I am a law abiding, high tax-paying, courteous resident of this community where my young family and I reside. I am pleading with Council to reconsider your recommendation of this By-law so that our young children can play in the yard, our dog can swim in the lake, the lawn can be mowed, and we can fully enjoy our beautiful property with family and friends, without prejudice.

Please accept my sincerest gratitude for taking the time to review the concerns of my family.

Respectfully,

Ashley Hurley

██████████
████████████████████
██

Municipality of the District of Lunenburg

By-law Details	
Name	Neighbourhood Nuisance By-law
Number	050
Legislative Authority	Section 172(1)(a) and (d) of the Municipal Government Act
Effective Date	

Title

- 1 This By-Law is entitled the “Neighbourhood Nuisance By-Law”.

Preamble

- 2 Residents of the Municipality of the District of Lunenburg are encouraged to be good neighbours by exercising courtesy, consideration, and tolerance. Anyone that engages in behaviour that does not demonstrate common courtesy or consideration of others and causes frequent or persistent annoyance to the neighbourhood may be in contravention of this By-law.

Authority

- 3 (1) Section 172(1)(a) of the **Municipal Government Act** empowers Municipalities to make by-laws respecting “the health, well-being, safety and protection of persons.”
(2) Section 172(1)(d) of the **Municipal Government Act** empowers Municipalities to make by-laws respecting “nuisances, activities, and things that, in the opinion of Council, may be or may cause nuisances.”

Definitions

- 4 (1) In this By-law, the following means:
 - (a) **Agriculture Operation** has the same meaning as contained in the N.S. Farm Practices Act, 2000. C. 3;
 - (b) **Appropriate** means as being reasonable in the circumstances considering the intensity, frequency, duration, and timing of the activity;
 - (c) **Council** means the Council for the Municipality of the District of Lunenburg;
 - (d) **Forestry Operation** has the same meaning as contained in the N.S. Forests Act, 1989 R.S. c. 179;

- (e) **Municipality** means the Municipality of the District of Lunenburg;
- (f) **Neighborhood** means in the same area or nearby including but not limited to the area within sight and/or sound of the subject property and/or the activity;
- (g) **Normal Farm Practices** has the same meaning as contained in the N.S. Farm Practices Act, 2000. C. 3.
- (h) **Secondary Wood Processing Operations** means transforming primary wood products into semi-finished or finished products encompassing various techniques like sawing, planing, sanding, gluing, and surface finishing as well as assembly.

Prohibitions

- 5
- (1) No person will engage in activity that unreasonably disturbs the peace of the neighbourhood.
 - (2) Any person who engages in an activity that unreasonably disturbs the peace of the neighborhood is guilty of an offence.
 - (3) In a prosecution for a violation of the Bylaw, evidence that 2 or more residents occupying at least 2 different properties are disturbed by the activity is evidence that the activity has unreasonably disturbed the peace of the neighbourhood.

Exemptions

- 6
- (1) This By-Law does not apply to:
 - (a) Disturbances that may result from a response to an emergency, including the parking or standing of emergency vehicles by police, fire, or ambulance services while engaged in the discharge of their duties.
 - (b) Forestry operations.
 - (c) Secondary wood processing operations.
 - (d) Agricultural operations.
 - (e) Normal farm practices.
 - (f) Businesses operating lawfully and in a manner that is appropriate to the nature of the business enterprise.

- (g) Recreation activity carried out lawfully and in a manner that is appropriate to the nature of the activity.
- (h) Community events carried out lawfully and in a manner that is appropriate to the nature of the event.

Penalty

- 7 (1) Any person who violates any of the provisions of this By-law may be guilty of an offence and may, on summary conviction, be liable
- (a) for the first offence to a penalty of not less than \$300 and, in default of payment, to imprisonment for a period not exceeding 60 days;
 - (b) for the second offence to a penalty of \$700 and, in default of payment, to imprisonment for a period not exceeding 60 days;
 - (c) for the third offence or any subsequent offence to a penalty of \$1000 and, in default of payment, to imprisonment for a period not exceeding 60 days.

Summary Offence Ticket

- 8 Municipal Staff will apply to the Governor in Council under the **Summary Proceedings Act**, RSNS 1989, c. 450 as amended, to have the offences under this by-law designated by the Summary Offences Ticket Regulations to permit the use of summary offence tickets for prosecuting such offences in appropriate circumstances.

By-law Adoption	
Effective date of original by-law	
Date of first reading	April 22, 2025
Date of advertisement of notice of intent to consider	April 30, 2025
Date of second reading	
Date of advertisement of passage of by-law	
Effective date of the by-law unless otherwise specified in the text of this by-law.	
Date of mailing a certified copy of by-law to Minister	
Date of Ministerial Approval	

Neighbourhood Nuisance By-law

By-law 050

Page 4 of 4

I certify that this “Neighbourhood Nuisance By-law 050” was adopted by Municipal Council and published as indicated above.

Signature of Municipal Clerk	Date
------------------------------	------

Version	Amendment Description	Approval Date
Original	Neighbourhood Nuisance By-law	

Council
Item #11.2.3
Date: May 13, 2025
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Municipal Council

Submitted by: Alex Dumaresq, Deputy CAO

Date: May 13, 2025

Re: Appointment of Investigator for Code of Conduct Issues

Recommendation

That Council appoint Taylor MacLellan and Cochrane as the municipal Code of Conduct investigator.

Background

In January 2022, a Code of Conduct Working Group was established to develop a set of recommendations on the code of conduct framework. This Group is comprised of representatives from the Nova Scotia Federation of Municipalities (NSFM), the Association of Municipal Administrators (AMANS), the Association of Nova Scotia Villages (ANSV), and the Department of Municipal Affairs and Housing (DMAH). The framework included content for the code, sanctions that could be imposed should a breach occur, and options for an investigator model. In October of 2024, provincial regulations were implemented that require Municipal Councils to adopt the model code by December of 2024.

The code lays out an investigative process that produces an independent report for Council to consider, alongside a response should the respondent wish to provide one. Council is then tasked with the responsibility of determining if a breach occurred. If Council determines a breach did occur, Council must then consider a set of criteria for sanctions before applying one or more of a prescribed list. The possible sanctions range from a letter of warning to training, to removing a member from committees for up to 6 months, to financial penalties.

The regulations require that Council appoint an independent investigator and publicly post

contact information for the investigator. To assist Municipalities in this process the AMANS published a call for expressions of interest from qualified firms to provide this service. For efficiency and for simplicity from a citizen perspective, the municipalities in Lunenburg County agreed to consider appointing the same investigator.

Discussion

In response to the AMANS request for expressions of interest, 7 firms responded, who 1) met the minimum requirements and 2) provided no limitations on types of complaints they could investigate. All 7 reported previous experience conducting code of conduct type issues. None of the 7 reported any capacity concerns if all 5 units in Lunenburg County were to select the same investigator. Pricing per hour of investigative work ranged between \$350 to \$395 per hour.

Taylor MacLellan Cochrane (TMC) have the lowest hourly rate (see table below). As a result, staff are recommending the appointment of TMC as the Municipality’s investigator for code of conduct complaints.

Firm	Hourly Rate*
BDO Canada LLP	\$350
Stewart McKelvey	\$495
Burchell MacDougall LLP	\$275
Taylor MacLellan Cochrane	\$200
Burchell Wickwire Bryson LLP	\$175-\$395
MC Advisory Group Inc	\$250
Nijhawan McMillan & Conlon Barristers	\$325

*note: some firms included lower rates for admin support & junior staff work, or a fee for opening a complaint investigation

Staff are not aware of any potential conflicts with TMC which would render them ineligible to serve as the investigator.

Strategic Focus

Not applicable - the appointment of an investigator is required by provincial legislation.

Budget/Financial Implications

The volume of investigations is not expected to be high, and the Municipality’s advisory services budget should have sufficient funds for investigations. If investigations are impacting the budget, staff will report to Council.

Climate Change/Sustainability

Not applicable.

Inclusion Diversity Equity and Accessibility (IDEA@MODL)

Not applicable.

Strategic Communications

Contact information for the investigator must be posted to the Municipality’s website. A press release will be prepared upon Council’s decisions on appointment.

Work Plan

It is not anticipated that the appointment of an independent investigator will impact staff’s ability to implement Council’s strategic priorities

Alternatives

Council may choose to appoint another firm from the qualified firms. If Council is not satisfied with the list of providers, Council may also direct staff to complete a procurement process specifically for the Municipality. If this alternative is chosen, staff will require specific input from Council on criteria for recruiting and evaluating an investigator.

Conclusion

As a result of changes to provincial legislation, all municipalities now have a consistent code of conduct and a mechanism for investigating and determining breaches of the code. The new Code also requires the appointment of an independent investigator. Taylor MacLellan Cochrane represents best value from the pool of eligible proponents. The appointment of the same investigator for all Lunenburg County Municipalities provides simplicity and clarity for citizens.

Report Preparation	
Department	Administration
Report Prepared by	Alex Dumaresq, Deputy CAO
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