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Municipal Council Meeting Agenda

Tuesday, September 22, 2026 – 9:00 a.m. (immediately following Audit Committee)

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: Right to Know Week

3. Public Input (15 Minutes)

4. Changes/Approval of Agenda (as circulated)

5. Approval of Minutes - September 8, 2026

6. Business Arising from Minutes - Nil

7. Awarding of Tenders/RFPs

8. Presentations/Scheduled Times

8.1 Coastal Protection By-law, Peter Himmelman(10:15 a.m.) 1-5

9. Consideration of Correspondence

10. Recommendations from Committees & Boards

10.1 Policy & Strategy Committee

10.1.1 Repeal and Replace Policy 033 Procurement Policy..... 6-31

10.1.2 Approval of Policy 101 Municipal Parks Legacy Fund and
Commemorative Asset Program..... 32-46

10.1.3 Approval of Policy 107 Affordable Housing Pre-Construction Grant 47-56

10.2 Planning Advisory Committee

10.2.1 Development Agreement Review-Proposed Cluster Development, Wileville
PIDs 0303724 & 60303781..... 57-89

10.3 Audit Committee

10.3.1 2026 Draft Financial Statements 90-98

11. Staff Reports

11.1 Planning & Development

- 11.1.1 Policy 109 Closure of Certain Streets – PID 60742368 & 60742376 99-109
- 11.1.2 Demand Responsive Transit Vehicles & Equipment Procurement 110-113
- 11.1.3 Proposed Amendments to Subdivision By-law..... 114-115

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

- 12.1 LCLC Update
- 12.2 Request for Training Expenditure – Councillor Oickle 116
- 12.3 Deputy Mayor's Update
- 12.4 Mayor's Update

13. Added Items

14. In Camera

- 14.1 Contract Negotiations under Section 22(2)(e) of the MGA
- 14.2 Personnel Matter under Section 22(2)(c) of the MGA

15. Adjournment

OPENING

Good morning Mayor, Deputy Mayor and Members of Council

My name is Peter Himmelman and I live in the Municipality of Lunenburg.

WHY I AM HERE

I 'm here today to address a specific issue in the Coastal Protection Act By-law that is preventing me and potentially many other residents from making reasonable improvements to their homes.

I recently applied for a building permit to construct a 14 x 14 addition to my home. During the review, MODL staff informed me that the issue is not with my design, not with the Building Code and not with the environmentally impact.

The issue is the inflexibility in the wording of the Coastal Protection By-law.

The bylaw requires a 30 meter setback from a coastal pond. My home predates this regulation and already sits slightly inside the 30 meter zone.

The proposed addition would extend sideways from the house and would not move any closer to the pond than the existing structure already sits.

Despite this, the staff explained the the bylaws wording prohibits the addition simply because it is technically "within" the 30 meters-even though it does not encroach any further toward the pond.

THE CORE PROBLEM

The Coastal Protection Bylaw treats all additions as if they were new buildings. This creates an unintended contradiction .

- Existing homes are allowed to remain inside the 30 meter setback.
- Additions to those homes are blocked - even when the additions stays behind the existing building line and does not move closer to the coastal feature.

I suspect this is not the intent of the Coastal Protection Bylaw. I believe it is to prevent new encroachment toward central sensitive coastal features, not to freeze existing homes in a place forever.

THE PROVINCIAL PRECEDENT

This exact problem was identified previously in Nova Scotia's inland watercourse setback rules. the province corrected it by adding Section 7.31 , which states:

' Non conforming structures may expand provided the expansion does not further reduce the setback that does not conform to the requirements .'

This is a clear, simple and effective rule.

It allows homeowners to improve existing structures as long as they do not move any closer to the watercourse.

My proposed addition follows this principle exactly. It does not move any closer to the coastal pond than my existing house already sits.

WHY THIS MATTERS TO MODL

This is not just my issue.

The current wording will affect:

- Any resident with a home built before the bylaw
- Any cottage or seasonal dwelling near a coastal pond
- Any homeowner needing accessibility improvements, additional living space or structural upgrades
- MODL staff who will face repeated permit refusals and appeals

A narrow amendment-modelled directly on Section 7.31-would solve this problem for everyone.

WHAT I AM REQUESTING

I am respectfully asking Council to pass a motion directing staff to prepare an amendment to the Coastal Protection Bylaw that allows expansions to existing homes provided the expansion does not move any closer to the coastal feature than the existing structure.

- This is a small targeted correction.
- It aligns MODL with established provincial practice.
- It protects the environment while allowing reasonable improvements to existing homes

CLOSING

Thank you for your time and consideration.

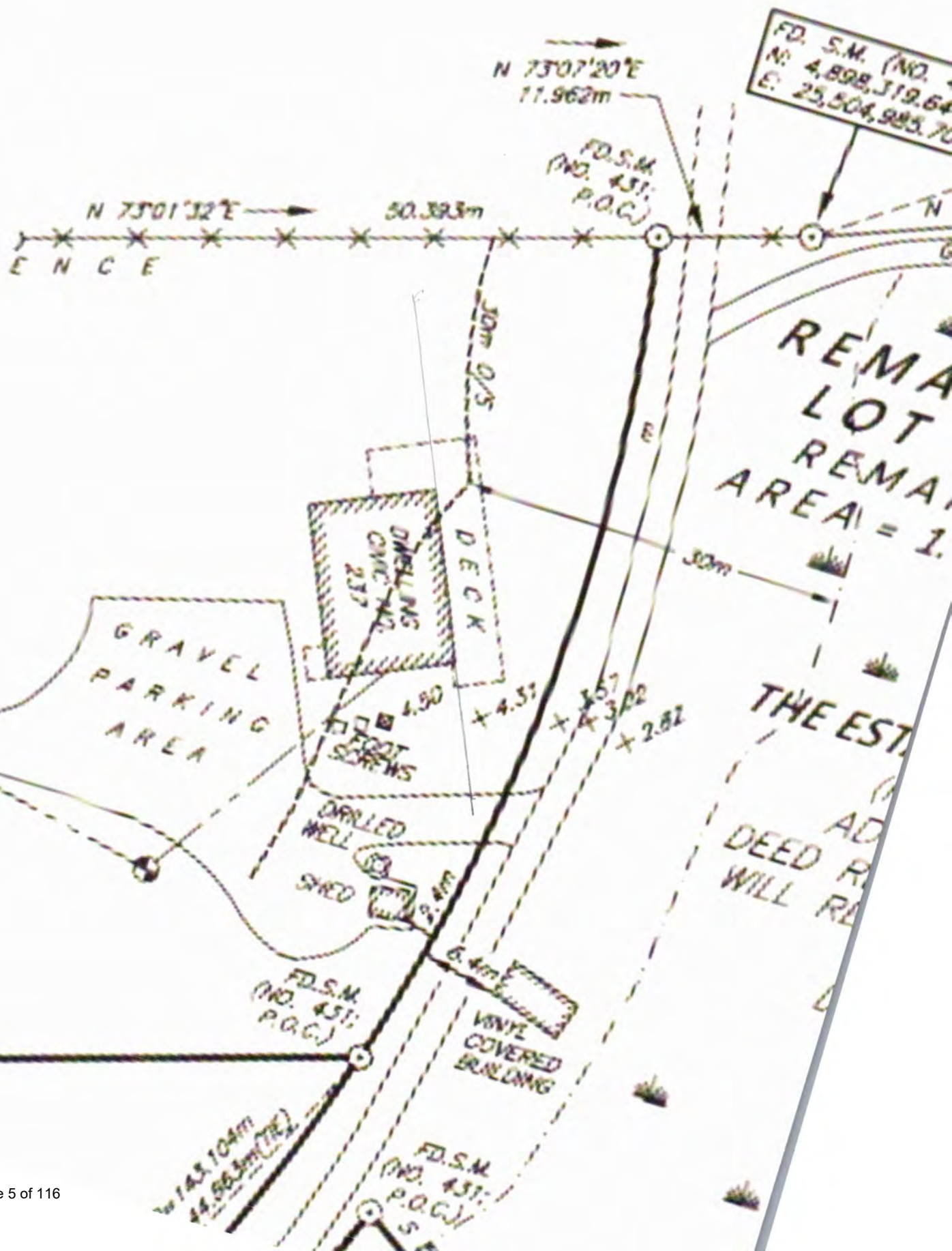
I appreciate the work Council and staff do to protect the coastline and I believe the amendment will strengthen the bylaw, reduce administrative burden and ensure fairness to all residents .

I am happy to answer any questions or provide additional documentation .



← 14 x 14 Addition →

POND →





Memorandum

To: Mayor McLean-Wile and Councillors

From: Chairperson and Members of the Policy & Strategy Committee

Date: September 15, 2026

Re: Recommendations of the Policy & Strategy Committee

The Policy & Strategy Committee, in session on Tuesday, September 15, 2026, made the following recommendations to Council:

- 1. That the Policy & Strategy Committee recommend that Council repeal Policy 033 Purchasing and Tendering and replace it with new Policy 033 – Procurement Policy and hereby give seven (7) days' notice of Council's intent to adopt at the September 22, 2026, Council meeting.**
- 2. That the Policy & Strategy Committee recommend that Council approve new Policy 101 - Municipal Parks Legacy Fund and Commemorative Asset Program and hereby give seven (7) days' notice of Council's intent to adopt on September 22, 2026; and further, that Council authorize the establishment of a Municipal Parks Legacy Fund.**
- 3. That the Policy & Strategy Committee recommended that Council approve new Policy 107, Affordable Housing Pre-Construction Grant, including the amendment to eligible projects in neighbouring municipalities, and hereby give seven (7) days' notice of Council's intent to adopt at the September 22, 2026, Council meeting.**

Respectfully Submitted,
Chairperson & Members
Policy & Strategy Committee
/laa

Council
Item 10.1.1
September 22, 2026
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Report

Report To: Mayor & Municipal Council
Submitted By: April Whynot-Lohnes, Municipal Clerk
Date: September 22, 2026
Re: Repeal & Replace Policy 033 Purchasing and Tendering with Policy 033 Procurement Policy

At the September 15, 2026 Policy & Strategy Committee, Council considered a recommendation to repeal Policy 033 Purchasing and Tendering and replace it with Policy 033 Procurement Policy and gave notice of its intent to repeal and replace the Policy at the September 22, 2026 Council meeting.

Section 48(1) of the Municipal Government Act states, "Before a policy is passed, amended or **repealed**, the Council shall give at least seven days' notice to all council members". Therefore, in accordance with Section 48(1), the new Policy 033 Procurement Policy will be presented for Council's approval at the September 22, 2026 Council session. The Policy & Strategy meeting of September 15, 2026 was considered Council's notice.

If Council approves the new Policy, the following motion would be necessary:

"that Municipal Council repeal Policy 033 Purchasing and Tendering, and replace it with Policy 033 Procurement Policy, as presented".

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes, Municipal Clerk
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Policy Details	
Name	Procurement Policy
Number	033
Legislative Authority	Public Procurement Act, SNS 2011, c. 12, Freedom of Information and Protection of Privacy Act (FOIPOP), RSNS 1993, c. 5, Canadian Free Trade Agreement (CFTA), Comprehensive Economic and Trade Agreement (CETA), where applicable, MODL by-laws, policies, and delegated authority frameworks, as approved by council.
Effective Date	

Purpose

- 1 (1) This Policy establishes how the Municipality of the District of Lunenburg ("Municipality" or "MODL") will meet its obligations under the Nova Scotia Public Procurement Act (Act) and the Nova Scotia Public Procurement Policy.
- (2) This Policy provides direction for the expenditure of funds to complete the programs approved by Council in the annual Operating and Capital Budget (Budget) as well as outlining procurement approaches for Emergency expenditures of Goods, Services, and Construction which may be required, but were not identified in the Budget.
- (3) This Policy achieves the Best Value for the expenditure of public funds by the Municipality for the acquisition of Goods, Services, and Construction by maximizing competition, adopting commercially reasonable business practices, promoting Sustainable Procurement practices, and utilizing open, fair, and transparent procurement processes.

Definitions

- 2 (1) In this Policy,
 - (a) **Alternative Procurement Practice** means the authorized purchase of goods, services or construction without a public tender or other competitive process, in the circumstances described in Section 18 of this Policy;
 - (b) **Best Value** means evaluating bids not only on purchase price and life cycle cost considerations, but also considering items such as environmental and social considerations, delivery, servicing and the capacity of the supplier to meet other criteria as stated in tender documents;

- (c) **Bid** means a supplier's response to a Solicitation Document. Bid is synonymous with the terms proposal, response, submission, tender submission, quotation, or offer, and may be identified as such in this Policy;
- (d) **Budget** means the Municipality's annual approved operating and capital budgets adopted in accordance with the Municipal Government Act;
- (e) **Chief Administrative Officer (CAO)** means the Chief Administrative Officer of the Municipality or their designate appointed per s.28 Municipal Government Act;
- (f) **Competitive Procurement** means a procurement method whereby all interested suppliers may submit a bid;
- (g) **Construction** means the construction, reconstruction, demolition, repair or renovation of a building, structure, road or other engineering or architectural work, excluding professional consulting services related to the construction contract unless they are included in the procurement;
- (h) **Procurement Tool** means an online procurement service, system, or software, used by the Municipality that may support some or all the main processes involved in a procurement including, but not limited to: Goods, Services, or Construction sourcing, contract management, and spend analytics.
- (i) **Environmental Considerations** means factors associated with the purchase, manufacture, operation, or disposal of a product or asset that affect the environment, such as the degree to which the product or asset uses recycled materials, is energy efficient, or produces or reduces greenhouse gas emissions;
- (j) **Goods** means materials, furniture, merchandise, equipment, stationery and other supplies required by the Municipality for the transaction of its business and affairs, including services that are incidental to the provision of such supplies;
- (k) **Group Purchasing Organization** means an entity that helps public sector entities realize savings and efficiencies by aggregating purchasing volume and using that leverage to negotiate discounts with manufacturers, distributors, and other suppliers.
- (l) **High Value Procurement** means the procurement of Goods or Services with an estimated value greater than \$50,000 or Construction with an estimated value greater than \$100,000.
- (m) **Immediate Family Member** means spouse, common-law partner, parent(s), and child(ren), regardless of age or residence.

- (n) **Invitational Competition** means a competitive process in which a Request for Quotes, Request for Proposal, or an invitation to submit Bids is issued to at least three (3) suppliers.
- (o) **Life Cycle Costs** means the total costs associated with a product or asset over its life span, including the cost of acquisition, maintenance, repair, operation, and disposal.
- (p) **Local Business** means businesses whose primary office or operations are physically located within the boundaries of Lunenburg County;
- (q) **Low Value Procurement** means the procurement of Goods or Services with an estimated value of \$49,999 or less, or Construction with an estimated value of \$99,999 or less.
- (r) **Non-Competitive Procurement** means the procurement of Goods, Services, or Construction directly from a supplier, outside of a competitive procurement process.
- (s) **Nova Scotia Procurement Portal** means the official website for provincial and public sector procurements, operated and maintained by the Province of Nova Scotia.
- (t) **Open Competition** means the solicitation of Bids through publicly posted solicitation such as Requests for Proposals or Tenders.
- (u) **Public Tender** means publicly advertising as described in Section 18 of this Policy, the Municipality's intended procurement of certain goods, services or construction and inviting responses from interested suppliers. Public tenders include traditional tenders, requests for proposals, and two-phase bids, and are described in Section (17) of this Policy;
- (v) **Request for Proposals** means a formal invitation to suppliers to describe how their services, methods, equipment or products can address and/or meet the needs of the Municipality. Requests for proposals are described in Section 18 of this Policy;
- (w) **Request for Quotations** means informally obtaining price quotations from several different suppliers. Requests for quotations are described in Section 18 of this Policy;
- (x) **Services** means services required by the Municipality for the transaction of its business and affairs, excluding services provided by an employee of the Municipality through a Personal Services Contract;
- (y) **Social Considerations** means factors associated with the purchase or manufacture of a product or asset that relate to the rights or interests of the workers involved, such as working conditions, fair wages, and compliance with human rights legislation and conventions;

- (z) **Standing Offer** means a source of supply available to the Municipality either through a standing price agreement with a supplier or as a member of a larger group of purchasers. Standing offers are described in Section 18 of this Policy;
- (aa) **Supplier** means a person or entity conducting the business of providing Goods, Services, or Construction.
- (bb) **Sustainable Procurement** means a procurement process that considers the environmental, economic and social factors related to the Goods, Services and Construction that are procured.
- (cc) **Traditional Tender** means a formal invitation to suppliers to submit a bid to supply specified goods, services or construction. Traditional tenders are described in Section 18 of this Policy;
- (dd) **Two-Phase Bid** means a two-stage process in which suppliers submit proposals for evaluation and separately submit prices. Two phase bids are described in Section 18 of this Policy.

Scope

- 3 (1) This Policy applies to all departments of the Municipality, as well as all employees or third parties undertaking procurement on behalf of the Municipality.
- (2) This Policy applies to the procurement by the Municipality of all Goods, Services, and Construction except for those excluded procurement actions as stated in Section 4.
- (3) All amounts and thresholds referenced herein are inclusive of non-recoverable HST and are denominated in Canadian dollars.

Excluded Procurement Actions

- 4 (1) This Policy does not apply to:
 - (a) Buying or leasing land or buildings;
 - (b) Selling surplus lands or disposing of assets that are at end-of-life;
 - (c) Purchases which are made by a third party where MODL is providing grants or other funding which pays for or contributes to payment for the procurement. MODL may, however, make such funding contingent on meeting certain requirements with respect to procurement which are consistent with this Policy;
 - (d) Construction projects managed by a third party on behalf of MODL, in which case, the procurement for the project must be in accordance with the contract between MODL and the third party;

- (e) Insurance funding work where specific suppliers are required by the Insurance Company;
- (f) Purchases made by MODL from corporations owned or controlled, in whole or in part, by the Municipality;
- (g) Purchases pertaining to training and education for Employees and Members of Council, which includes, but is not limited to, conferences, conventions, tradeshow, seminars, and workshops.

Procurement Policy Principles

- 5 (1) All procurement conducted by the Municipality must be conducted with a view to:
 - (a) Procuring goods, services, and construction in a fair, open, consistent and transparent manner, resulting in best value for the Municipality;
 - (b) Ensuring an equitable, open and transparent process for the acquisition of Goods, Services and Construction by the Municipality;
 - (c) Avoiding dishonesty, corruption, or favouritism in the procurement of Goods, Services or Construction;
 - (d) Identifying and using Suppliers who can be expected to provide satisfactory performance and best overall value to the Municipality;
 - (e) Encouraging competitive bidding wherever possible and, in any event, minimizing the Municipality's cost of acquiring goods and services where practicable;
 - (f) Complying with applicable regional, national and international trade agreements including the Agreements on International Trade and the Atlantic Procurement Agreement;
 - (g) Procuring Goods, Services, and Construction with due regard to the preservation of the natural environment and encouraging Suppliers to utilize goods incorporating recycled materials and sustainably sourced materials where practicable;
 - (h) Promoting Sustainable Procurement, including identifying and exploring opportunities to work with and support social enterprises and businesses that are owned by and employ under-represented populations;
 - (i) Complying with the Public Procurement Act and any Regulations made pursuant to that Act.
- (2) All employees involved in procurement on behalf of the Municipality must:

- (a) ensure procurement activities are conducted according to this Policy, Provincial and Federal legislation, trade agreements, and ethical business practices;
- (b) encourage and support collaborative procurement amongst other municipalities and public sector entities such as hospitals and regional centres for education;
- (c) follow leading procurement practices;
- (d) in good faith, conduct business with current and prospective suppliers and be fair in all business dealings;
- (e) strive to obtain the Best Value for each expenditure;
- (f) require suppliers provide accurate representations of Goods, Services, and Construction;
- (g) encourage suppliers to consider integrating environmental, economic, and social considerations in their product or service offerings;
- (h) encourage the negotiation of an equitable and mutually acceptable settlement when a dispute arises; and
- (i) request removal from a procurement process when a personal conflict of interest is perceived.

Obligations of the Municipality

- 6 (1) The Municipality must:
- (a) publicly tender for all Goods, Services, and Construction in accordance with any applicable domestic or international trade agreement;
 - (b) provide reasonable notice and opportunity to respond to public tenders and post notices of public tenders on the Nova Scotia Procurement Portal;
 - (c) post on the Nova Scotia Procurement Portal the name of the successful bidder and the contract amount awarded;
 - (d) post its procurement policies on the Municipality's website;
 - (e) abide by the acceptable alternative procurement exceptions and practises as set out in Section 19 and noted in the Procurement Act;
 - (f) incorporate contract and risk-management guidelines into procurement practices; and
 - (g) be accountable for its procurement decision.

Purchasing Authority

Chief Administrative Officer

- 7 (1) The CAO is authorized to make purchases for goods, services, or construction for the purposes of carrying on the business of the Municipality where the amount of the expenditure does not exceed \$250,000 (excluding HST), and such expenditure has been included in the approved budget.
- (2) Any purchase for goods, services or construction that exceeds the amounts \$250,000, or is outside of the approved budget, must be approved by Council.
- (3) Nothing in this Policy prevents that CAO from seeking advice or direction from Council in relation to the awarded of a competition or from recommending that Council itself award a competition.

Directors

- 8 Directors are authorized to make purchases for goods, services, or construction for the purposes of carrying on the business of the Department where the amount of the expenditure does not exceed \$100,000 (excluding HST), and such expenditure has been included in the approved budget.

Managers

- 9 Managers are authorized to make purchases for goods, services and construction for the purposes of carrying on the business of the Department where the amount of the expenditure does not exceed \$25,000 (excluding HST), and such expenditure has been included in the approved budget.

Designated Staff

- 10 Directors may delegate the purchasing authority to designated staff within their Department corresponding with each individual's duties and responsibilities where the amount of the expenditure does not exceed \$5,000, (excluding HST), such expenditure has been included in the approved budget and a formal designation of authority form has been completed (signed by the Designate, Director and CAO) and returned to the Manager of Accounting or Director of Finance.

Council Approval

- 11 Regardless of the approval limits listed above, a contract award must be forwarded to Council for approval if the award commits the Municipality to making capital expenditures in a future fiscal year.

Reporting to Council

- 12 The Director of Finance must provide a report to Council, at least quarterly, containing a list of all awards approved by the CAO and all awards exceeding \$50,000 resulting from Alternative Procurement.

Purchasing Thresholds

- 13 (1) Good, Services and Construction must be procured under a Standing Offer if one exists for the Goods, Services and Construction required, and if doing so will provide the Best Value. If no Standing Offer is available then the Municipality must procure Goods, Services and Construction in accordance with Section 15.
- (2) Thresholds for Low Value and High Value procurement and the thresholds for acceptable procurement methods must be:

	Low Value		High Value
	Quotes	Invitational Competition	Open Competition
Goods	Less than \$5,000	\$5,000 - \$49,999	\$50,000 & Above
Services	Less than \$5,000	\$5,000 - \$49,999	\$50,000 & Above
Construction	Less than \$5,000	\$5,000 - \$99,999	\$100,000 & Above
Public Procurement Required	No	No	Yes

- (3) The estimated total value of all anticipated expenditures required to fulfil requirements must be used to determine the appropriate procurement method.

- (4) Purchases must not be divided to reduce or keep a purchase value below any specific threshold.

Use of Purchase Orders

- 14 For any purchases greater than \$5,000, a Purchase Order is required before committing to a purchase.

Procurement of Goods, Services, and Construction

- 15 Where a Good, Service, or Construction is being procured, and no Standing Offer is in place or the specifications of the Standing Offer does not meet the requirements, procurement must be completed in accordance with the appropriate process defined in Section 16: Low Value Procurement and Section 17: High Value Procurement.

Low Value Procurement

- 16 (1) Goods, Services, and Construction with a value below the High Value Procurement Thresholds (as defined in Section 2) and without an available or appropriate Standing Offer, must be procured through an Invitational Competition, subject to Section 18(2), 18(3), and 18(4).
- (2) Invitational Competitions require the Purchasing Authority to obtain a minimum of three (3) quotes (if available) through the Request for Quotation Process.
- (3) Goods, Services, and Construction with a value below \$5,000, do not require the use of an Invitational Competition provided that the Purchasing Authority makes a reasonable effort to identify and select vendors to obtain Best Value for these purchases.
- (4) If an Invitational Competition results in the lowest-priced or Best Value respondent quoting above the applicable Low Value Threshold, but still within the allotted Budget, the Purchasing Authority may:
- (a) Accept the results, enacting an applicable Alternative Procurement Practice;
 - (b) Cancel the competition and re-issue an as Open Competition; or
 - (c) Cancel the competition and reevaluate the Project.

High Value Procurement

- 17 (1) Goods, Services or Construction with a value above the Low Value Threshold (Section 13(2)) and without an available or appropriate Standing Offer must be procured through an Open Competition, subject to Sections 18(5), 18(6), 18(7) and 18(8).
- (2) High Value procurements are to be completed with the assistance of the Procurement Officer.
- (3) Notice of all Open Competitions must be posted on the Nova Scotia Procurement Portal. Names of successful bidder(s) and the contract amount awarded must be posted to the Nova Scotia Procurement Portal within 60 days of the award.
- (4) Open Competitions must be conducted in accordance with the requirements of this Policy, the Nova Scotia Public Procurement Act, the Nova Scotia Procurement Policy, all

applicable trade agreements, and applicable Standard Operating Procedures of the Municipality.

(5) The submissions need not be opened in public but must be opened in the presence of at least three representatives of the Municipality and a list of the proponents will be available to the public and the proponents upon request.

Forms of Procurement

- 18 (1) The Municipality must utilize various forms or methods to procure Goods, Services, and Construction, including, but not limited to:

Standing Offers

- (2) It is mandatory for the Municipality to use existing Standing Offers, where applicable and appropriate, regardless of the procurement value, to achieve contracted benefits through the consolidation of purchases. This includes:
- (a) A Standing Agreement between the Municipality and a supplier in which the supplier commits to providing specified Goods, Services, or Construction at a specific price for a specific period of time provided that such Standing Agreements must themselves be the subject of an Open Competition;
 - (b) Nova Scotia Provincial Standing Offers administered by the Province of Nova Scotia;
 - (c) The use of a Group Purchasing Organization, or a procurement program administered or recommended by the Nova Scotia Federation of Municipalities or the Association of Municipal Administrators Nova Scotia.

Buy Direct

- (3) Buy Direct is a non-competitive procurement method permitted for Low Value Procurement with an estimated cost of less than \$5,000. Designated Staff may purchase directly from a Supplier when requirements are clear and a formal process is not warranted. Purchases must reflect fair pricing, responsible use of public funds and be documented in the procurement records.

Request for Quotations (RFQ)

- (4) Request for Quotations (RFQ) are typically a form of Limited Competition, used in Low Value Procurements and when the cost of the Goods, Service, or Construction does not warrant the time, effort and expense required for a formal Open Competition. Quotes are normally requested from at least three (3) Suppliers; if fewer are available, the reason must be recorded. Quotes should be in writing, and when verbal quotes are necessary, key

details must be documented in procurement records and retained in accordance with Policy 008 Records Management and Routine Access.

Public Tender:

- (5) Public tender means publicly advertising the municipalities intended procurement of certain goods, services or construction and inviting responses from interested suppliers.
- (a) Public tenders are used for higher value procurements, when the cost of the goods, services or construction warrants the time, effort and expense required for a public tender process.
- (b) Public tenders can be in the form of traditional tenders, requests for proposals, or two-phase bids. See Sections 18(6), 18(7) and 18(8).

Traditional Tender:

- (6) A traditional tender is a formal invitation to suppliers to submit a bid to supply specified goods, services or construction.
- (a) A traditional tender should be used when the procurement requirements of the Municipality can be clearly and completely specified.
- (b) The Municipality must not negotiate with any bidders but must award the procurement contract to the bidder that meets the tender requirements and provides best value.

Request for Proposals

- (7) Request for Proposals (RFP) are a form of Open Competition and may be used when the Municipality is unable to clearly or completely specify the Goods, Service, or Construction required, and Suppliers are therefore asked to provide a solution to the problem, requirement or objective.

Two Phase Bids:

- (8) A two-phase bid process invites suppliers to submit bids as follows:
 - (a) Phase OneOne or more steps in which bidders submit proposals for evaluation, either with or without prices in a separate submission;

(b) Phase Two

Only those bidders whose bids were determined to be acceptable will be entitled to submit priced bids for consideration or, where prices are submitted separately in Phase One, the prices are opened.

- (c) A two-phase bid process may be used when detailed specifications are not available, or it is impractical to prepare a specification based on price. This type of procurement has the advantages of a request for proposals in Phase One and a traditional tender in Phase Two.
- (d) The municipality must not negotiate with any bidders and must award the procurement contract to the supplier whose proposal is determined to provide best value to the Municipality based upon the evaluation criteria set out in the Phase One request for submissions equitably applied to all proposals, and the prices in Phase Two.

Alternative Procurement Practices (ALTP)

- 19 (1) To balance the need to be open and competitive with the demands of urgent, specialized, exceptional or exempt circumstances, ALTP may be used in accordance with this Policy.
- (2) ALTP must not be used to avoid competitions between suppliers or to discriminate against specific individuals or groups of suppliers.
- (3) An ALTP may be used in the following circumstances:
- (a) Where an unforeseeable situation of urgency exists and the goods, services or construction cannot be obtained in time by means of open procurement procedures;
- (b) Where goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters, through an open tendering process could be expected to compromise government confidentiality, cause economic disruption or otherwise be contrary to the public interest;
- (c) Where compliance with the open tendering provisions set out in this Policy would interfere with the Municipality's ability to maintain security or order or to protect human, animal or plant life or health;
- (d) In the absence of tenders in response to an open or selective tender, or when the tenders submitted have been collusive, or not in conformity with the essential requirements in the tender;

- (e) To ensure compatibility with existing products, to recognize exclusive rights, such as exclusive licenses, copyright and patent rights, or to maintain specialized products that must be maintained by the manufacturer or its representative;
- (f) Where there is an absence of competition for technical reasons and the goods, services or construction can be supplied only by a particular supplier and no alternative or substitute exists;
- (g) To support businesses owned by members of under-represented and underserved communities, including but not limited to, Mi'Kmaq and persons of Indigenous descent, African Nova Scotians and persons of African descent, persons of colour/racialized persons, newcomers (immigrants and refugees), 2SLGBTQIA+, persons with disabilities, minority faith-based groups, and persons who are neurodivergent;
- (h) For the procurement of goods, services or construction, the supply of which, is controlled by a supplier that is a statutory monopoly;
- (i) For the purchase of goods on a commodity market;
- (j) For work to be performed on or about a leased building or portions thereof that may be performed only by the lessor;
- (k) For work to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;
- (l) For the procurement of a prototype or a first good or service to be developed in the course of and for a particular contract for research, experiment, study or original development, but not for any subsequent purchases;
- (m) For the purchase of goods under exceptionally advantageous circumstances such as bankruptcy, receivership, or auctions but not for routine purchases;
- (n) For the procurement of original works of art;
- (o) For the procurement of subscriptions to newspapers, magazines or other periodicals;
- (p) For the procurement of real property;
- (q) For the procurement of goods intended for resale to the public;
- (r) For procurement from philanthropic institutions, prison labour, persons with disabilities, sheltered workshop programs or through employment equity programs;
- (s) For procurement from a public body or a non-profit organization;

- (t) For the procurement of Goods and Services financed primarily from donations that are subject to conditions that are inconsistent with this Policy;
- (u) For the procurement of services of expert witnesses, specifically in anticipation of litigation or for the purpose of conducting litigation;
- (v) For situations where the number of potential Suppliers who could be expected to provide the Goods, Services, or Construction are limited, such that it is more efficient to selectively invite quotations/proposals rather than issue an Open Competition;
- (w) Insurance claims;
- (x) Insurance through NSFM program.
- (4) The use of an ALTP must be recorded and the rationale must be documented in the procurement records and retained in accordance with Policy 008 Records Management and Routine Access.

Emergency Procurement

- 20
- (1) Emergency Procurement occurs when an immediate and serious need is identified which may not be reasonably met by any other procurement and includes without limitation a condition where lack of suppliers or services may adversely affect: the functioning of civic government; threaten public and/or private property; the environment; or the health, safety, and/or security of the public.
 - (2) Emergency Purchases must be completed using the most expedient method and will take Best Value into consideration.
 - (3) Due to the serious and urgent nature, Emergency Purchases, including those in excess of Budget, may be awarded at the discretion of the CAO provided that Emergency Purchases in excess of Budget are reported to Council at the earliest opportunity.
 - (4) Emergency Purchases which fall into the High Value Procurement threshold must be reported to Council at the earliest opportunity.

Expenditures in Emergency Situations

- 21
- (1) An Emergency Situation includes, but is not limited to, a declared state of local emergency.
 - (2) In an Emergency Situation, the CAO is authorized to make all reasonable and informed procurement decisions which, at their sole discretion, are determined necessary to: protect the legal interests of the Municipality or satisfy its legal obligations; prevent a situation where failure to act would reasonably be expected to compromise the

Municipality's confidence or security; cause economic disruption; or would otherwise be contrary to the public interest.

(3) Authorization in Emergency Situations extends to all necessary purchases including, but not limited to, expenditures in excess of budgeted amounts and non-budgeted expenditures. Any such expenditures must be reported to Council at the earliest opportunity.

Local Preference

- 22 (1) For purchases of Goods and Services greater than \$5,000 but less than \$50,000, and Construction greater than \$5,000 but less than \$100,000, the Purchasing Authority must give preference to local businesses in accordance with the following:
- (2) If the goods, services or construction available from a local business are equal in providing best value to those available from a non-local business, the goods, services or construction from the local business must be purchased.
- (3) In evaluating which goods, services or construction offer best value to the Municipality, the Municipality must apply a preference of 5% to the price offered by a local business as compared with non-local business, such that the price offered by the local business is adjusted lower by 5% for the purposes of evaluating which goods, services or construction offer best value.
- (4) All advertised requests for quotations and notices of public tender must state when local preference applies to the procurement.

Sustainable Procurement

- 23 (1) Under the Public Procurement Act, in evaluating which goods, services or construction offer best value to the Municipality, the Municipality may consider sustainability criteria, meaning environmental considerations, social considerations, and economic considerations.
- (2) All advertised requests for quotations and notices of public tender must list the sustainability criteria that apply to the procurement.

Conflict of Interest

- 24 (1) All procurement activity must be conducted with integrity to maintain the public's trust including identifying, mitigating, avoiding and addressing actual or perceived conflicts of interest in the procurement process.

Internal Conflict of Interest

- (2) If a staff member, otherwise authorized to award a contract, has a conflict of interest (that is, he/she stands to gain or lose financially from a contract award), the award must be made by the person to whom the conflicted staff member normally reports and the conflicted staff member must not participate in the procurement process related to the contract in any manner.
- (3) Where Council is awarding a contract, the Municipal Conflict of Interest Act applies to any elected official who has a conflict of interest as defined in the Act must act accordingly.

Supplier Conflict of Interest

- (4) Solicitation documents must be drafted to ensure Suppliers are aware they must declare and fully disclose any actual or potential conflict of interest or unfair advantage related to the preparation of their bid or where the Supplier foresees an actual or potential conflict of interest in the performance of the contract.
- (5) Potential Supplier conflicts of interest or unfair advantage may include, but are not limited to:
 - (a) Engaging an individual to take part in the preparation of the bid who was employed with the Municipality twelve (12) months prior to the solicitation closing date;
 - (b) Engaging with any Municipal employee or a family member of any Municipal employee which may have, or appear to have, any influence on the procurement process, or subsequent performance of the contract;
 - (c) Engaging in conduct that compromises or could be seen to compromise, the integrity of the open and competitive procurement process.

Duration of Contracts

- 25 Contracts for Goods, Services and Construction that are required to be procured by public tender under this Policy, including price agreements, must be re-tendered at least once every five years but may be re-tendered more frequently at the direction of Council or a Director.

Supplier Request for Debrief

- 26 (1) Bidders may request a debrief of their Bid once the related competition has closed provided that any requests for a debrief are made in writing within ten (10) business days of notification of the successful bidder.
- (2) The Departmental Director (or designate) must conduct the debriefing.

- (3) The debriefing must provide reasons for disqualification of the supplier (if applicable), or, in the case where evaluation scoring was used, provide an overview of the supplier's score in each category, reasoning for the score, and recommendations for improvement for future submissions.
- (4) The debriefing must not disclose any information regarding other bidders or their submissions.
- (5) If a Supplier is not satisfied with the results of the debriefing, they may file a formal complaint with the CAO who must commence an internal review of the process. The Supplier must request and attend a debriefing prior to the filing of the formal complaint.
- (6) If a Supplier is not satisfied with the results of the formal review conducted by the CAO, the Supplier may file a complaint with the Chief Procurement Officer under Section 18 of the Public Procurement Act.

Supplier Performance

- 27
- (1) Establishing contact management practices and assessing supplier performance are both critical to successful procurement. Supplier performance may be evaluated periodically during, or at the end of the contracted period, unless otherwise stipulated in the contract documents.
 - (2) Suppliers may be disqualified from participating in future procurement opportunities for one or any number of the following:
 - (a) Failure to honour a compliant bid;
 - (b) Failure to disclose a conflict of interest (real, potential, or perceived);
 - (c) False declarations;
 - (d) Where the Supplier has been found to be in violation of the Municipality's Bylaws;
 - (e) Conviction of unethical or illegal bidding practices, such as collusion, or fraud by a person, director or official employed by the Supplier relating to obtaining or attempting to obtain a contract or subcontract;
 - (f) Serious breach of contract indicating an unwillingness to perform a contract in accordance with the terms and conditions or specifications;
 - (g) The offer of a gratuity to an official or employee of the Municipality by a Supplier for consideration;
 - (h) Professional misconduct or acts or omissions that adversely reflect on the commercial integrity of the supplier;

- (i) Significant or persistent deficiencies in performance of any substantive requirement or obligation under a prior contract or contracts may lead to the application of demerit points against a Supplier in scored Procurement Events; or outright disqualification in future Procurement Events.
- (3) Where one or more of the criteria for supplier disqualification has been established, the Municipality must provide reasonable notice in writing to the Supplier involved.
- (4) The Supplier must be given a reasonable opportunity to respond to the disqualification.
- (5) After considering the response from the Supplier (if any), the Municipality may formally disqualify a Supplier from bidding on any future Procurement Event offered by the Municipality for a period not exceeding three (3) years.
- (6) A written decision must be issued to all Suppliers disqualified, suspended or receiving demerits, outlining the occurrence(s) and the details pertaining to their disqualification, suspension, or demerits.
- (7) Disqualification, suspension, or demerits must be approved by the CAO.
- (8) A Supplier may request reinstatement after one (1) year by demonstrating significant, verifiable improvements addressing the issue(s) that led to the disqualification or suspension. Reinstatement is at the sole discretion of the CAO.

Insurance and Workplace Safety (WCB) on Jobsites

- 28 (1) Contractors and Suppliers must provide proof of valid insurance coverage and Workers' Compensation Board (WCB) clearance before starting any work on municipal sites.
- (2) Compliance with all health and safety legislation and municipal site rules is mandatory.
- (3) Non-compliance with these requirements can result in work stoppage or contract termination.

Safety Certification

- 29 (1) The Municipality can require contractors, subcontractors, or suppliers to provide valid and current safety certification as a condition of bidding, awarding, or performing work. Requirements will be based on the nature of the project and the applicable obligations under Nova Scotia's Occupational Health and Safety Act, which establishes shared responsibility for creating and maintaining safe workplaces.

(2) Contractors are responsible for ensuring that all personnel maintain the necessary certifications and comply with provincial health and safety regulations throughout the duration of the contract.

Posting of Policy

30 The Municipality is responsible for ensuring that this Policy is posted on the Municipality's website.

Compliance with Policy

31 All municipal personnel and Council members must act in good faith to comply with this Policy; however, failure to comply with this Policy does not invalidate any procurement decision or act of the Municipality, nor is the Municipality liable to any Supplier or prospective Suppliers for failing to comply with this Policy.

Policy Review

32 This Policy will be reviewed at least once every five (5) years, or sooner if required by legislative, operational, or organizational changes.

Repeal & Replace

33 Policy 033, Purchasing and Tendering effective January 12, 2016, is repealed and replaced with the new Policy 033 Procurement.

Policy Adoption	
Date of Original Passage	January 1, 2014
Date of Notice of Intent to Repeal (7 Days)	
Date of Council Approval	
Date of Effective Date (if different from approval date)	
I certify that this Policy 033 Procurement Policy was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Effective Date
Original V1	Purchasing Policy	February 1, 2000
	Repealed and Replaced	November 14, 2006
V2	Policy 033 - Administration Purchasing Policy	November 14, 2006
	Repealed and Replaced	January 1, 2014
V3	Renamed policy to Purchasing and Tendering, clarified process used for procurement activity and changes to procurement legislation	January 1, 2014
V4	Clarified definition of Local Business and Value, added Buy Local Considerations, added notification process to council regarding the use of alternative procurement purchases exceeding \$10,000	January 12, 2016
	Repeal and Replace	
V5	Renamed policy to Procurement, plain language and accessible format	



The Municipality of the District of Lunenburg

Request for Decision

Report to: Deputy Mayor Veinotte & Members of the Policy & Strategy Committee

Submitted by: Elana Wentzell, Director of Finance
Renee Demone, MJSB Procurement Specialist

Date: September 15, 2026

Re: Policy 033- Purchasing and Tendering Policy

Recommendation

It is recommended that Council repeal Policy 033 Purchasing and Tendering and replace it with Policy 033 – Procurement Policy and hereby give 7-days' notice of the intention to revise the policy.

Executive summary

The proposed Procurement Policy replaces the Municipality's existing Purchasing and Tendering Policy and establishes a practical framework for the procurement of goods, services, and construction. The policy aligns municipal procurement practices with the Nova Scotia Public Procurement Act, Canada Free Trade Agreement thresholds (CFTA), and incorporates current best practices related to competition, transparency, sustainability, local preference, conflict of interest management, and delegated purchasing authority.

Discussion

The Municipality's current Purchasing and Tendering Policy has served the organization well; however, procurement practices, legislative requirements, and expectations around transparency and accountability have evolved significantly since its adoption. The proposed Procurement Policy is the result of a collaborative review undertaken by the Procurement Specialist and Senior Management Team to ensure the Municipality's purchasing practices

continue to meet operational needs while reflecting current procurement requirements and best practices. Key changes between the current and proposed policies include:

Area	Current Policy	Proposed Policy
Staff Purchasing Authority	Purchasing authority limits are referenced but not clearly defined in the policy.	Clear spending authority levels are established: Designated Staff up to \$5,000, Managers up to \$25,000, Directors up to \$100,000, and the CAO up to \$250,000.
Council Approval	Council required to award all purchases over \$25,000.	Regardless of the proposed approval limits, contracts that commit the Municipality to make capital expenditures in future fiscal years must be awarded by Council.
Low Value Procurement	Purchases under \$2,500 could be made directly. Different purchasing processes applied between \$2,500 and \$25,000.	Purchases under \$5,000 may be made directly where appropriate. Purchases above \$5,000 generally require quotes from multiple vendors before a purchase is made.
Competition Requirements (High Value Procurement)	Public tendering was generally required for purchases over \$25,000, unless otherwise authorized.	Open competition is required for Goods and Services valued at \$50,000 or more and Construction valued at \$100,000 or more.
Reporting to Council	Council was notified when Alternative Procurement purchases exceeded \$10,000.	Council will receive quarterly reports listing awards approved by the CAO and Alternative Procurement awards over \$50,000.
Local Preference	A 5% Buy Local preference applied to Goods under \$25,000 & Services under \$50,000.	A 5% Local Preference applies to Goods and Services under \$50,000, and Construction purchases under \$100,000.

The proposed policy updates delegation authority levels, procurement thresholds, and competitive procurement requirements to provide clearer direction to staff and greater consistency across departments. It also formalizes processes for alternative procurement, emergency purchases, supplier performance management, and conflict of interest situations.

The review provided an opportunity to better incorporate sustainable procurement and local preference provisions into the policy. These additions encourage consideration of local suppliers where appropriate and recognize that best value may include environmental, social, and economic considerations in addition to price.

Overall, the proposed policy provides a clear and practical approach to the procurement of goods, services, and construction on behalf of the Municipality. It is intended to support fair, consistent, and informed purchasing decisions while ensuring responsible stewardship of taxpayer dollars.

Strategic Focus

The proposed Procurement Policy aligns with Council's commitment to good governance and the responsible use of taxpayer dollars. The increased threshold for local purchasing preference will also contribute towards regional economic development. It provides a consistent approach to purchasing goods, services, and construction on behalf of the Municipality.

Budget/Financial Implications

There are no direct financial implications associated with the adoption of this policy. Any costs resulting from procurement activities will continue to be managed through approved operating and capital budgets.

Climate Change/sustainability

The proposed policy introduces sustainable procurement considerations into municipal purchasing decisions, allowing environmental, social, and economic factors to be considered alongside cost and other evaluation criteria where appropriate.

Inclusion, Diversity, Equity and Accessibility (IDEA@MODL)

The policy includes provisions that support equitable access to procurement opportunities and recognizes opportunities to engage with businesses owned by under-represented and underserved communities where appropriate.

Strategic Communications

Following Council approval, the policy will be posted on the Municipality's website and communicated to staff through in-house training sessions. Annual refresher training and the development of a Procurement Procedures Manual will support consistent implementation of the policy across the organization. The Procurement Specialist in collaboration with MODL economic development staff are also engaging local businesses to determine how to increase local bidding on municipal work.

Work plan

Following adoption of the policy, staff will update procurement templates and related documentation as needed to support implementation. A Procurement Procedures Manual is also being developed to support staff responsible for conducting procurements and promote consistent application of the policy across the organization. In-house training sessions and annual refresher training will be delivered to support implementation of the policy.

Alternatives

1. Adopt the Procurement Policy as presented.
2. Refer the draft Procurement Policy back to staff for additional revisions and return it to Council at a future meeting.
3. Maintain the existing Purchasing and Tendering Policy; however, this would not address the updates made to reflect current procurement practices, legislative requirements, and organizational needs.

Conclusion

The proposed Procurement Policy provides a clear and practical framework for the procurement of goods, services, and construction on behalf of the Municipality. It is intended to support consistent purchasing practices and the responsible stewardship of taxpayer dollars.

Report Preparation	
Department	MJSB & Finance
Report Prepared by	Renee Demone & Elana Wentzell
Report Approved by	
Date Reviewed by C.A.O.	



The Municipality of the District of Lunenburg Report

Report To: Mayor & Municipal Council
Submitted By: April Whynot-Lohnes, Municipal Clerk
Date: September 22, 2026
Re: Policy 101 Municipal Parks Legacy Fund and Commemorative Asset Program

At the September 15, 2026 Policy & Strategy Committee meeting, Council reviewed the new Policy 101 Municipal Parks Legacy Fund and Commemorative Asset Program and gave notice of its intent to approve the Policy at the September 22, 2026 Council meeting.

Section 48(1) of the Municipal Government Act states, "Before a policy is **passed**, amended or repealed, the Council shall give at least seven days' notice to all council members". Therefore, in accordance with Section 48(1), Policy 101 Municipal Parks Legacy Fund and Commemorative Asset Program will be presented for Council's approval at the September 22, 2026 Council session. The Policy & Strategy Committee meeting of September 15, 2026 was considered Council's notice.

If Council approves the Policy, the following motion would be necessary:

"that Municipal Council approve Policy 101 Municipal Parks Legacy Fund and Commemorative Asset Program, as presented".

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes, Municipal Clerk
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Policy Details	
Name	Municipal Parks Legacy Fund and Commemorative Asset Program
Number	101
Legislative Authority	Municipal Government Act - Section 47, 48(3)
Effective Date	

Purpose

- (1) The Municipal Parks Legacy Fund and Commemorative Asset Program provides opportunities for individuals, families, and organizations to recognize and/or remember an individual, group or event through contributions that enhance municipal parks and public spaces.
- (2) Contributions made through either component of the Policy support the Municipality's commitment to creating attractive, accessible, and sustainable parks that improve the quality of life for residents and visitors.

Definitions

- (a) **Asset** - Property owned by the Municipality of the District of Lunenburg that has value.
- (b) **Commemorative Asset** – An object that serves as recognition and/or remembrance of a person, group or event, consisting of park furnishing and associated plaque.
- (c) **Donor** - The individual, family, organization or community group that makes a Legacy Donation or sponsors a Commemorative Asset pursuant to this policy.
- (d) **Legacy Donation** – A monetary contribution made to the Municipal Parks Legacy Fund to recognize and/or remember a person, group or event.
- (e) **Legacy Recognition Feature** – A municipal feature established by the Municipality for donor recognition, including memorial structures, plaques, or similar installations.
- (f) **Municipal Park** – Land owned or managed by the Municipality and designated as a park in the Parks & Open Space Standards & Guidelines document.
- (g) **Municipal Parks Legacy Fund** – A segregated fund established by the Municipality for the purpose of receiving donations to support beautification, enhancements and capital improvements within municipal parks.

- (h) **Municipal Staff** - The Director of Recreation, Parks & Tourism, or their designate.
- (i) **Park Furnishing** - Park infrastructure such as a bench, picnic table or other approved furnishing designed in accordance with the Park Furniture Style Guide.
- (j) **Plaque** - A commemorative marker installed on a specific park furnishing.

Policy Statement

- 3. The Municipality establishes and administers:
 - (a) a Municipal Parks Legacy Fund through which Donors may make contributions toward beautification, enhancement and capital improvements within municipal parks; in recognition and/or remembrance of a person, group or event and
 - (b) a Commemorative Asset Program through which Donors may sponsor approved park furnishings and associated plaques in recognition and/or remembrance of a person, group or event on a full cost-recovery basis.

Program Components

- 4. The Municipal Parks Legacy Fund and Commemorative Asset Program consists of two components:
 - (1) **Municipal Parks Legacy Fund**
 - (a) Provides an opportunity for individuals, families, organizations, and community groups to make donations in recognition and/or remembrance of a person, group or event.
 - (b) Legacy Donations are deposited into a separate municipal account and only used for the beautification, enhancement, and capital improvement of municipal parks and green spaces. They will not be used for routine operating or maintenance expenses.
 - (c) Funds donated to the Municipal Parks Legacy Fund must remain in the Fund until allocated to an eligible project approved by the Municipality.
 - (d) Expenditures from the Municipal Parks Legacy Fund must be authorized in accordance with the Municipality's budgeting and financial approval processes.
 - (e) Eligible projects may include:
 - (i) accessibility enhancements;
 - (ii) playgrounds, trails, and recreational amenities;

- (iii) park beautification initiatives; and
- (iv) other capital projects that improve the quality of life and visitor experience within municipal parks.

(f) The Municipality may establish Legacy Recognition features, which may include memorial structures, plaques, or similar installations, to recognize Donors who contribute to the Parks Legacy Fund.

(2) Commemorative Asset Program

(a) The Commemorative Asset component provides an opportunity for individuals, families, organizations, and community groups to sponsor a specific park furnishing in recognition and/or remembrance of a person, group or event.

(b) Approved commemorative assets may include park benches, picnic tables, or other park furnishings approved by the Municipality.

(c) Donors are responsible for all costs associated with the purchase, installation, and commemorative plaque, in accordance with the fees established by the Municipality.

(d) Commemorative assets become the property of the Municipality upon installation and must be maintained in accordance with this Policy.

(e) The location and installation of all commemorative assets are subject to municipal approval.

Donations and Associated Costs

5. (1) Minimum legacy donation to the Municipal Parks Legacy Fund is \$100.00; there is no maximum donation.
- (2) Donations made to the Municipal Parks Legacy Fund are non-refundable once received by the Municipality.
- (3) Donors who contribute \$500.00 or more to the Municipal Parks Legacy Fund may be recognized in the Legacy Recognition Feature, subject to available space and municipal approval.
- (4) Costs associated with the commemorative asset selected will be determined prior to application. Donors must pay the full fee at the time of application. The fee covers the purchase and installation of commemorative assets and plaque.

(5) If a requested commemorative asset is not available, the Municipality will notify the Donor and offer a full refund. No refund will be issued once the asset has been ordered from the supplier.

(6) A Donor may request an alternate commemorative asset. Approval of such requests will be at the discretion of Municipal Staff and may require Council approval.

(7) Tax receipts may be issued for eligible donations in accordance with Canada Revenue Agency requirements and applicable legislation.

Location Selection

6. (1) Not all municipal parks are suitable for commemorative assets. The Municipality will maintain a list of approved locations and will make this list available to the Donor.
- (2) Legacy Recognition Feature locations are determined by the Municipality; and a list of locations will be available to Donors.
- (3) While the Donor may suggest a preferred location, the Municipality reserves the right to determine the final location.
- (4) The Municipality will try to accommodate the Donor's preferred location where appropriate and feasible.

Specifications

7. (1) **Park Furnishings** – A park bench or picnic table that meets the standards set out in the Municipality's Park Furniture Style Guide.
- (2) **Park Furnishing Plaque**
 - (a) One Park furnishing plaque is included in the fee. The plaque will be provided by the Municipality in a standard 4"x6" copper bronze plastic design.
 - (b) The inscription must be no more than 25 words
 - (c) Inscriptions will not be permitted if they:
 - (i) Harm the image or reputation of the Municipality; or
 - (ii) Contain discriminatory, derogatory or offensive content.
 - (d) The inscription must be approved by both Municipal Staff and the Donor. Both parties must review and approve the final proof before production.

(3) **Legacy Recognition Feature Plaque -**

- (a) One recognition plaque will be provided by the Municipality.
- (b) The Municipality will provide the donor with the specifications and requirements for the plaque inscription.
- (c) The donor must submit the proposed inscription to Municipal Staff for review. An inscription will not be permitted if it:
 - (i) Harms the image or reputation of the Municipality; or
 - (ii) Contains discriminatory, derogatory or offensive content.
- (d) The final proof must be reviewed and approved by both Municipal Staff and the Donor before the plaque is produced.

Commemorative Asset Maintenance & Replacement

8. Commemorative assets are installed in public spaces and are subject to outdoor conditions. The following outlines responsibilities related to their maintenance, relocation, and removal.
- (1) Commemorative assets become the property of the Municipality and will be maintained in the same manner as other municipal park furnishings.
 - (2) Replacement of stolen, damaged, or vandalized assets is not guaranteed. The Municipality will make reasonable efforts to notify the Donors if this occurs.
 - (3) The Municipality may relocate, replace, modify, or remove a Commemorative Asset due to deterioration, redevelopment, operational requirements, safety concerns, or other municipal purposes.
 - (4) The Municipality provides routine maintenance but does not guarantee permanent retention. Park furnishings are generally maintained for approximately ten years, unless site redevelopment or condition requires earlier removal.
 - (5) Personal items such as flowers, notes, or other tributes are not permitted at commemorative sites and may be removed to maintain park integrity.
 - (6) Commemorative assets installed outdoors have an expected lifespan of approximately ten (10) years, this is not guaranteed. After this period, replacement requires a new application and associated fees. Routine deterioration over time is expected and does not warrant replacement.

(7) Routine deterioration may include, but is not limited to:

- (a) Rust;
- (b) Chips or scratches;
- (c) Fading colour;
- (d) Dents or weather-related deterioration.

(8) Commemorative Asset Plaques are guaranteed for the reasonable lifespan of the park furnishing, up to a maximum of ten (10) years, whichever occurs first.

Legacy Recognition Feature & Plaques Maintenance and Replacement

9. Legacy Recognition Features are installed in public spaces and are subject to outdoor conditions. The following outlines responsibilities related to their maintenance, relocation, and removal.

- (1) The Municipality may relocate, replace, modify, or remove a Legacy Recognition Feature due to deterioration, redevelopment, operational requirements, safety concerns, or other municipal purposes.
- (2) Legacy Recognition Feature Plaques are not installed in perpetuity.
- (3) Legacy Recognition Feature Plaques are guaranteed for ten (10) years, after which they may be removed; continued recognition is not automatic and requires a new donation and application.

Donation Process to Municipal Parks Legacy Fund

10. (1) The process for making a Legacy Donation is as follows:

- (a) **Application** – Submit a complete Municipal Parks Legacy Fund application form with the donation.
- (b) **General Donations** – Donations may be made to the Municipal Parks Legacy Fund without recognition on a Legacy Recognition Feature.
- (c) **Review** – Municipal Staff will review applications to ensure they meet the requirements of this policy and that space is available. Applicants will be notified of the decision.
- (d) **Approval and Installation** - Once approved, the Municipality will install the recognition on the Legacy Recognition Feature during the installation season, weather permitting.

- (e) **Notification** - The Donor will be notified when the installation is complete.

Application and Approval Process for Commemorative Asset

11. (1) The process for making a commemorative asset application is as follows:
- (a) **Application** – Submit a complete Commemorative Asset application form together with the required fee.
 - (b) **Review Process** – Municipal Staff will review applications to ensure they meet the requirements of this policy and that space is available. Applicants will be notified of the decision.
 - (c) **Approval and Installation** – Once approved, the Municipality will install the commemorative asset during the installation season, weather and ground conditions permitting.
 - (d) **Notification** - The Donor will be notified once the installation is complete.

Policy Adoption	
Date of Original Passage	
Date of Notice of Intent to Consider	September 15, 2026
Date of Council Approval	
Date of Effective Date (if different from approval date)	
I certify that this Policy 101 was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Effective Date
Original V1	Municipal Park Legacy Fund & Commemorative Asset Program	
V2		



The Municipality of the District of Lunenburg

Request for Direction

Report to: Deputy Mayor Veinotte and Members of the Policy & Strategy Committee

Submitted by: Sandra Challis, Tourism & Event Development Officer

Date: September 15, 2026

Re: Proposed Parks Memorial Fund & Commemorative Asset Program

Recommendation

That Council approve Policy 101 - Municipal Parks Legacy Fund and Commemorative Asset Program and gives seven (7) days' notice of council's intent to approve on September 22, 2026; and further, that Council authorize the establishment of a Municipal Parks Legacy Fund.

Executive summary

Following Council's consideration of cost recovery options for the proposed Commemorative Asset Policy in June 2026, staff were directed to explore alternatives to commemorative assets in municipal parks that would allow memorial recognition. Council expressed interest in establishing a Municipal Parks Legacy Fund and a centralized recognition feature, while retaining the option for individuals to sponsor commemorative park furnishings on a full cost-recovery basis.

Staff have since revised the draft policy to create a two-part program consisting of a Municipal Parks Legacy Fund and a Commemorative Asset Program. The Legacy Fund would provide an opportunity for individuals and families to make donations supporting park improvements while recognizing loved ones through a shared memorial feature. The Commemorative Asset

Program would remain available for those wishing to sponsor a bench, picnic table, or other approved furnishing at full cost recovery.

Background

The Municipality has historically received requests from the public to install commemorative assets in parks in memory of loved ones, or as recognition for a donation. Requests have been managed informally and without a formal policy framework. More recently, increased demand, limited available locations, and the higher costs associated with modern park furnishings have highlighted the need for a consistent and sustainable approach.

In June 2026, Council considered cost recovery options for a proposed Commemorative Asset Policy. During the discussion, Council expressed interest in a model that would focus on a shared memorial recognition feature supported through donations rather than relying solely on memorial benches and tables throughout municipal parks. Staff were directed to further develop this concept and incorporate it into the proposed policy.

The revised policy now establishes both a Municipal Parks Legacy Fund and a Commemorative Asset Program.

Discussion

The proposed Municipal Parks Legacy Fund and Commemorative Asset Program provides two opportunities for memorial recognition:

Municipal Parks Legacy Fund

The Municipal Parks Legacy Fund would allow individuals, families, organizations, and community groups to make donations to recognize and/or remember a person, group, or event. Donations would be held in a dedicated fund and used exclusively for park beautification, accessibility improvements, recreational amenities, and other municipal park capital projects. Funds would not be used for routine operating or maintenance expenses.

Donors contributing \$500.00 or more would be eligible for recognition on a municipal Legacy Recognition Feature, subject to available space.

Benefits of this approach include:

- Provides an affordable memorial option for residents and families.
- Creates a dedicated fund supporting future park improvements.
- Avoids proliferation of memorial benches throughout the park system.
- Provides a consistent and equitable recognition process.

- Allows recognition of many individuals within a single feature.
- Reduces long-term maintenance obligations associated with additional park furnishings.

Legacy Recognition Feature



Staff have considered an appropriate legacy recognition feature and are proposing the concept of a memorial tree-style recognition feature consisting of a metal structure and individual recognition "leaves" which could be installed at one or more of our municipal parks, or at the Municipal Administration Office location in Cookville.

This feature would provide a centralized location where multiple individuals can be recognized while minimizing impacts on park infrastructure, future maintenance requirements, and space limitations.

Staff have obtained preliminary quotations from several local fabricators based on this concept, with prices ranging from around \$16,000 to \$35,000. However, due to escalating U.S. trade tariffs, retaliatory measures and shifting cross-

border supply chains, these numbers are highly volatile.

Subject to Council approval, staff would proceed through the appropriate procurement channels to determine final costs and select a supplier for the fabrication and installation of the Legacy Recognition Feature.

Alternatively, the Municipality could issue an RFP seeking creative design proposals for a Legacy Recognition Feature that supports the goals of the Municipal Parks Legacy Fund. Proponents would be invited to submit design concepts, specifications, and pricing for consideration.

This report also seeks Council's direction on the concept issue either:

- 1) Direct staff to proceed with procurement based on tree concept as the legacy recognition feature; or**

2) Direct staff to proceed with procurement for proponent-submitted design concept as the legacy recognition feature.

Commemorative Asset Program

The Commemorative Asset Program would remain available for individuals wishing to sponsor a specific park furnishing such as a bench or picnic table. Under the proposed policy, the donor would be responsible for all costs associated with the purchase, installation, and commemorative plaque.

Current estimated costs remain:

- Bench: approximately \$3,610
- Picnic Table: approximately \$6,020

This approach ensures that no municipal subsidy is associated with commemorative assets while preserving the opportunity for those who wish to leave a lasting physical memorial or recognition in a specific location.

The proposed policy also establishes clear expectations regarding ownership, maintenance, replacement, relocation, and lifespan of commemorative assets and recognition features. All commemorative assets become municipal property upon installation and are maintained in accordance with municipal practices.

Strategic Focus

This initiative supports several Council Strategic Priorities, including:

- **Quality of Life, Affordability and Social Inclusion** by providing meaningful and affordable opportunities for residents to recognize and/or remember a person, group or event.
- **Infrastructure Upgrades, Expansion and Management** by creating a sustainable framework for memorial recognition while supporting future park enhancements.
- **Communication and Engagement** through a clear and transparent policy and application process.
- **Financial Sustainability** through full cost recovery of commemorative assets and the establishment of a dedicated fund for future park improvements.

Budget/Financial Implications

The proposed Legacy Fund will be self-supporting through donor contributions. Funds collected will be held in a dedicated reserve or account and allocated to eligible park enhancement projects in accordance with municipal budgeting processes.

Implementation of a Legacy Recognition Feature will require an initial capital investment. Should Council approve the program, staff will include funding for the feature in the proposed 2027/2028 Capital Budget for Council's consideration during budget deliberations.

Commemorative benches and picnic tables will continue to operate on a full cost-recovery basis with no ongoing subsidy from municipal taxpayers.

Climate Change/Sustainability

The proposed program enhances sustainability by reducing the demand for additional commemorative furnishings throughout municipal parks. A centralized recognition feature provides a lower-maintenance alternative while allowing future donations to support park improvement projects with long-term community benefit.

Furniture approved under the Commemorative Asset Program continues to utilize durable materials designed to reduce maintenance requirements and extend asset lifespan.

Inclusion, Diversity, Equity and Accessibility (IDEA@MODL)

The proposed program provides multiple recognition options at varying contribution levels, making participation more accessible to a broader range of residents and families.

A shared recognition feature also offers a more equitable approach by reducing the impact of limited park space and helping ensure consistent treatment of applicants regardless of location preferences.

Strategic Communications

If approved, staff will:

- Publish the policy and application forms on the Municipal website;
- Develop promotional materials outlining donation and sponsorship opportunities;
- Announce the establishment of the Municipal Parks Legacy Fund through municipal communication channels; and
- Provide information directly to residents and families making memorial inquiries.

Work plan

Implementation of the policy will require staff to:

- Establish and administer the Municipal Parks Legacy Fund;
- Finalize the design and installation of the Legacy Recognition Feature;
- Develop application and tracking processes;
- Maintain records of donations and commemorative assets;
- Coordinate installation and maintenance activities; and
- Periodically review fees associated with commemorative assets.

Alternatives

Council could choose to:

- 1) Commemorative Assets only - Approve a Commemorative Asset Program with full cost recovery but do not establish a Municipal Parks Legacy Fund or Legacy Recognition Feature; or
- 2) Municipal Parks Legacy Fund only – Approve a Municipal Parks Legacy Fund only and do not offer options for the public to donate commemorative assets; or
- 3) Establish a policy that MODL will not commemorate **any further** individuals in parks through commemorative park furnishings and plaques. This helps ensure fairness for everyone. Some parks have limited space, and once park features are installed, no more may be needed. This could mean some requests are denied simply because there is no space left, while similar requests in other parks might be approved. By not allowing commemorative plaques in any parks, MODL treats all applicants equally and avoids having to turn people away based on space limitations.

Conclusion

The proposed Municipal Parks Legacy Fund and Commemorative Asset Program provides a balanced approach to memorial recognition in municipal parks. The program responds to Council's previous direction by creating a centralized recognition feature and dedicated fund for park improvements while retaining the option for commemorative benches and other park furnishings on a full cost-recovery basis. Approval of the policy will provide a clear, consistent, and sustainable framework for future requests.

Report Preparation	
Department	Recreation, Parks & Tourism
Report Prepared by	Sandra Challis
Report Approved by	
Date Reviewed by C.A.O.	

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Council
Item 10.1.3
September 22, 2026
Authorization: T. MacEwan



The Municipality of the District of Lunenburg Report

Report To: Mayor & Municipal Council
Submitted By: April Whynot-Lohnes
Date: September 22, 2026
Re: Approval of Policy 107 Affordable Housing Pre-Construction Grant

At the September 15, 2026 Policy & Strategy Committee, Council reviewed the proposed Policy 107 Affordable Housing Pre-Construction Grant at which time director was given to amend the draft policy to include eligible projects in neighbouring municipalities while favouring projects based in MODL. With those amendments, Council gave notice of its intent to approve the Policy.

Section 48(1) of the **Municipal Government Act** states, “Before a policy is **passed**, amended or repealed, the Council shall give at least seven days’ notice to all council members”. Therefore, in accordance with Section 48(1), Policy 107 Affordable Housing Pre-Construction Grant will be presented for Council’s approval at the September 22, 2026 Council session. The Policy & Strategy Committee meeting of September 15, 2026 was considered Council’s notice.

If Council approves the Policy, the following motion would be necessary:

“that Municipal Council approve Policy 107 Affordable Housing Pre-Construction Grant, including the amendment to eligible projects in neighbouring municipalities, as presented”.

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes, Municipal Clerk
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Policy Details	
Name	Affordable Housing Pre-Construction Grant
Number	107
Legislative Authority	
Effective Date	

Purpose

- 1 (1) The Municipality of the District of Lunenburg's Affordable Housing Pre-Construction Grant Program provides financial assistance to registered non-profit organizations, co-operatives, charitable organizations, and Community Interest Corporations (CIC) to support pre-construction activities for the creation of new affordable housing units within the Municipality.
- (2) This program aims to:
 - (a) Increase the supply of affordable housing units in the Municipality of the District of Lunenburg.
 - (b) Support non-market housing providers in accessing federal and provincial funding programs.
 - (c) Remove barriers during the critical pre-construction phase.
 - (d) Promote sustainable, long-term affordable housing solutions for the community.

Definitions

- 2 (1) In this policy:
 - (a) **Affordable Housing** is housing which costs less than 30% of before-tax household income or defined by CMHC or Province of Nova Scotia as affordable and as contained in a housing or financing agreement for a property party to a development agreement.
 - (b) **Pre-construction Costs** is an eligible project cost incurred directly in connection with the design, planning, and feasibility assessment of a proposed affordable housing project prior to construction commencement.

Program Overview

- 3 (1) The Affordable Housing Pre-Construction Grant is intended to increase the supply of affordable housing units by funding non-market developers and community focussed organizations during the pre-construction phase of projects. The grant program provides up to \$50,000 in funding to eligible applicants.

(a) Grant Structure

- (i) Up to 66% of total project cost, to a maximum of \$50,000 per organization, per project, in the form of a non-repayable grant.
- (ii) For projects that align with the Municipality's housing strategy but are not located within the boundaries of the municipality, the maximum eligible funding per project is \$25,000.
- (iii) Applicants must commence proposed activities within three (3) months of receipt of funds, and the grant funding must be fully expended within twelve (12) months.

(b) Program Duration

- (i) This program operates on a fiscal yearly basis and is subject to yearly budget allocation and Council approval.
- (ii) Applications are accepted on a rolling basis through the fiscal year (April 1 – March 31) until all funds are allocated.

Eligibility Requirements

- 4 (1) Applicants must submit a completed application form and required accompanying materials and must meet the following requirements to be considered for funding.

(a) Eligible Applicants

- (i) Registered non-profit organizations under Nova Scotia or federal legislation
- (ii) Charitable organizations with CRA charitable status
- (iii) Co-operative organizations with a mandate to provide long-term affordable housing
- (iv) Community Interest Corporation (CIC)

(b) Eligible Projects

- (i) Projects must create a minimum of four new affordable residential housing units. Units may be contained in a multi-unit building or spread across multiple buildings in a cluster development project.
- (ii) Proposed development must be located within Lunenburg County.

- (iii) Projects that are not within Municipality of the District of Lunenburg's boundaries must demonstrate equivalent funding from the host municipal unit.
- (iv) Projects must result in at least 50% affordable housing units.
- (v) Projects must provide long-term affordability commitments (minimum fifteen (15) years, with preference for projects demonstrating longer-term affordability).
- (vi) Projects must be new construction or major renovations that lead to creation of net new affordable units.

(c) Eligible Organizations

- (i) The applicant or their affiliate must be in good standing with the Municipality in terms of existing agreements, notices to comply, by-law violations, property taxes, or overdue fees or charges.
- (ii) Provide audited financial statements (the Municipality may accept a Review Engagement at its sole discretion) for the past three (3) years (exemption may be granted for newly established organizations under three years old).
- (iii) Demonstrate organizational capacity for housing development and management.
- (iv) The applicant must be the registered owner, acting on behalf of the registered owner with written permission, or provide proof of an option agreement or purchase and sale agreement of the subject property.
- (v) Organization must have a pre-application meeting with staff.
- (vi) Organizations should seek additional funding partners for the pre-development portion and be able to identify what future sources of funding are being pursued after the proposed pre-construction activities are completed.

Eligible Expenses

- 5 (1) Eligible Costs for the grant include but are not limited to:
- (a) **Professional Services:** architectural, engineering, accounting, and consulting fees
 - (b) **Technical Studies:** feasibility studies, market analysis, environmental site assessments, geotechnical reports, energy modeling, accessibility assessments
 - (c) **Design and planning:** preliminary designs, project drawings, specification, site surveys
 - (d) **Municipal Fees:** building permit fees, development application fees, planning fees
 - (e) **Financial Analysis:** financial feasibility studies, business plan development, construction funding application preparation

Ineligible Expenses

- 6 (1) Ineligible Costs for the grant include but are not limited to:
- (a) Costs incurred prior to April 1, 2026
 - (b) Construction activities
 - (c) Land acquisition costs
 - (d) Operating expenses of the applicant organization including salaries, wages, dividends, and other compensation for employees and directors
 - (e) Fundraising activities
 - (f) Equipment Purchases

Application Process

- 7 Before submitting an application form, applicants must schedule a pre-application meeting. In addition to a completed application form, applicants are required to submit an organizational profile, project information, and pre-construction plans as outlined in the full grant guidelines.

Policy Adoption	
Date of Original Passage	
Date of Notice of Intent to Consider	September 15, 2026
Date of Council Approval	
Date of Effective Date (if different from approval date)	
I certify that this Policy 107 Affordable Housing Pre-Construction Grant was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Effective Date
Original V1	Policy 107 Affordable Housing Pre-Construction Grant	



The Municipality of the District of Lunenburg

Request for Decision

Report to: Deputy Mayor Veinotte and Members of the Policy & Strategy Committee

Submitted by: Shannon MacKay and Kwan Ki Tsoi

Date: September 15, 2026

Re: Proposed Policy - Affordable Housing Pre-Construction Grant

Recommendation

That the Finance Committee direct staff to amend the proposed Affordable Housing Pre-Construction Grant draft policy to include eligible projects in neighbouring municipalities, while favouring projects based in MODL as outlined in alternative two.

Executive summary

On July 7, 2026, Council directed staff to pursue the creation of a Pre-Construction Housing Grant in the amount of \$50,000 per project, to support non-profit housing developers with feasibility studies, technical assessments, business planning, and design work needed to advance affordable housing projects.

A policy has been drafted to direct the grant administration. The policy is heavily based on the Town of Bridgewater's similar pre-construction grant policy.

Staff recommend that Council amend the draft policy as outlined in alternative two, and recommend that Municipal Council adopt the policy. There are several alternative changes that could be made to the policy as outlined in this RFD, including allowing projects outside of MODL, or changing the funding format to be an interest-free loan.

Background

On July 7, 2026, Council directed staff to draft a Pre-Construction Grant Policy for affordable housing developers. This direction was in line with MODL's recently created Housing Strategy.

Council largely agreed on a desire to create a grant to support non-profit affordable housing providers. There was consensus among Council that applicants should be able to demonstrate a long-term plan for funding, in an effort to fund projects that have the highest chance of entering the construction phase.

Council had varying opinions on whether the grant should be applicable to only projects within MODL boundaries, or projects throughout Lunenburg County. There were also varying opinions on whether the format of the funding should be a grant, or a no-interest repayable loan.

A draft of the policy is included here, along with alternatives that were discussed on July 7.

Discussion

The proposed Affordable Housing Pre-Construction Grant Program policy includes guidance on purpose, definitions, eligibility, and administration of the grant. Staff will create operational processes to administer the grant, such as grant application and reporting templates.

Council showed a preference for a grant that supported projects within MODL. However, several other alternatives were discussed. Alternatives include:

1. Expand eligibility to include projects located anywhere in Lunenburg County.
 - a. This option recognizes that affordable housing pressures extend beyond municipal boundaries and are experienced throughout the region. Expanding eligibility would increase the number and diversity of potential applicants, including projects located on serviced land that may be better positioned to advance to construction.

As MODL has a limited supply of serviced land available for development, broadening geographic eligibility could improve program uptake and increase the likelihood that program funding contributes to completed housing projects. It may also enhance opportunities for non-profit and affordable housing providers to stack funding from multiple municipal sources, potentially increasing the overall value and impact of MODL's investment.

2. Expand eligibility to include projects located anywhere in Lunenburg County, with a preference for projects located within MODL.

- a. This option would broaden eligibility while maintaining a focus on achieving housing outcomes within MODL. Similar to Option 1, expanding geographic eligibility may increase program uptake and support projects located on serviced land that are better positioned to proceed to construction. Applications within MODL could receive priority, ensuring local projects remain the focus while allowing funding to support regional affordable housing initiatives when no comparable MODL applications are available.

Funding for projects located outside of MODL could be capped at \$25,000. As a condition of funding, applicants would also be required to secure financial support from the municipality in which the project is located.

- 3. Adopt a no-interest loan format for the pre-construction grant
 - a. This option would follow a model similar to the City of Toronto's approach to pre-development funding. Under this structure, funding would initially be provided as a no-interest loan. Recipients whose projects do not advance to the construction phase, regardless of the reason (e.g., environmental constraints, insufficient project feasibility, or organizational capacity challenges), would not be required to repay the funding.

Projects that successfully advance to construction and secure financing would repay the pre-construction funding as an interest-free loan. This approach reduces financial risk for applicants during the early stages of project development, while allowing the Municipality to recover funds from successful projects.

Over time, repaid funds could be reinvested into future projects, creating a more sustainable funding pool. However, this approach would require additional staff time to track project outcomes and manage loan repayments. It may also reduce program accessibility for some organizations, with a loan creating an additional financial barrier, especially for new organizations. Loan repayment obligations would increase overall project financing costs for non-profits, potentially reducing their ability to provide affordable housing.

Adopting a loan system also does not reduce risk to municipality because under this structure of program, loans to projects that do not become successful construction become non-repayable.

Strategic Focus

This grant is included in Council's Strategic Priorities under:

- Affordability, Quality of Life, and Social Inclusion
- Regional Economic Development

This grant directly supports the development of new affordable housing units, making affordable housing more accessible to residents, in turn improving quality of life and affordability. The pre-construction grant is a key action identified in the recent Housing Strategy.

The addition of new housing units also helps MODL prepare for future economic growth by relieving pressure on the housing supply as businesses grow and recruit more employees in the area.

Budget/Financial Implications

There is currently \$100K in the 2026-27 budget allotted for pre-construction grant recipients.

Climate Change/sustainability

The grant has an indirect but positive climate change and sustainability impact by enabling early planning and design for affordable housing projects. This provides an opportunity to consider energy efficiency, climate resilience, site servicing, and long-term operating costs before construction.

These considerations can help reduce future utility costs for residents and housing providers, while advancing more resilient and sustainable affordable housing in MODL.

Inclusion, Diversity, Equity and Accessibility (IDEA@MODL)

Marginalized groups are disproportionately represented among those experiencing housing affordability challenges. This project advances IDEA principles by supporting inclusive access to affordable housing for all MODL residents, including those from marginalized communities.

Strategic Communications

Communications will support the rollout of the Affordable Housing Pre-Construction Grant, ensuring alignment with regional programs. Communication efforts will be timed with Council approval and program launch, and will use existing channels such as the website, social media, traditional media, brochures, and targeted outreach to key stakeholders.

While formal public engagement is not anticipated, program staff will engage directly with potential applicants to support awareness and understanding of the program.

Work plan

Staff time is required to meet with potential applicants, review and assess applications, and track outcomes for approved projects.

Housing is the 2nd ranked project on Council's project prioritization list. Funding community organizations with capacity and passion for non-profit housing aligns with council's community development philosophy. The grant provides a formal and informal vehicle for municipal support for community housing initiatives.

Alternatives

1. Expand eligibility to include projects located anywhere in Lunenburg County.
2. Expand eligibility to include projects located anywhere in Lunenburg County (with a reduced funding amount), with a preference for projects located within MODL.
3. Adopt a no-interest loan format for the pre-construction grant

Conclusion

The proposed policy outlines eligibility and directions for the Affordable Housing Pre-Construction Grant. This policy will support several of Council's Strategic Priorities and advance a key action identified in the Housing Strategy. The program would help non-profit housing providers overcome pre-development barriers and improve their ability to access construction funding. The proposed policy is modeled on the Town of Bridgewater's existing grant framework, with modifications to reflect MODL's local context and best practices identified through a jurisdictional review.

Report Preparation	
Department	Administration
Report Prepared by	Shannon MacKay and Kwan Ki Tsoi
Report Approved by	Alex Dumaresq, Deputy CAO

Council
Item 10.2.1
September 22, 2026
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council
Submitted by: Anna Giblin, Planner I and Ella Gindi, Planner II
Date: September 22, 2026
Re: Development Agreement Review for Proposed Cluster Development at 475 Upper Branch Road, Wileville (PID 60303724 and PID 60303781)

Recommendation

That Municipal Council give notice of their intention to enter into a Development Agreement with Ramey/3322429 Nova Scotia Limited for the development of a cluster development at 475 Upper Branch Road (PID 60303724 and PID 60303781), as the proposal is consistent with the intent and policies of the Municipal Planning Strategy.

Further, that Council set a public hearing date of October 14, 2026, at 7p.m. in the Council Chambers.

Executive summary

A mixed-use cluster development comprising 145 residential units and 4,950 m² of industrial space is proposed at 475 Upper Branch Road, Wileville. Following public consultation, PAC recommended approval subject to the Development Agreement conditions identified by staff.

Since PAC's review, the applicant has submitted a revised site plan and a Level 2 Groundwater Assessment. Staff circulated the updated information for further agency review. The following outlines the revisions, recent review findings, and requirements to be addressed through the Development Agreement and applicable provincial approvals.

Background

Public Input: A public information session was held on November 19, 2025, at the Wileville Fire Hall. Concerns related to traffic, emergency access, groundwater, wastewater servicing, wetlands and drainage, Black Ash trees, and the proposed industrial use. Some residents supported additional housing, trails and green space.

Planning Advisory Committee: On December 11, 2025, PAC reviewed the application and recommended that Council approve the proposed Development Agreement, subject to the conditions identified in the staff report.

At both the public information session and PAC meeting, the applicant discussed increasing the residential component. However, the Level 2 Groundwater Assessment was not completed until after PAC's review. The revised proposal includes 145 units, with additional units accommodated through third storeys on the apartment buildings.

The updated site plan and groundwater assessment were subsequently circulated to relevant external agencies and municipal departments to determine whether the increased density affected their earlier comments.

Discussion

Site Plan Summary: The revised civil plan, issued May 1, 2026, includes three apartment buildings containing 57, 41 and 35 units, 12 stacked townhouse units, and a 4,950 m² industrial building with associated parking and loading areas.

Primary access is proposed from Upper Branch Road through an internal private road, with a separate 3-metre-wide, one-way emergency access from Levi Hebb Road. The plan also identifies wastewater treatment and dispersal areas, stormwater facilities, a future trail system, and firefighting water infrastructure, including fire ponds if required.

The revised plan is attached as Appendix B and replaces the earlier concept plan.

Servicing and Infrastructure: The site is not served by municipal water or sewer. The proposal would rely on groundwater supply and an on-site wastewater treatment system.

The March 25, 2026 Level 2 Groundwater Assessment estimates total demand at approximately 116,000 litres per day, including 29,000 litres per day for the industrial component. The estimated sustainable yield is approximately 138,000 litres per day. A 72-hour pumping test was completed in January 2026, with no pumping-related effect detected in the monitoring well approximately 210 metres away. The assessment identified a low potential for interference

with neighbouring private wells, while noting that long-term yield may vary with groundwater conditions, nearby withdrawals and precipitation.

Detailed wastewater and stormwater designs remain subject to the applicable review and approval processes. Phasing, commencement, and completion of provisions should be established through the Development Agreement.

Phasing: The proposal is planned to be a phased development however the phasing details have not yet been determined. This can be a condition of the development agreement.

Project Timeframe: The Municipality will discharge this agreement if the development has not commenced within five (5) years of the date of the Agreement.

Wetlands and Watercourses: The revised civil plan identifies a wetland proposed for removal adjacent to the proposed 57-unit building and other wetlands that are to remain undisturbed. The plans show wetland buffers ranging from 10 m to 30 m and watercourse buffers ranging from 15 m to 30 m; therefore, not all wetlands are provided with a minimum 20 m setback. The proposed wetland alteration will require provincial review and approval.

External Agency and Municipal Feedback

Staff circulated the updated information to relevant agencies and municipal departments to determine whether the increased density affected their earlier comments.

NS Department of Public Works noted concerns regarding the following:

- A Traffic Impact Assessment was not required.
- A 10-metre setback from the Highway 103 controlled-access right-of-way is required, and signage must meet Public Works requirements.
- The proposed entrance should be designed to minimize conflicts with adjacent driveways and accommodate truck movements; a truck-turning analysis was recommended.
- Emergency access should be gated to prevent unauthorized use.
- Public Works identified no transportation or access-management concerns that would prevent the development from proceeding. Detailed access requirements will be addressed through the permitting process.

Emergency Services:

- **Fire:** Noted that previous concerns regarding fire-protection water supply and emergency access were addressed through proposed fire ponds and a second

emergency access. Asked whether the developer was considering that each pond would include a dry hydrant and whether underground fire-suppression tanks are also proposed. Dry hydrants will be considered to each fire pond, but underground water tanks were not considered. Expected compliance with applicable codes.

- **RCMP:** Confirmed that the revised plans address the previous concern regarding secondary emergency access, improving safe and timely response. Population growth pressures on policing will be addressed through the current resource model review.
- **EHS:** Reviewed the amended proposal and identified no concerns with the proposed development.

Municipal Feedback: Engineering comments concerning drainage, emergency road access, and ditch, infiltration trench grades and road specifications should be addressed through an accepted stormwater management plan and supporting engineering designs. Recreation, Parks and Tourism supported the proposed trails and green space.

Environmental Review

The provincial Department of Environment and Climate Change reviewed the groundwater assessment and indicated that it had no concerns with the application proceeding based on the submitted analysis. However, the assumed domestic demand of 240 litres per person per day is below the Atlantic Canada Water Supply Guidelines' recommended range of 270–450 litres. Groundwater withdrawal remains subject to provincial approval. Provincial approvals will be required for the proposed wastewater system and any wetland or watercourse alterations.

Species at Risk

Planning staff conducted a desktop species-at-risk analysis. Two Black Ash trees were identified on the property by the developer's consultant. The applicant intends to retain both trees and establish a 10-metre buffer around them. The Department of Natural Resources did not identify a specific setback that would ensure their protection and recommended that the applicant seek professional advice regarding appropriate measures to protect the trees and their habitat.

Policy Context and Evaluation

The municipal-wide Municipal Planning Strategy and Land Use By-law have been adopted by Council and are awaiting final Ministerial review and approval. The proposal remains subject to the applicable cluster development and Development Agreement requirements. As the

application was submitted prior to the adoption of the new planning documents, the new inland watercourse and wetland setback requirements do not apply.

The Policy Criteria Chart in Appendix A provides a detailed assessment of how the proposal satisfies the applicable MPS policies. It identifies matters addressed by the revised proposal, requirements to be secured through the Development Agreement, and separate provincial approvals.

The Development Agreement should incorporate the final site plan and establish the approved uses and development limits, emergency-access controls, servicing and stormwater requirements, environmental protection measures, and phasing and completion provisions. Detailed policy findings and corresponding conditions are consolidated in Appendix A.

Budget/Financial Implications

N/A

Climate Change/Sustainability

This site holds an ecological value with the presence of three wetland areas, a stream, and two identified Black Ash trees. Appropriate mitigation measures should be taken to ensure that the impact on these sensitive features is limited.

However, higher-density development can also help reduce urban sprawl, which in turn can help protect more rural and natural areas from being impacted from development. Locating dense developments in existing built-up areas further supports the preservation of natural lands and promotes efficient use of public services and infrastructure.

Inclusion Diversity Equity and Accessibility (IDEA@MODL)

The proposed development will increase the local housing supply, and the residents living in the development will be located close to the Town of Bridgewater and Osprey Village which provides numerous services and employment opportunities.

Strategic Communications

Public engagement requirements for the Development Agreement process were completed in accordance with Policy 066.

Work plan

If Council gives notice of their intent to enter into a Development Agreement, a public hearing will be held prior to Council approving the Development Agreement.

Alternatives

1. Proceed with the recommended approval process by giving notice of Council's intention to enter into the Development Agreement and setting a public hearing.
2. Refer the application back to PAC for further consideration of the revised site plan and technical information, identifying the matters requiring additional review.

Conclusion

The proposed cluster development at 475 Upper Branch Road, Wileville, is generally consistent with municipal planning policies and aligns with the Provincial Statement of Interest Regarding Housing by contributing to a range of housing options. The proposal has undergone public consultation and has been reviewed through technical studies and comments from relevant agencies and municipal departments.

The required municipal planning matters have been addressed. Any additional approvals, permits or technical requirements identified by external agencies will be addressed separately through their respective regulatory approval processes as the development proceeds.

Additional details are provided in the appendix to this report.

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Anna Giblin, Planner I and Ella Gindi, Planner II
Report Approved by	Jeff Merrill, LPP, MCIP, Director
Date Reviewed by C.A.O.	

December 11, 2025

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Appendix A

Policy Criteria Chart: Cluster Development and Development Agreement Policies

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
18.10	Cluster Developments		
Policy IMP-17	Council will review cluster development regulations every five years and update them in accordance with best practices for development regulations.	Not applicable to this application; this policy relates to Council's future review of the cluster development regulations.	N/A
Policy IMP-18	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.	The site is not within a Secondary Plan Area; therefore, no stricter secondary planning policies apply. The municipal-wide MPS and LUB are now in effect and the proposal remains subject to the applicable cluster development and Development Agreement requirements.	Satisfied
Policy IMP- 19	It will be a policy of Council to promote and encourage conservation design style cluster development.	The proposal uses a clustered site design with residential buildings and townhouses concentrated on part of the site. The southern portion accommodates the on-site treatment system and a proposed trail network, with potential parkland outside the septic fields.	Satisfied
18.11	Cluster Developments by Development Agreement		
Policy IMP-20	Council will consider cluster development applications through the development agreement process.	The proposal at 475 Upper Branch Road (PIDs 60303781 and 60303724) includes 145 residential units and approximately 5,000 m ² of highway-related industrial/commercial floor area. As a cluster development containing more than six residential units in multiple dwellings on a single lot, a Development Agreement is required.	Satisfied
18.12	Non-Conforming Allowances for Cluster Developments		
Policy IMP-21	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.	Not applicable.	N/A

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
Policy IMP-22	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.	Not applicable.	N/A
Policy IMP-23	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.	The proposal is proceeding through the Development Agreement process because it will not be completed within the building permit timeframe.	Satisfied
PART E, 18	Implementation		
18.4	Development Agreements		
Policy IMP-9	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:	This policy establishes the required content of a Development Agreement; the applicable matters are addressed below.	N/A
(a)	Specify the development, expansion, alteration, or change permitted;	The application materials identify the proposed development. The Development Agreement will establish the permitted development and provisions for non-substantial changes to building location and site configuration, subject to applicable requirements.	Satisfied
(b)	Specify the conditions under which the development may occur; and	Conditions governing development will be included in the Development Agreement.	Conditional
(c)	Set terms by which Council may amend or terminate and discharge the agreement.	Terms for amendment, termination and discharge will be included in the Development Agreement.	Conditional
Policy IMP-10	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.	Council must determine whether the proposed Development Agreement is consistent with the enabling policies and the general criteria in Policy 18.4	Pending
18.5	Content of a Development Agreement		

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
Policy IMP-11	Council may specify conditions in the Development Agreement to meet the enabling and general criteria outlined in Policy 18.6 These conditions may include but are not limited to controls regarding the:		
(a)	Access of emergency vehicles	EHS identified no concerns. The revised site plan includes a second emergency egress and fire ponds, addressing earlier RCMP and Fire Department concerns. Public Works does not require a Traffic Impact Assessment, but requires a 10 m setback from the Highway 103 controlled-access right-of-way and compliant signage. Entrance design should minimize conflicts with adjacent driveways and accommodate truck movements; a truck-turning analysis was recommended. Emergency access should be gated. Fire Department questions regarding dry hydrants/fire-pond access and underground water storage remain to be addressed as applicable. Dry hydrant will be a condition in the DA, the underground water storage will not.	Conditional
(b)	Adequacy of services such as water and sewer;	The site will be serviced by on-site groundwater and wastewater systems. Level 1 and Level 2 groundwater assessments have been completed. NSECC indicated no concern with the application proceeding based on the submitted groundwater analysis; however, the proposed withdrawal exceeds the provincial approval threshold and will require pump testing, detailed review and groundwater withdrawal approval. Final septic design and NSECC approval are also required. These provincial approvals are conditions of the Development Agreement.	Conditional
(c)	adequacy of street networks, site access, and emergency evacuation;	EHS identified no concerns. Earlier Fire Department and RCMP concerns regarding emergency access were addressed through the addition of a second emergency egress. The emergency access is intended for emergency use only, and applicable fire and building code requirements remain to be met.	Satisfied
(d)	architectural design of structures, including, but not limited to, bulk, scale, height, roof shape, building and cladding materials, and the shape and size and placement of doors and windows	n/a	N/A
(e)	availability of a safe water supply;	Level 1 and Level 2 groundwater assessments have been completed for the revised 145-unit proposal. NSECC indicated no concern with	Conditional

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
		the application proceeding based on the submitted analysis; however, the proposed withdrawal requires provincial approval, including pump testing and detailed review. Groundwater approval is included as a condition of the Development Agreement.	
(f)	Grading and erosion control;	NSECC recommends that erosion and sedimentation controls be implemented and maintained to protect wetlands and watercourses. Municipal Engineering similarly identified the importance of appropriate grading and erosion-control measures given the site's low-lying conditions. These requirements are included as conditions of the Development Agreement and remain subject to applicable provincial approvals.	Conditional
(g)	management of solid waste, compost, and recycling;	N/A must comply with provincial legislation regarding waste management	n/a
(h)	pedestrian, bicycle, and vehicular circulation;	The 2020 Active Transportation Plan identifies limited active transportation infrastructure near the development, with no sidewalks along Upper Branch Road. An asphalt sidewalk is located east of Highway 103 in Bridgewater, connecting toward the Lunenburg County Lifestyle Centre and other amenities. The development proposes an extensive trail network and a sidewalk connection to Upper Branch Road. The Transportation Impact Assessment concluded that the development is expected to generate relatively low and balanced traffic volumes, with Upper Branch Road and the proposed driveway continuing to operate at very good levels of service. A basic two-lane access with stop control is recommended, with no traffic signals or dedicated left-turn lanes warranted. The assessment identified no significant safety concerns but recommends maintaining clear sight lines and considering relocating the 50–60 km/h speed transition further west of the development.	Satisfied
(i)	The phasing of a development;	The development is expected to be phased; however, a detailed phasing plan has not yet been provided. Phasing may be addressed through the Development Agreement.	Conditional
(j)	provision of open space and amenities, or the payment of cash-in-lieu to improve such provisions;	There is a lot of open space dedicated for pedestrian and residents use on the southwest section. No need for cash in lieu as it is not a subdivision.	Satisfied
(k)	Servicing of the development	No municipal servicing available. The development will be serviced by on-site municipal sewer and water. Both services subject to NSECC approval and are written as conditions in the DA.	Conditional
(l)	Stormwater management	A stormwater management plan has been submitted. NSECC noted that potential effects on on-site wetlands remain to be assessed. Municipal Engineering also identified concerns related to the site's	Conditional

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
		low-lying conditions, limited grades, drainage performance and the proposed infiltration trench. Further review and applicable NSECC approvals are required and are addressed through conditions of the Development Agreement.	
(m)	The suitability of the site in relation to environmental impact; and	Three wetlands and one watercourse have been identified on the site. The revised development may affect portions of the wetlands and alter drainage patterns. NSECC requires a wetland assessment by a qualified ecologist, including mitigation measures, and provincial approval for any wetland or watercourse alteration. Erosion and sedimentation controls are also required. DNR recommended the developer hire a Species at Risk assessment will be required through the Development Agreement	Conditional
(n)	Time limits for the initiation and/or completion of development;	No final development timeframe has been identified. The applicant has indicated that marketing the industrial/commercial component may take at least one year.	n/a
(o)	type and orientation of exterior lighting;	Not discussed as this condition was not existing at the time the application was created.	N/A
(p)	type, location, and orientation of structures	type, location, and orientation of structures are identified in both civil site plan and master plan. In the DA we did provide the option to change location and orientation of structures as long as all setbacks and other requirements are met.	Satisfied
(q)	type, size, and location of signage;	The Traffic Impact Assessment recommended stop-sign control on the new development driveway, with traffic on Upper Branch Road remaining free-flowing. It also recommends relocating the 50/60 km/h speed transition zone farther west so that the development driveway and Enterprise Drive are within the 50 km/h area.	Satisfied
(r)	the establishment of a wastewater management district	N/A	N/A
(n)	All other matters enabled in Section 227 of the Municipal Government Act.	No additional matters have been identified.	N/A
18.6	General Evaluation Criteria of a Development Agreement		
IMP-13	Council will not approve a development agreement unless Council is satisfied the proposal:		
(a)	Is consistent with the intent of this Municipal Planning Strategy;	Staff considers the proposal consistent with the intent of the Municipal Planning Strategy, subject to the conditions and approvals identified in this review. The development is consistent with the MPS	Satisfied/conditional

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
		except form inland watercourse and wetland setbacks as there are locations where the setbacks are less than 20m. however, the DA application was submitted before the MPS and LUB were in effect. Hence, in the DA it is prescribed that the developer cannot reduce the setback further than what was initially proposed.	
(b)	Does not conflict with any Municipal or Provincial programs, bylaws, or regulations in effect in the Municipality;	No conflict with applicable Municipal or Provincial programs, by-laws or regulations has been identified, subject to obtaining the required provincial approvals.	Satisfied
(c-i)	(c) Is not premature or inappropriate due to: (i) Impacts on existing drinking water supplies, both private and public;	Level 1 and Level 2 groundwater assessments have been completed for the revised 145-unit proposal. NSECC review identified the need for provincial groundwater withdrawal approval, including pump testing and detailed review. See Policy 6.2.1(h).	Conditional
(c-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;	Central water and sewer services are not available. The proposal relies on on-site groundwater and wastewater systems. Final septic design and NSECC approval are required prior to development. See Policy 6.2.1(b).	Conditional
(c-iii)	The creation of excessive traffic hazards or congestion on road, cycling, and pedestrian networks within, adjacent to, or leading to the proposal;	Public Works does not require a Traffic Impact Assessment. A 10 m setback from the Highway 103 controlled-access right-of-way and compliant signage are required. Entrance design should minimize driveway conflicts and accommodate truck movements; a truck-turning analysis was recommended. Provincial approval for the proposed road entrance is required. The revised plan also includes a second emergency egress.	Conditional
(c-iv)	The adequacy of fire protection services and equipment;	The revised site plan includes fire ponds and a second emergency egress, addressing the principal earlier concerns regarding fire protection and emergency access. The Fire Department has asked whether dry hydrants will be provided at the fire ponds and whether underground water storage is proposed. Applicable fire-protection requirements remain to be addressed through detailed design.	Conditional
(c-v)	Impacts on known habitat for species at risk;	Two Black Ash trees were identified. The site design proposes to retain them; however, DNR was unable to confirm whether the proposed setback is adequate and recommended that the developer work with a qualified consultant to determine appropriate protection measures. DNR advised that it has no information on potential species at risk at the site. A Species at Risk assessment required as a condition of the Development Agreement.	Conditional
(c-vi)	The potential to create flooding or serious drainage issues, including within the proposal site and in nearby areas; and	A stormwater management plan has been submitted. NSECC noted that the development will alter drainage patterns and may affect WL1 and WL3, and requires further wetland assessment and mitigation.	Conditional

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
		Municipal Engineering also identified drainage concerns associated with the site's low-lying conditions and limited grades. Further review and applicable approvals are required. See Policy 6.2.1(d).	
(c-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.	Wetland delineation and test-pit work have been completed; three wetlands and one watercourse were identified. Some wetland alteration may be required. NSECC requires a qualified wetland assessment and provincial approval for any wetland or watercourse alteration. See Policy 6.2.1(i).	Conditional
18.7	Specific Evaluation Criteria of a Development Agreement		
IMP-14 (a)	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 detailed plot plan showing features such as, but not limited to:	The information submitted and outstanding professional requirements relevant to this application are addressed in the criteria below.	N/A
(a-i)	The layout of the site and associated wastewater systems in accordance with Nova Scotia Environment's on-site sewage technical guidelines;	The proposed on-site wastewater system requires final design and approval from NSECC prior to development.	Conditional
(a-ii)	Location and dimensions of existing and proposed road, bicycle, and pedestrian networks;	The site plan identifies proposed roads, parking and loading areas, and a trail network. No dedicated bicycle infrastructure is identified.	Satisfied
(a-iii)	The location of dedicated green space, including open space and amenities;	A trail network is proposed around the on-site treatment area, and land outside the septic fields may be available for parkland. Recreation, Parks & Tourism supports the inclusion of trails and green space.	Satisfied
(b)	A hydrogeological assessment in accordance with the guidelines set out in	A Level 2 Groundwater Assessment has been completed for the revised 145-unit proposal. Provincial groundwater withdrawal approval remains required. See Policy 6.2.1(h).	Conditional

Policy Review Chart

Policy	Requirement	Staff Commentary	Status
	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;	Wetland delineation has been completed. The proposal may affect on-site wetlands and requires a qualified wetland assessment, mitigation measures, and provincial approval for any wetland or watercourse alteration. A Species at Risk assessment/environmental impact study will be required as a condition of the Development Agreement. See Policies 6.2.1(i) and 6.3.1(c-v).	Conditional
(d)	Access for emergency vehicles; and	EHS identified no concerns. Earlier Fire Department and RCMP concerns regarding emergency access were addressed through the addition of a second emergency egress. Applicable emergency-access and fire-code requirements remain to be met. See Policy 6.2.1(c).	Satisfied
(e)	Any other matters enabled in Section 227 of the Municipal Government Act.	No additional matters have been identified.	N/A
Land Use Bylaw	Service of Notice of Amendments or Development Agreement	Notice must be provided to affected property owners within 300 m in accordance with the Land Use By-law.	Satisfied
6.5.1 a	Provide a synopsis of the proposed amendment, Development Agreement, or amendment thereto,	A synopsis of the proposal was provided through the public information session and engage.modl.ca.	Satisfied
6.5.1b	State the date, time, and place set for the public hearing on the amendment, Development Agreement, or amendment thereto, and	Public hearing notice will be provided following Council's direction to proceed, in accordance with the Land Use By-law.	Pending
6.5.1c	Be served by ordinary and/or electronic mail.	Notice was sent via ordinary mail to property owners within 300m. Notice of council entering into a Development Agreement will be published on the municipal website for 14 days.	Pending

December 11, 2025

Page **8** of **8**

Appendix B

Civil site plan

3322429 Nova Scotia Ltd

BRIDGEWATER DEVELOPMENT PLAN

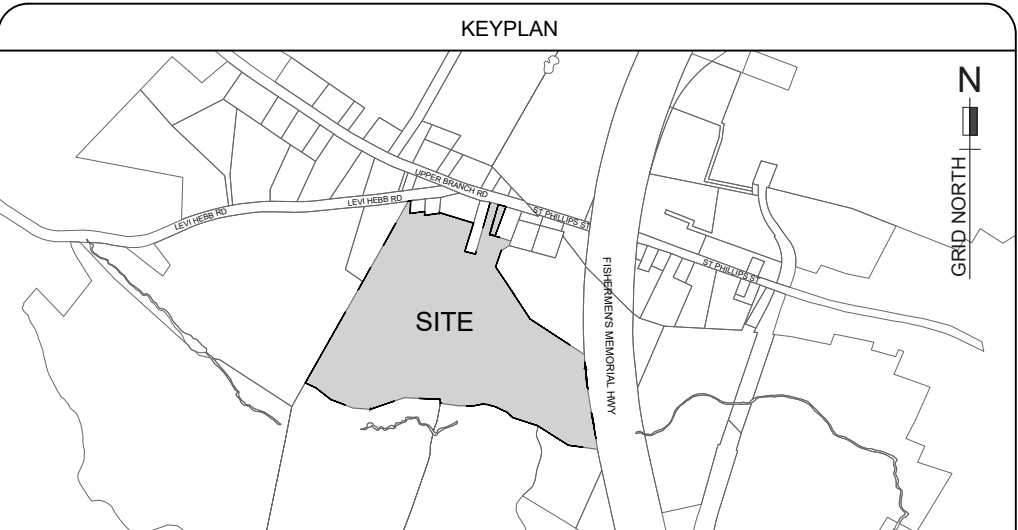
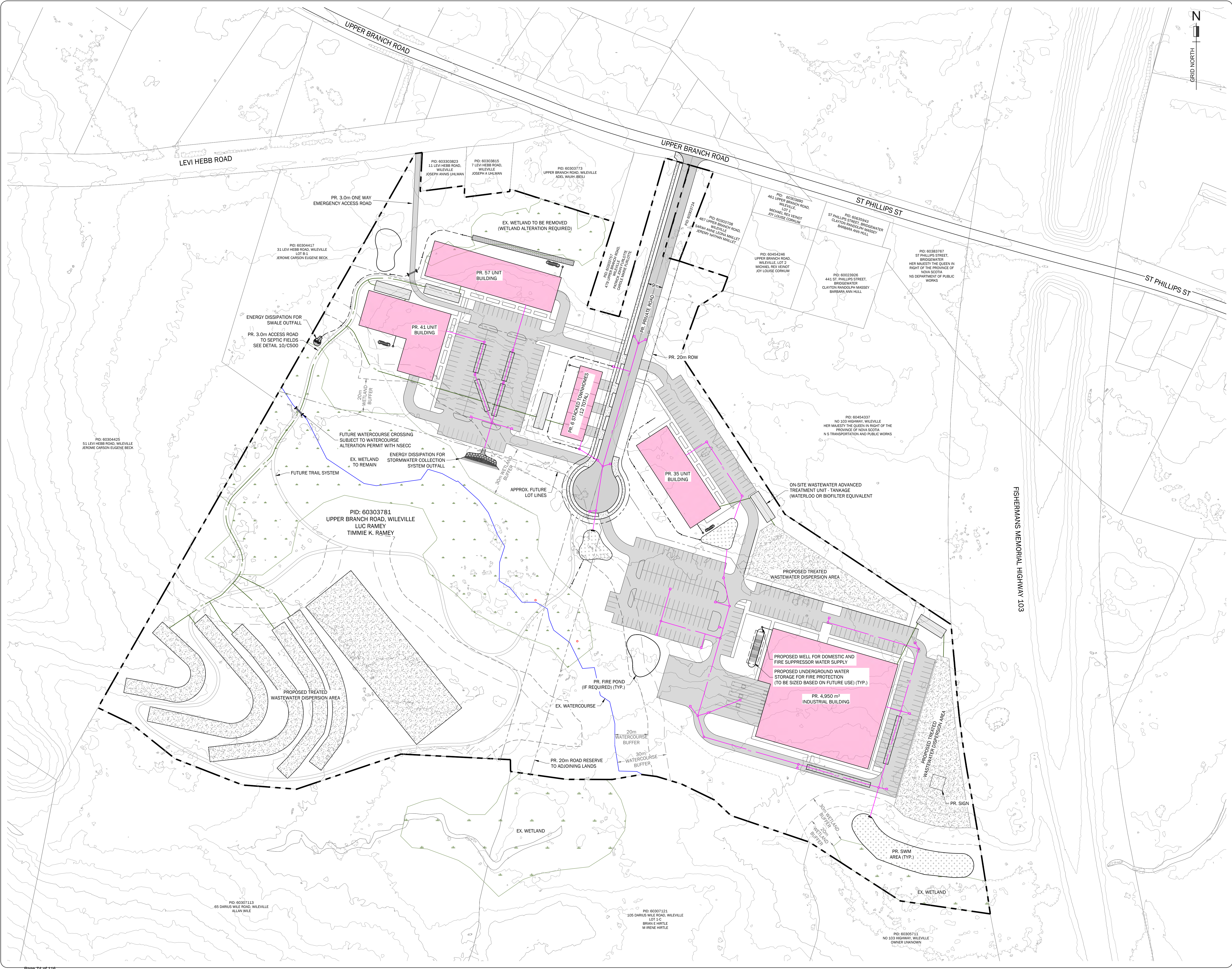
Scale = 1: 2000

0 40 80m

September 2026



BUILDING A 57 UNITS
BUILDING B 41 UNITS
BUILDING C 35 UNITS
TOWNHOMES 12 UNITS
TOTAL: 145 UNITS



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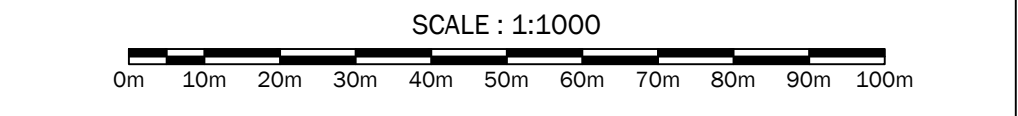
- SITE SERVICE SCHEMATIC LEGEND
- PROPOSED STORM WATER PIPE
 - PROPOSED CATCH BASIN
 - PROPOSED STORM WATER MANHOLE
 - PROPOSED SANITARY LATERAL
 - PROPOSED SANITARY MANHOLE
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WATER SUPPLY - DOMESTIC AND FIRE PROTECTION - SUBJECT TO LEVEL 2 GROUNDWATER ASSESSMENT AND APPROVAL BY APPROPRIATE REGULATION AUTHORITIES

2	05/01/2026	ISSUED FOR REVIEW - DEVELOPMENT AGREEMENT	MV
1	07/28/2025	ISSUED FOR REVIEW	MV
No.	MM/DD/YYYY	Revision Description	By

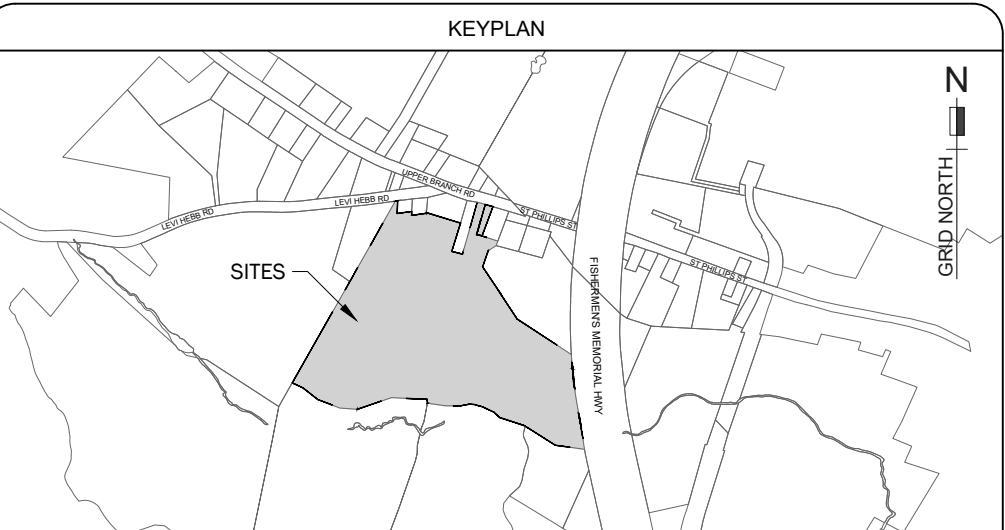
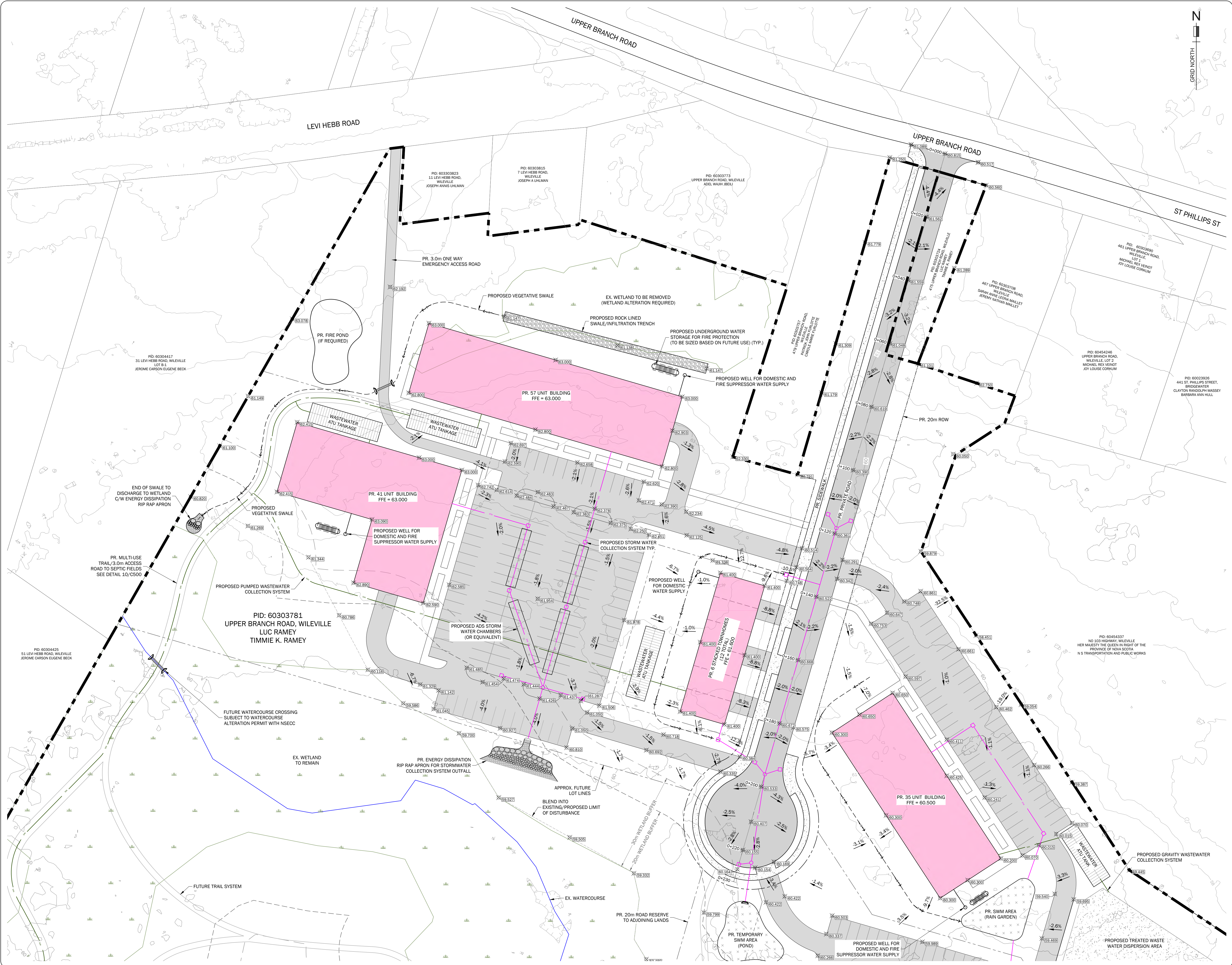


Horizontal	Vertical	Plot
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Project
UPPER BRANCH ROAD
PID: 60303724 & 60303781
WILEVILLE, NOVA SCOTIA

Title
CIVIL SITE PLAN

Project No.	Drawn	Sheet
240906-67	J. LITT	1 of 7
Ref.	Engineer	Plan No.
	M. VIENTIN	
Date	Check	
MAY 28TH, 2025	J. MACLEOD	C100



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SITE SERVICE SCHEMATIC LEGEND

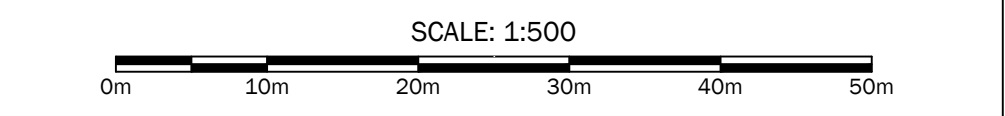
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No.	MMDD/YYYY	Revision Description	By



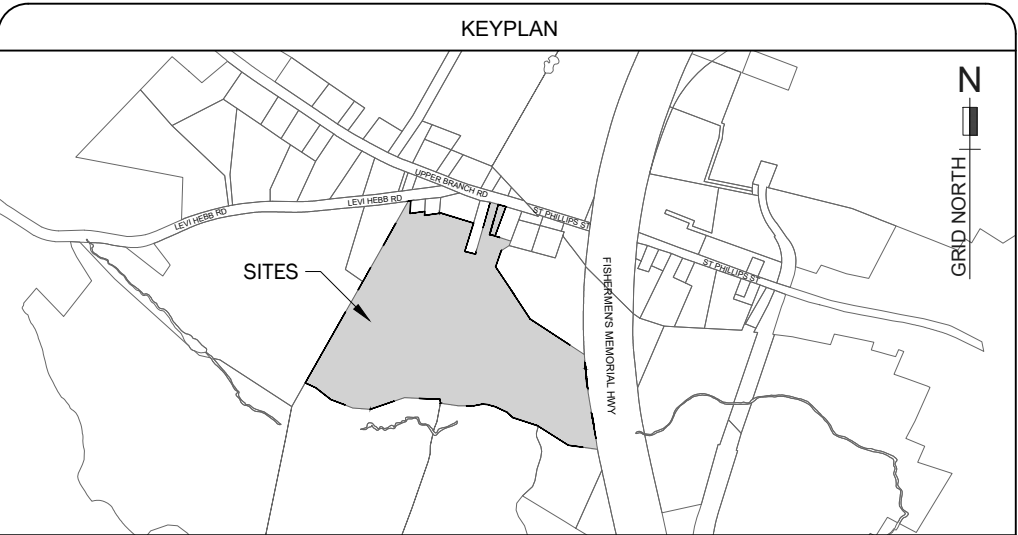
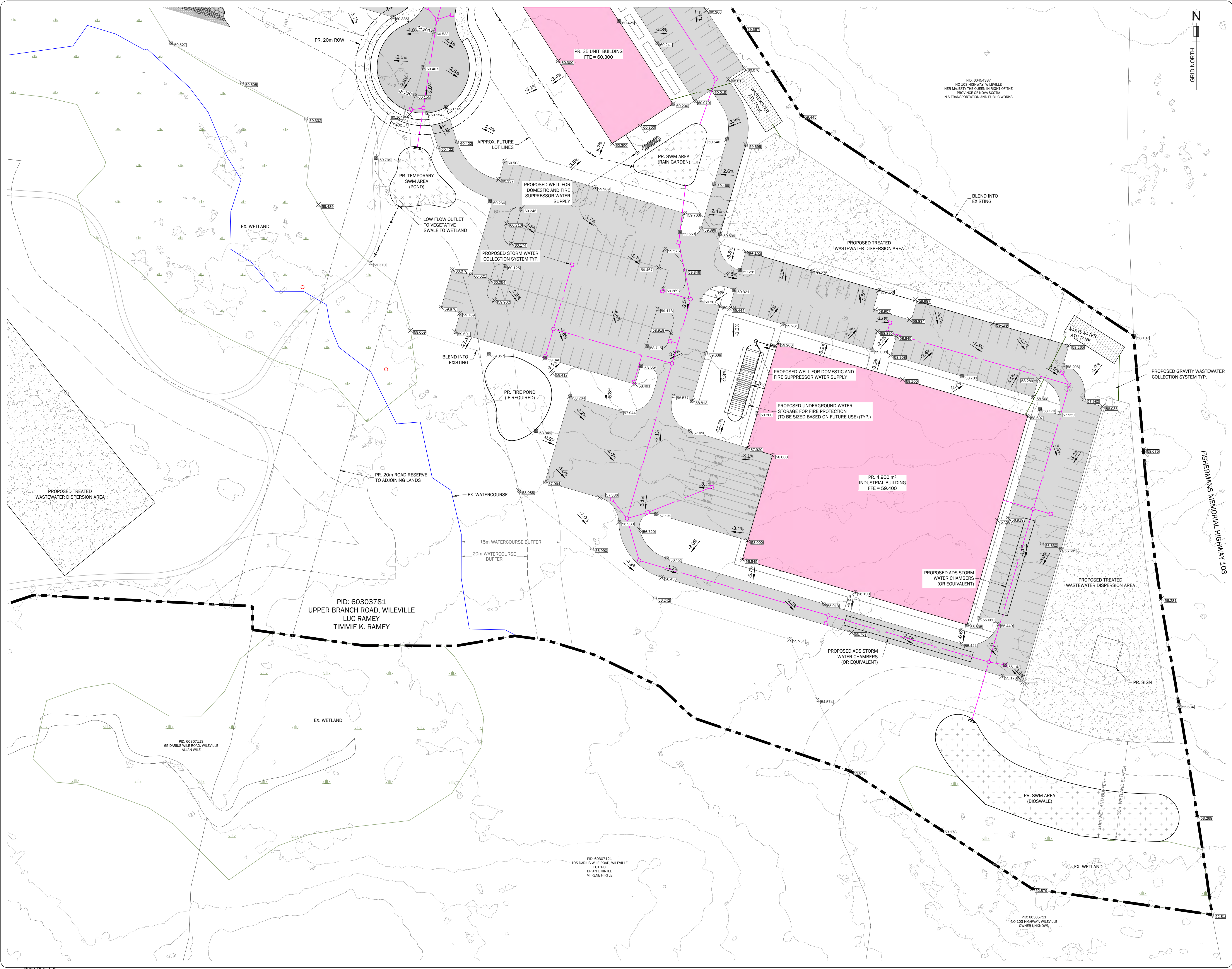
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Project
UPPER BRANCH ROAD
PID: 60303724 & 60303781
WILEVILLE, NOVA SCOTIA

Title
PRELIMINARY GRADING & SERVICING SCHEMATIC

Project No.	Drawn	Sheet
240906-67	J. LITT	2 of 7
Ref.	Engineer	Plan No.
	M. VISENTIN	
Date	Check	
JUNE 26TH, 2025	J. MACLEOD	

C101



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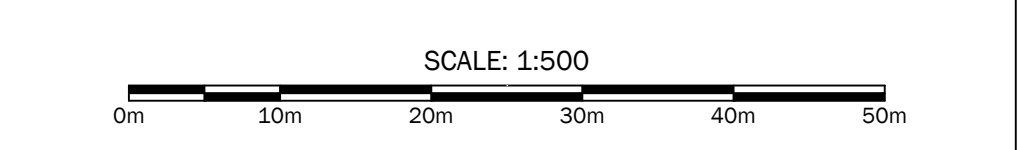
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○	PROPOSED STORM WATER MANHOLE
— SAN —	PROPOSED SANITARY LATERAL
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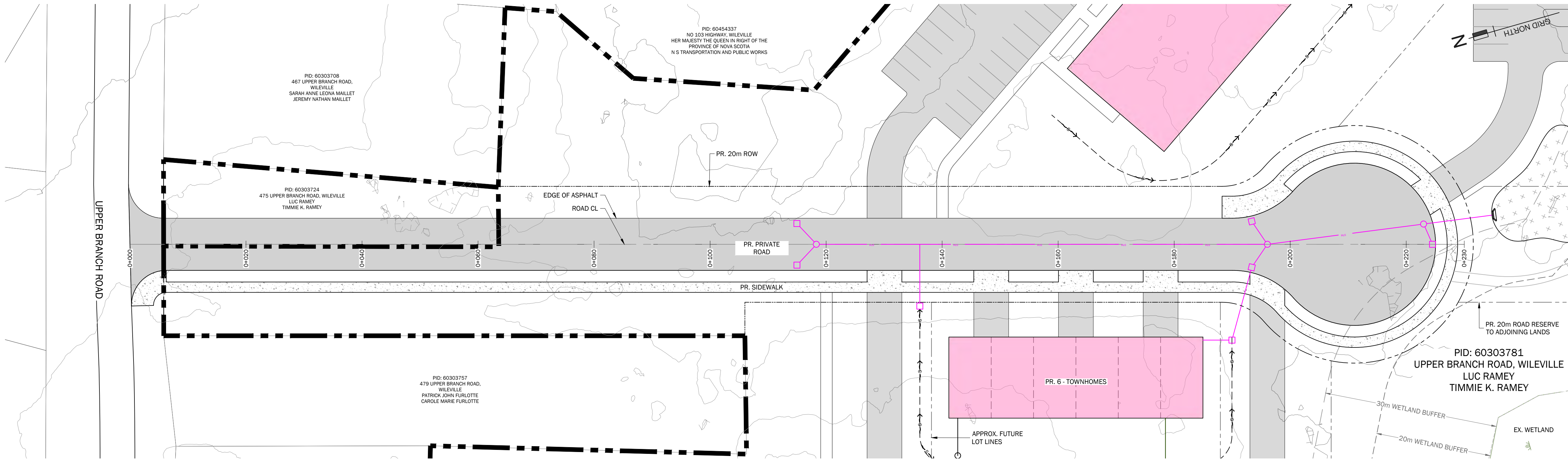


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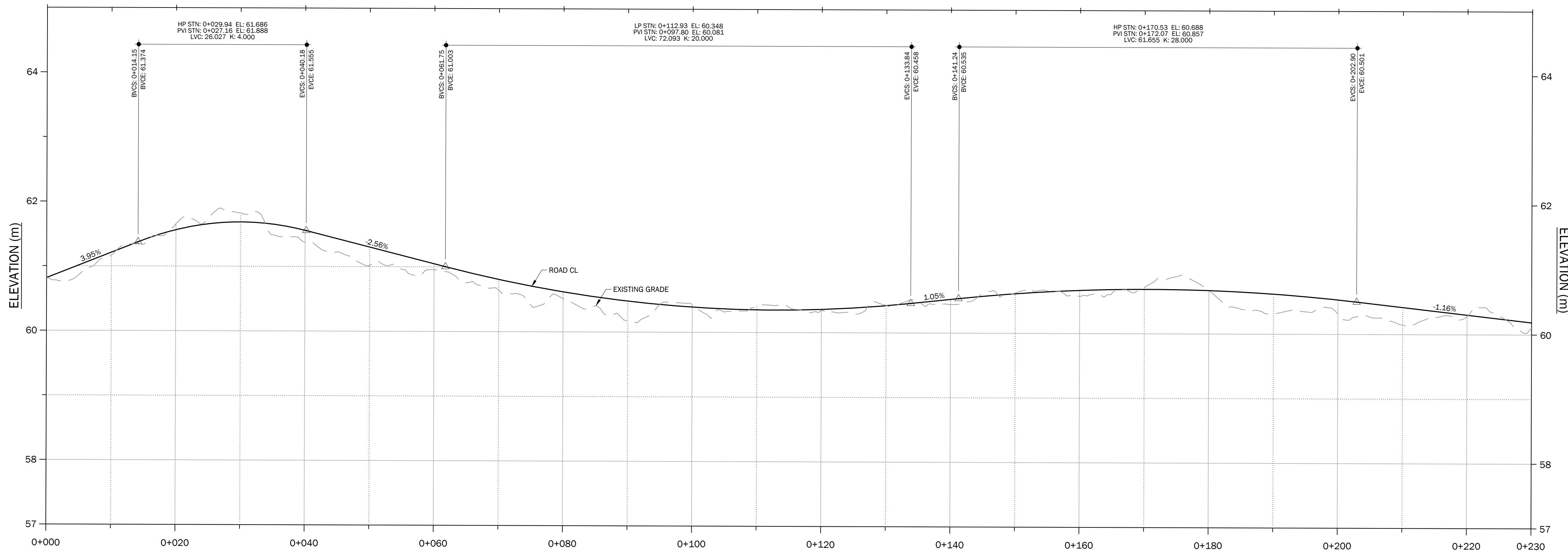
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UPPER BRANCH ROAD
PID: 60303724 & 60303781
WILEVILLE, NOVA SCOTIA

Title
PRELIMINARY GRADING & SERVICING SCHEMATIC

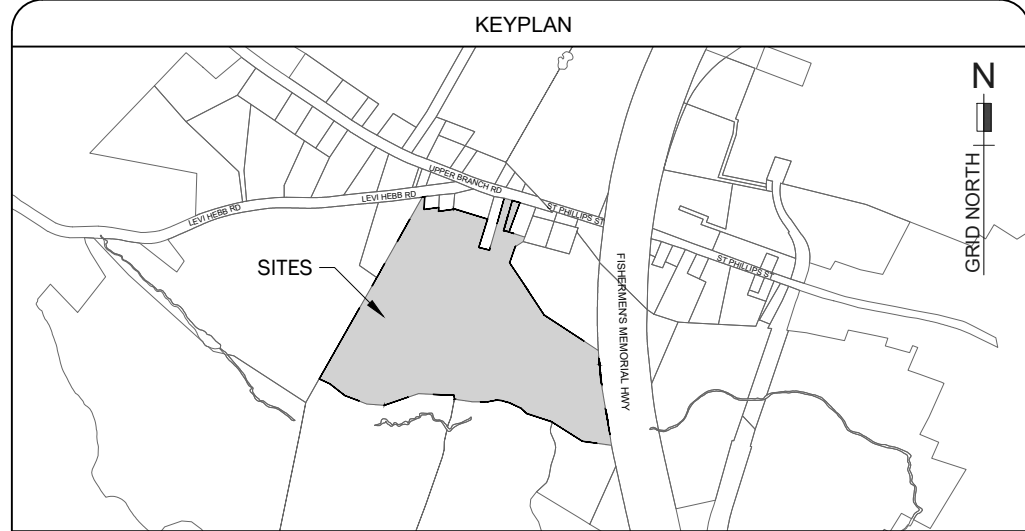
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240906-67	J. LITT	3 of 7
Ref.	Engineer	Plan No.
	M.VISENTIN	
Date	Check	
JUNE 26TH, 2025	J. MACLEOD	C102



1 ROAD PLAN
C103 SCALE: 1:400



2 ROAD PROFILE
C103 SCALE: HORZ 1:400 VERT 1:40



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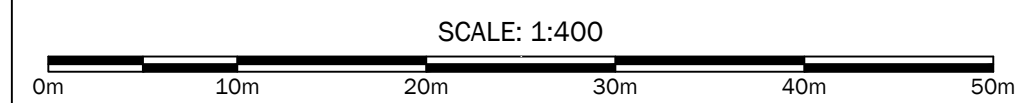
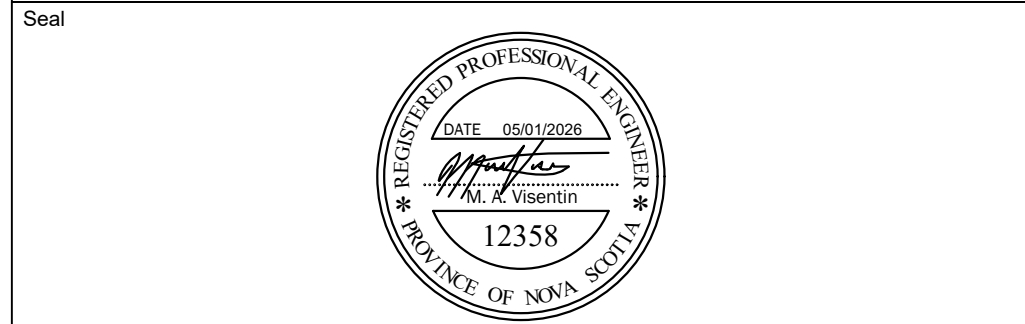
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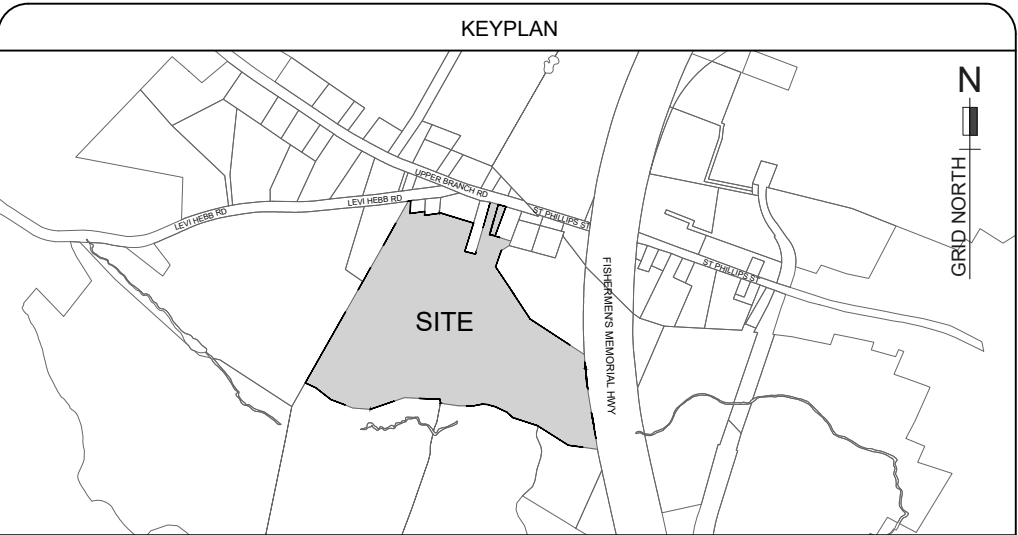


Horizontal	Vertical	Plot
1:400	1:40	ARCH D (24"x36")

Project
UPPER BRANCH ROAD
PID: 60303724 & 60303781
WILEVILLE, NOVA SCOTIA

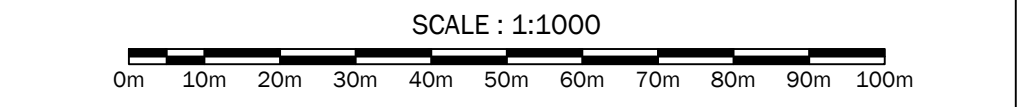
Title
PRELIMINARY PRIVATE ROAD PLAN & PROFILE

Project No. 240906-67	Drawn J. LITT	Sheet 4 of 7
Ref.	Engineer M. VISENTIN	Plan No.
Date JUNE 26TH, 2025	Check J. MACLEOD	C103



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 4. SLOPES GREATER THAN 2:1 SHALL BE DESIGNED BY A GEOTECHNICAL ENGINEER.
 5. EXISTING CONTOURS ARE BASED ON PROVINCIAL LIDAR DATA WITH AN INTERVAL OF 1M & 5M.
 6. WETLAND AND WATERCOURSE INFORMATION HAS BEEN PROVIDED BY STRUM CONSULTING, PLAN DATED OCT 2024.

2	05/01/2026	ISSUED FOR REVIEW - DEVELOPMENT AGREEMENT	MV	
1	07/28/2025	ISSUED FOR REVIEW	MV	
No.	MM/DD/YYYY	Revision Description	By	



Horizontal	Vertical	Plot
1:1000	N/A	ARCH D (24"x36")

Project
UPPER BRANCH ROAD
PID: 60303724 & 60303781
WILEVILLE, NOVA SCOTIA

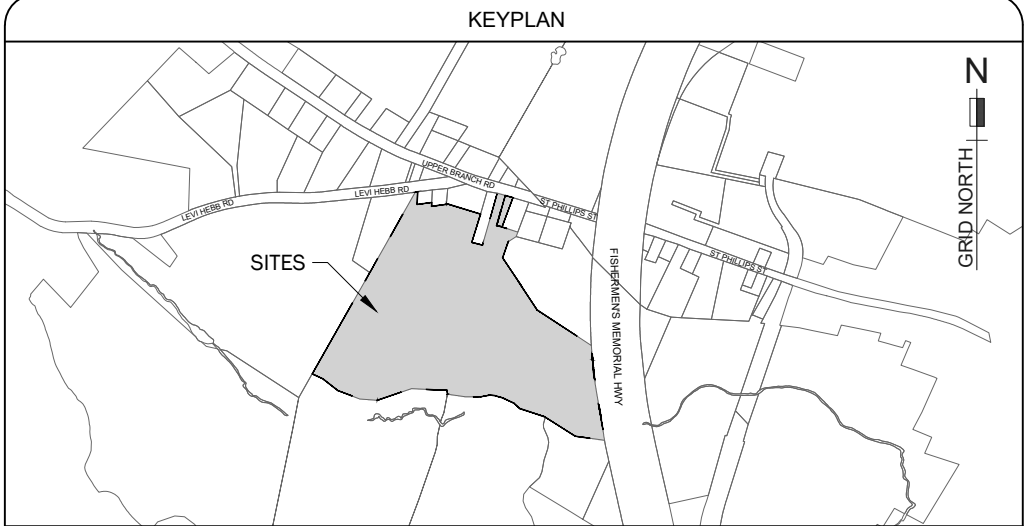
Title
EXISTING DRAINAGE PLAN

Project No.	Drawn	Sheet
240906-67	J. LITT	5 of 7
Ref.	Engineer	Plan No.
	M. VISENTIN	C104
Date	Check	
JUNE 27TH, 2025	J. MACLEOD	



STORM DRAINAGE ANALYSIS - USDA (SCS) METHOD								
	SUB CATCHMENT (ha)	WEIGHTED RUNOFF COEFFICIENT (CN)	TIME OF CONCENTRATION (min)	5 YR PEAK FLOW (L/sec)	10 YR PEAK FLOW (L/sec)	25 YR PEAK FLOW (L/sec)	50 YR PEAK FLOW (L/sec)	100 YR PEAK FLOW (L/sec)
PRE-DEVELOPMENT PEAK FLOW	96537.06	72 - TREES	5.0	356.15	474.43	633.98	756.1	879.15
POST-DEVELOPMENT UNCONTROLLED PEAK FLOW	96537.06	82.4 - ROOF, LANDSCAPE, PAVING, TREES	5.0	582.32	709.59	873.23	997.30	1121.44
ACTUAL REDUCED POST-DEVELOPMENT PEAK FLOW			5.0	356.15	465.30	609.48	719.98	831.83
DETENTION STORAGE REQUIRED TO MATCH PRE-DEVELOPMENT PEAK FLOW				616.0m³	581.0m³	530.0m³	497.0m³	468.2m³
ACTUAL DETENTION STORAGE				616.0m³	616.0m³	616.0m³	616.0m³	616.0m³

NOTE: FUTURE STORMWATER MANAGEMENT INFRASTRUCTURE WILL BE IMPLEMENTED TO BALANCE PRE- AND POST-DEVELOPMENT STORMWATER FLOWS FOR ALL DEVELOPED AREAS. FINAL STORMWATER MANAGEMENT MEASURES ARE SUBJECT TO REVIEW AND APPROVAL DURING THE DETAILED DESIGN STAGE.



STORMWATER MANAGEMENT NOTES

THE STORM WATER RUNOFF FOR THE 1:5, 1:10, 1:25, 1:50, 1:100 YEAR STORM EVENTS WAS ESTIMATED USING STORM & SANITARY ANALYSIS 2024 (SSA) FROM AUTOCAD CIVIL 3D.

THE STORM WATER CALCULATIONS WERE BASED ON THE SOIL CONSERVATION SERVICE METHOD (SCS TR-55) RUNOFF METHODOLOGY USING THE SYNTHETIC DESIGN STORM EVENT COMMONLY REFERRED TO AS THE CHICAGO STORM. THE RAIN FALL AMOUNTS USED IN THE ANALYSIS & MODELING ARE AS FOLLOWS & WERE OBTAINED FROM ENVIRONMENT CANADA RAIN FALL DATABASE

1:5 = 110.99mm OF RAIN FALL OVER 24HR PERIOD
1:10 = 129.42mm OF RAIN FALL OVER 24HR PERIOD
1:25 = 152.71mm OF RAIN FALL OVER 24HR PERIOD
1:50 = 169.9mm OF RAIN FALL OVER 24HR PERIOD
1:100 = 187.14mm OF RAIN FALL OVER 24HR PERIOD

IA/S RATIO = 0.2

ANTECEDENT MOISTURE CONDITION = 2 (AVERAGE (NORMAL) CONDITIONS)

PRE-DEVELOPMENT CATCHMENTS DRAINAGE BOUNDARY MATCHES POST-DEVELOPMENT BOUNDARY.

IN CONCLUSION THE 5 YEAR STORM GOVERNS.
A STORAGE VOLUME OF 616m³ IS REQUIRED TO MATCH PRE AND POST PEAK DRAINAGE.

POST DEVELOPMENT FLOWS LEAVING THE SITE ARE TO BE BALANCED TO PRE DEVELOPMENT CONDITIONS BY CONSTRUCTING A STORMWATER DETENTION POND WITH A MINIMUM VOLUME OF 616m³.

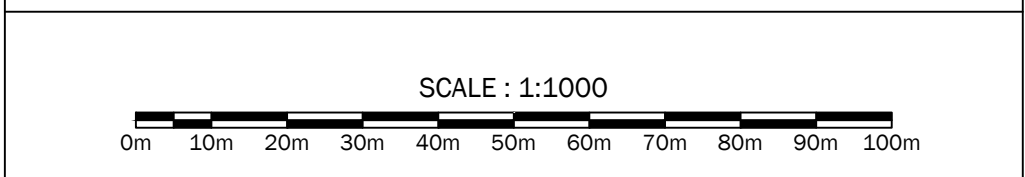
DRAINAGE ARROWS REPRESENT 100 YEAR FLOOD ROUTING DIRECTION.

SURFACE CLASSIFICATION TABLE		
TYPE	AREA (m²)	PERCENTAGE OF TOTAL
PROPERTY	129231.6	100.0%
BUILDINGS	10227.2	7.9%
ASPHALT/CONCRETE	23989.3	18.6%
LANDSCAPED	67060.1	51.9%
UNDISTURBED	27955	21.6%

PROPOSED: _____

EXISTING: _____

2	05/01/2026	ISSUED FOR REVIEW - DEVELOPMENT AGREEMENT	MV
1	07/28/2025	ISSUED FOR REVIEW	MV
No.	MM/DD/YYYY	Revision Description	By



Horizontal	Vertical	Plot
1:1000	N/A	ARCH D (24"x36")

Project		
UPPER BRANCH ROAD		
PID: 60303724 & 60303781		
WILEVILLE, NOVA SCOTIA		
Title		
PRELIMINARY STORMWATER MANAGEMENT PLAN - PROPOSED CONDITION		
Project No.	Drawn	Sheet
240906-67	J. LITT	6 of 7
Ref.	Engineer	Plan No.
	M. VISENTIN	
Date	Check	
JUNE 26TH, 2025	J. MACLEOD	
		C105

Schedule "A"

PARCEL DESCRIPTION

AS TAKEN FROM THE NOVA SCOTIA REGISTRY OF DEEDS FOR PID #60303724 and #60303781
September 1, 2026

PID #60303724

ALL that certain lot, piece or parcel of land situate, lying and being at or near Bridgewater, in the County of Lunenburg, Province of Nova Scotia, shown as Property of Keith C. Ramey and Marilyn J. Ramey Deed Reference Book 600 Page 263, on a plan entitled Compiled Plan Showing Property of Keith C. Ramey and Marilyn J. Ramey, Upper Branch Road, Wileville, Lun. Co., N.S., dated September 25, 2007, by Lester W. Berrigan, Nova Scotia Land Surveyor Number 409, which Plan is recorded at the Registry of Deeds at Bridgewater as Document Number 90249682, the said Parcel being more particularly described as follows:

Those lands lying and being at or near Bridgewater, in the County of Lunenburg, Province of Nova Scotia, as described in a deed dated May 20, 1954, between Kenneth Ramey and wife Bertha Ramey, of the one part, and Rex Beck, of the other part, which deed was recorded at the Bridgewater Registry Office on June 5, 1954, in Book 119, at Page 190, under Number 279, and described as follows:

BEGINNING on the southwestern margin of the Auburndale Road and on the northwestern side line of land now owned or occupied by Vernon Garber;

THENCE running southwesterly along the side line of lands of the said Vernon Garber and beyond in the same direction for a total distance of 248 feet from the southwestern margin of the said Auburndale Road;

THENCE running northwestwardly in a course parallel with the said Auburndale Road for a distance of 60 feet;

THENCE running northeastwardly in a course parallel with the said line of the said Vernon Garbers land for a distance of 248 feet, more or less, to the southwestern margin of the said Auburndale Road;

THENCE running southeastwardly along the said Auburndale Road for a distance of 60 feet to the place of beginning;

Being part of those lands which were conveyed to the said Kenneth Ramey by deed from Ross Ramey dated October 5, 1948;

SAVING AND EXCEPTING those lands described in a conveyance from Rex Beck and wife Maude Beck, dated December 1974, to Keith C. Ramey and wife Marilyn J. Ramey, as Joint Tenants, which deed was recorded at the Bridgewater Registry of Deeds on December 10, 1974, in Book 201, at Page 157, under document number 46, and being shown as Lands of Rex Beck Under Conveyance to Keith Ramey, on a Plan titled Plan Showing Lands of Rex Beck, St. Phillips Street, Wileville, Lun. Co., N.S. (outlined in red), Under Conveyance to Keith Ramey et ux, made by Neiff Joseph, Nova Scotia Land Surveyor Number 257, dated December 10, 1974, which Plan is recorded at the Registry of Deeds at Bridgewater as Plan Number P-919, and which lands are more particularly described as follows:

ALL that lot, piece and parcel of land described in a deed from Kenneth Ramey et ux to Rex Beck, dated May 20, 1954, and registered in Book 119, at Page 190, under Number 279, on June 5, 1954;

SAVE AND EXCEPTING the house lot Being approximately 54 feet on St. Phillips Street;

AND on the west side by a line parallel to Roger Becks east line;

AND 50 feet distant from said Roger Becks east line;

ON the east by Vernon Garbers west line;

ON the south by a prolongation of Vernon Garbers south line;

THE PARCEL herein being and intended to be the remainder of all of those lands which were conveyed by Kenneth Ramey et ux to Rex Beck by deed dated May 20, 1954, recorded in Book 119, at Page 190, as Document Number 279, and shown as Lands of Rex Beck on a plan entitled Lands of Rex Beck, St. Phillips Street, Wileville, Lun. Co., N.S. (outlined in red), Under Conveyance to Keith Ramey et ux, dated December 10, 1974, by Neiff Joseph, Nova

Scotia Land Surveyor Number 257, which Plan is recorded at the Registry of Deeds at Bridgewater as Plan Number P-919.

PID #60303781

ALL that certain lot, piece or parcel of land situate, lying and being at or near Bridgewater, in the County of Lunenburg, Province of Nova Scotia, shown as Property of Keith C. Ramey and Marilyn J. Ramey Deed Reference: Book 201 Page 157 on a plan entitled Compiled Plan Showing Property of Keith C. Ramey and Marilyn J. Ramey, Upper Branch Road, Wileville, Lun. Co., N.S., dated September 25, 2007, by Lester W. Berrigan, Nova Scotia Land Surveyor Number 409, which Plan is recorded at the Registry of Deeds at Bridgewater as Document Number 90249682, the said Parcel being more particularly described as follows:

ALL that certain lot, piece or parcel of land situate, lying and being at or near Bridgewater, in the County of Lunenburg, which was conveyed to the said Kenneth Ramey by deed from Frank E. Hiltz, et ux, dated May 31, 1956, and registered at the Registry of Deeds at Bridgewater, Nova Scotia, in Book 122, at Page 139, under Number 205, and in said deed bounded and described as follows:

BEGINNING at a stake and pile of stones on the east edge of the Old Branch Road, so called, at the northeast angle of Elias Weagles land;

THENCE running northwardly along the said Old Branch Road, a distance of 80 rods to the east edge of the present Branch Road;

THENCE northwestwardly along the last mentioned road, a distance of 12 rods to the Brien Road, so called;

THENCE westwardly along the said Brien Road, a distance of 16 rods to a pine tree;

THENCE southwestwardly along a blazed line and an old brush fence, a distance of 82 rods to a spruce tree;

THENCE southwardly following the courses of a blazed line near a meadow and the various courses of the fences of the adjoining meadow lots where they run to the northeastward of the said blazed line, a distance of 90 rods, more or less, to a blazed yellow birch tree in the north line of lands of Elias Weagle;

THENCE north 49 degrees east by the said Weagle line, a distance of 52 rods to the place of beginning;

CONTAINING 42 acres, more or less;

THE ABOVE DESCRIBED LOT being the same property as conveyed to Ross Ramey by deed from The McClearn Company Limited dated June 30, 1941, and duly registered August 7, 1943, in Book 107, at Page 156, under Number 270;

SAVING, EXCEPTING AND RESERVING from the foregoing described lands all of the lands described in the following conveyances:

1. A Deed from Ross Ramey and Ann Ramey to Bernice L. Wile, recorded at the Registry of Deeds at Bridgewater on June 27, 1945, in Book 108 at Page 556 as Document Number 912;
2. A Deed from Ross Ramey and Annie Ramey to Charles Nelson, recorded at the Registry of Deeds at Bridgewater on March 20, 1958, in Book 123 at Page 12 as Document Number 19;
3. A Deed from Ross Ramey and Annie Ramey to Joseph Hull, recorded at the Registry of Deeds at Bridgewater on June 13, 2005, as Document Number 81214083;
4. A Deed from Kenneth Ramey and Bertha W. Ramey to Vernon Garber, recorded at the Registry of Deeds at Bridgewater on August 6, 1952, in Book 116 at Page 525 as Document Number 830;
5. A Deed from Kenneth Ramey and Bertha Ramey to Rex Beck, recorded at the Registry of Deeds at Bridgewater on June 5, 1954, in Book 119 at Page 190 as Document Number 279;
6. A Deed from Kenneth Ramey and Bertha Ramey to Gladys Smith, recorded at the Registry of Deeds at Bridgewater on December 14, 1955, in Book 120 at Page 486 as Document Number 704;
7. A Deed from Kenneth Ramey and Bertha Ramey to Frank Hiltz, recorded at the Registry of Deeds at Bridgewater on June 22, 1957, in Book 121 at Page 561 as Document Number 774;
8. A Deed from Kenneth Ramey and Bertha Ramey to Wilburt Uhlman, recorded at the Registry of Deeds at Bridgewater on April 11, 1961, in Book 126 at Page 569 as Document Number 800;
9. A Deed from Keith Ramey to Her Majesty the Queen, recorded at the Registry of Deeds at Bridgewater on September 19, 1979, in Book 273 at Page 853 as Document Number 8014;

AND FURTHER SAVING, EXCEPTING AND RESERVING from the foregoing described lands all of the lands expropriated by Her Majesty the Queen in Right of the Province of Nova Scotia as shown on Plan Number P-1167, recorded at the Registry of Deeds at Bridgewater on September 16, 1975;

SUBJECT TO a right-of-way in favour of Maritime Telegraph and Telephone Company Limited as described in a Right-of-Way Agreement recorded at the Registry of Deeds at Bridgewater on September 23, 1957, in Book 122 at Page 376 as Document Number 551;

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

Compliance:

The subdivisions are validated by Section 291 of the Municipal Government Act.

Registration District: Lunenburg County

Registration Year: PID #60303724 -1954; PID #60303781-1943

Plan or Document Number: PID #60303724- Book 119, Page 190, Number 279; PID #60303781- Book 107, Page 156, Number 270

The MGA compliance statements have been applied during the processing of Land Registration.

THIS DEVELOPMENT AGREEMENT made this _____ day of _____, A.D., 2026.

BETWEEN

3322429 NOVA SCOTIA LIMITED, a body corporate, with registered offices in Dartmouth, in the Halifax Regional Municipality, 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 # 60303724 and PID # 60303781, which is also more commonly known as the property located at civic address 475 Upper Branch Road, in the community of Wileville, 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 475 Upper Branch 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 the Rural General Zone and is subjected to Municipal Planning Strategy and Land Use By-law.

AND WHEREAS Policies 18.11,18.12, 18.4, 18.5, 18.6 and 18.7 of the Municipal Planning Strategy, and subsection 7.7 of the Land Use By-law, provide that the cluster development 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 # 60303724 and PID # 60303781, located at civic address 475 Upper Branch 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. Light Industrial Use means an industrial use which is typically contained within a building or structure and is not regularly an obnoxious use creating nuisances or producing disruptive noises, heavy vibrations, odours, fumes, smoke, high heat, dust, or create harmful or dangerous waste products.
 - d. 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, 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 the Site Plan identified in Schedule "B" of this Agreement illustrates the general location and dimensions of all proposed buildings, structures, roads, driveway access points, laneways, on-site sewage disposal systems, stormwater management facilities and trails associated with the Development. Notwithstanding the foregoing, the Development Officer may approve variations to the location, configuration or dimensions of such features, provided that the Development Officer is satisfied that the proposed variations do not materially alter the nature, scale or intensity of the Development, are consistent with the intent and requirements of this Agreement and comply with all applicable requirements of the Land Use By-law and other applicable municipal and provincial regulations.

3. SITE PLAN DETAILS - SCHEDULE B

- a. The Site Plan identified in Schedule "B" of this Agreement shall show the general location and dimensions of all proposed buildings, structures, roads, driveway access points, laneways, septic fields, stormwater management facilities and trails associated with the Development.
- b. The Developer shall notify the Municipality in writing of any proposed change or alteration to the Site Plan identified in Schedule "B".
- c. The Development Officer may approve minor variations to the location, configuration or dimensions of the features shown on the Site Plan, provided that the Development Officer is satisfied that such variations:
 - i. do not materially alter the nature, scale or intensity of the Development;
 - ii. are consistent with the intent and requirements of this Agreement; and
 - iii. comply with all applicable municipal and provincial requirements.
- d. Any variation that, in the opinion of the Development Officer, is not minor shall require an amendment to this Agreement in accordance with the Municipal Government Act.

4. SANITARY AND WATER SERVICES

- a. That the Developer ensures that the use of the lands as described in Schedule B attached hereto shall not exceed the sustainable water yield of 138,000 litres/day, as outlined in the Level #1 and Level #2 groundwater assessment and water withdrawal approval study by Able Engineering Services Ltd. dated March 25, 2026.
- b. That the development be subject to the review, approval, and ongoing requirements of Nova Scotia Environment and Climate Change (NSECC), including any approvals related to groundwater withdrawal, water supply, and associated monitoring requirements.
- c. That the Developer ensures that onsite sewage disposal systems are constructed to meet the Nova Scotia Department of Environment and Climate Change specifications.

5. USE OF LAND

- a. That the Developer ensures that the use of lands described in Schedule B attached hereto shall be limited to:
 - i) the commercial/ light industrial structure and use shall not exceed a total of 5000 square metres in ground floor area.
 - ii) the commercial/light industrial use shall not generate emissions such as dust, noise, radiation, odours, liquids, or light to the air, water, or ground so as to create a recognized health or safety hazard or to create a nuisance to adjacent uses.
 - iii) the use of the land does not exceed 145 residential units
- b. That the Developer ensures that all structures maintain a minimum setback of 10 metres from the 100 series right of way.

6. SITE ALTERATIONS

- a. That the Developer submit a grading and erosion plan to the satisfaction of the Municipality verifying that storm and drainage patterns are adequate for the subject development so as to avoid flooding, and that stormwater is not directed onto any adjacent property other than road ditches.
- b. That the Developer ensures that any wetland and watercourse alteration is approved by the Nova Scotia Department of Environment and Climate Change.
- c. That the Developer ensures that a Wetland Assessment, prepared by a qualified person, verifies that adequate mitigation measures are in place to ensure that the hydrology function of the wetlands will not be impacted during or post development.
- d. That the Developer ensures the observed Black Ash Trees are adequately protected and the Developer does not breach any prohibitions under the Nova Scotia Endangered Species Act.

7. ROADS AND ACCESS

- a. That all road entrances, and those areas identified for internal traffic movement on the property to be used by the general public be approved by the Nova Scotia Department of Public Works as access from the public road.
- b. That the design and construction of the internal roads and associated drainage be in accordance with the plans submitted by the Developer, as referenced in Schedule 'B'.
- c. That the Developer ensures that all roads, parking areas, and turning around areas for emergency vehicles are maintained and accessible for all-year use.
- d. That the Developer ensures that all traffic signage meet the policies of the Nova Scotia Department of Public Works.
- e. The developer shall ensure that the emergency egress is gated and used for emergency purposes only.

8. FIRE PREVENTION

- a. That all internal roads be designed and constructed to accommodate fire and emergency vehicle access and be in accordance with the plans submitted by the Developer as referenced in Schedule B.
- b. That the Developer ensures that adequate access to water for fire protection purposes is provided by installing retention ponds, dry hydrants or a suitable equivalent.

9. STORMWATER MANAGEMENT

- a. That the Developer submit a Stormwater Management Plan, prepared by a qualified person, to the satisfaction of the Municipality verifying that storm and drainage patterns are adequate for the subject development, including downstream infrastructure, to avoid flooding, and that stormwater is not directed onto any adjacent property or wetland, other than road ditches.
- b. That the Developer ensures the construction, maintenance and operation of Stormwater Management features on the site adhere to the submitted Stormwater Management Plan.

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 shall be deemed substantive in respect of the following and may only be altered by amendment to this Agreement:
 - i. cluster development
 - ii. a maximum groundwater withdrawal of 138,000 litres per day;

- iii. a maximum of 145 residential units; and
- iv. industrial use maximum gross floor area shall not exceed 5,000 square metres.
- v. wetland and watercourse setbacks shall be maintained at or greater than those shown on Schedule B.

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 five (5) years 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 3322429 NOVA SCOTIA LIMITED is the sole owner of the property described in attached Schedule "A".

b. The Developer also certifies that 3322429 NOVA SCOTIA 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:

Per

3322429 NOVA SCOTIA LIMITED

WITNESS

Tim Keith Ramey
PRESIDENT / RECOGNIZED AGENT

Per

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

WITNESS

April Whynot-Lohnes, CLERK

WITNESS

Elsbeth McLean-Wile, MAYOR

PROVINCE OF NOVA SCOTIA
HALIFAX REGIONAL MUNICIPALITY

I CERTIFY that on the _____ day of _____ A.D., 2026,
3322429 NOVA SCOTIA 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., 2026,
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

DRAFT



The Municipality of the District of Lunenburg

Information Report with Motion

Report To: Audit Committee
Submitted By: Elana Wentzell, CPA, CMA, Director of Finance
Date: September 22, 2026
Re: Treasurer Report – 2026 Draft Financial Statements

Recommended Motion

The Audit Committee recommends that Municipal Council approve the Municipality of the District of Lunenburg's Audited Financial Statements for the year ended March 31, 2026.

Introduction

Municipal financial statements report on financial activities and balances. They help ensure accountability, transparency, and assist municipalities with long-term and strategic planning. Financial statements are an important tool for a municipal council and administration to use to report to the taxpayers on the municipal services provided with the resources at their disposal.

Legislative Requirements and Reporting Standards

The Financial Accounting & Reporting Manual (FRAM) is a legislative authority of the Municipal Government Act and requires that every Nova Scotia municipality prepare annual audited financial statements. Each municipality provides a copy to Department of Municipal Affairs, when the municipality submits its annual Financial Information Return (FIR) to the Department.

According to Chartered Professional Accountants (CPA) Canada, municipal financial statements must be prepared in accordance with generally accepted accounting principles for local governments as recommended by the CPA Canada - (PSAB).

Requirements for municipal financial reporting are standardized across Canada and are set out in the Public Sector Accounting Handbook. Municipal financial statements include the reporting

of tangible capital assets. This approach provides a more complete picture of a municipality's financial condition.

Financial statements provide information on a municipality's financial activities and balances for the period. Financial statements also provide information on a municipality's financial position in terms of its assets and liabilities, its net financial resources, accumulated surplus or deficit, and its tangible capital assets and other non-financial assets.

Financial statements reflect the outcomes of activities that create revenue and incur expenses to determine whether the municipality operated in a surplus or a deficit for that period. Financial statements also provide a meaningful summary of the sources, allocation and consumption of municipal economic resources, how the activities of the period have affected the municipality's net debt, how municipal activities were financed, and how cash requirements were met.

Financial statements include a statement of financial position (referred to as the balance sheet in the private sector), a statement of operations (referred to as the income statement in the private sector), a statement of net financial assets, a statement of cash flow, and a statement of changes in net assets (if applicable). Additional supplementary information is provided in schedules and notes to the financial statements.

Early Adoption - Public Sector Accounting Standard Changes

A new Conceptual Framework was issued in the CPA Canada Public Sector Accounting Handbook (PSA Handbook) on December 1, 2022. PS 1202, the new Financial Statement Presentation standard (replaces PS 1201 Financial Statement Presentation), sets out PSAB's new Reporting Model and was approved in March 2023.

Both the Conceptual Framework and the Reporting Model in Section PS 1202 will be effective for fiscal years beginning on or after April 1, 2026. Staff chose to adopt this standard one year early. Prior period amounts were restated to conform to the presentation requirements for comparative financial information.

Municipal Financial Statements

The annual financial statements are prepared in accordance with Canadian standards established by the PSAB. They include:

- comparative figures from the prior year
- a comparison of actual to budget results

Municipal financial statements are prepared on an accrual basis recognizing revenues and expenses when they occur and not necessarily when they are paid. As such, they can provide insight on the cost of decisions that may not need to be funded until a future period.

There are five main components to the financial statements of a municipality:

1. The Consolidated Statement of Financial Position is a statement that reports on:
 - a. Financial and Non-financial Assets – what the municipality owns or controls
 - b. Financial Liabilities – what the municipality owes
 - c. Net Assets – total assets minus liabilities
 - d. Reconciliation of net assets to accumulated surplus or deficit – what remains after the assets have been used to meet the liabilities. These remaining assets will be available to provide services to future period
2. The Consolidated Statement of Operations is a statement that reports on:
 - a. revenues
 - b. expenses
 - c. results for a fiscal year or reporting period (surplus or deficit)
3. The Consolidated Statement of Cash Flow is a statement that provides details on changes in cash and cash equivalents from the previous reporting period by:
 - a. identifying where cash came from
 - b. showing how cash was used
4. The Consolidated Statement of Net Financial Assets is a statement that:
 - a. explains the difference between the financial assets and the financial liabilities
 - b. reports on the financial assets available to provide services in the future and/or settle existing and future liabilities or
 - c. reports on the future financial assets required to settle financial liabilities that have arisen from past transactions or other events.
5. The Consolidated Statement of Changes in Net Assets is not applicable in MODL but is a statement that shows how the accumulated surplus is affected by:
 - a. unrealized changes in the fair value of derivative and equity instruments (investments) at the financial statement reporting date
 - b. annual fluctuations in exchange rates from financial assets or liabilities held in foreign currency reported in Canadian dollars at the financial statement reporting date

Notes and schedules

Supplementary Schedules for municipal financial statements contain additional detailed information for the reader.

The Notes to the Financial Statements contain important information and explanations, some of which may be required by legislation and regulation. The notes highlight various aspects of

the financial statements and provide background information and insight on the impacts of specific values in the financial statements. Many users review the notes before examining the main statements.

Typical notes to financial statements include information on:

- accounting policies
- cash and cash equivalents
- receivables
- equity instruments, derivatives and other investments
- deferred revenue
- employee benefit obligations
- asset retirement obligations
- long-term debt
- tangible capital assets
- commitments and contingencies
- accumulated surplus or deficit

Municipality of the District of Lunenburg Financial Statements

The Municipality's consolidated financial statements are the responsibility of management and have been prepared in compliance with Provincial legislation, and in accordance with the Canadian Public Sector Accounting Standards established by the Public Sector Accounting Board (PSAB) of CPA Canada as previously discussed.

The consolidated financial statements have been audited by Belliveau Veinotte Inc., who have expressed their opinion that these statements present fairly, in all material aspects, the financial position of the Municipality as at March 31, 2026. The Audited Financial Statements included in this reporting package are considered to be in draft until they are approved by Municipal Council.

The Municipality's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

The following discussion refers to specific pages in the Municipality's Financial Statements in your agenda package.

Consolidated Statement of Financial Position (Page 4)

The Consolidated Statement of Financial Position is a balance sheet summarizing the financial assets and liabilities of the Municipality. The statement highlights the difference between the

financial assets including tangible capital assets and liabilities as well as the components of the net assets.

The Municipality was able to invest in assets by leveraging funding from other levels of government and using its own reserves with no capital borrowing. This results in a net asset on this statement that increases the accumulated surplus.

The following table shows the breakdown of accumulated surplus by fund and consolidated entities:

Operating fund	\$ -
Capital fund	59,180,141
Reserve fund	39,637,780
Municipal Joint Services Board	3,528,630
Lunenburg County Multipurpose Corporation	13,614,643
	<u>\$115,961,194</u>

Consolidated Statement of Operations (Page 5)

The Consolidated Statement of Operations provides a summary of the revenues, expenditures and surplus for the fiscal year. The statement consists of the funds for general operations, capital and the Municipality's share of the Lunenburg County Lifestyle Centre.

The Consolidated Statement of Operations shows an annual surplus for fiscal 2026 of \$10,856,573 with a budgeted surplus of \$8,234,775. The variance of \$2,621,788 consists of the following:

- Consolidated revenue variances are actual revenues recorded versus budget that include in overages in deed transfer tax which can be seen assessable property taxes line. There are also a variance in the grants revenue line compared to budget due to grant revenue budgeted for the Centre School demolition project.
- The consolidated expenditure variances are actual expenses recorded versus budget. Significant variances of expenses under budget are Grants, Other Admin Services, Roads & Streets (including NSPW paving partnerships), Planning, Zoning & Economic Development (includes costs for Well Tide building fit-up), Recreation & Cultural Services (including facility maintenance, programs) and Amortization expenses.
- Significant variances of expense over budget include the Centre School contaminated site liability that had to be set up per PSAB rules.

Please see the Variance Statement on the following page:

Description of Variance	Variance Amount	Budget	Actual
Revenue			
Assessable property taxes	\$ 1,246,418	\$ 30,902,500	\$ 32,148,918
Grants in lieu of taxes	17,548	269,600	287,148
Services provided to other governments	23,678	204,200	227,878
Unconditional government transfers	7,528	102,500	110,028
Licenses, permits, fines, rentals & recoveries	23,241	353,800	377,041
Interest, administration & tax sale fees	62,656	2,261,300	2,323,956
Tax sale surplus & other Finance	(8,716)	127,300	118,584
Economic Development grants & VIC	-	6,000	6,000
Sale of Services & other revenues	180,719	343,300	524,019
Open Space & user connection fees	40,346	50,000	90,346
Recreation fees	3,027	79,000	82,027
Sale of Capital Assets/Donated Assets	27,000	-	27,000
Gas Tax revenue & Federal & Provincial Grants	(3,812,868)	12,339,825	8,526,957
Insurance, third party & other municipal units	258,605	-	258,605
LCLC consolidated revenue	1,691	828,802	830,492
Total Revenue	(1,929,128)	47,868,127	45,938,999
Expenditures			
Council & Other Legislative Services	(81,054)	826,400	745,346
Council Approved Contingency	(36,000)	40,000	4,000
Valuation Allowance	165	143,200	143,365
Grants to Organizations	(496,109)	1,388,100	891,991
Other Administrative Services	(437,999)	5,983,600	5,545,601
Protective Services	(22,818)	12,095,100	12,072,282
Roads & Streets	(360,264)	1,600,800	1,240,536
Street Lighting	(3,126)	159,200	156,074
Other Engineering Services	(11,119)	754,800	743,681
Fuel Rebate/cost on Garbage Collection Contract	(99,050)	131,000	31,950
Tipping Fees and other Waste Disposal	(27,246)	3,155,500	3,128,254
Sewage Treatment	(117,651)	1,264,300	1,146,649
Centre School Liability	250,000	-	250,000
Planning, Zoning and Economic Development	(2,189,263)	4,524,100	2,334,837
Recreation & Cultural Services	(505,078)	3,343,200	2,838,122
Depreciation of Capital Assets	(457,396)	2,475,000	2,017,604
Asset Retirement Obligation Expense	(26,865)	50,000	23,135
Write off of Capital Assets	7,432	-	7,432
LCLC consolidated expenditures	62,517	1,699,052	1,761,569
Total Expenditure	(4,550,926)	39,633,352	35,082,426
Surplus (deficit)	\$ 2,621,798	\$ 8,234,775	\$ 10,856,573

Consolidated Statement of Cash Flows (Page 6)

The Statement of Cash Flows reports on the change in cash by showing how the Municipality financed its activities and met its cash requirements throughout the year. The operating annual surplus is affected by non-cash items like amortization, accretion and changes in receivables, payables and liabilities. Capital activities include the purchase and disposal of tangible capital assets. Financing activities include acquisition of and payments on long term debt. Investing activities include investments, loans and advances, and inventory held for sale.

Consolidated Statement of Net Financial Assets (Page 7)

This is the new statement required under the PSAB reporting standard. It explains the difference between the financial assets and the financial liabilities. It reports on the financial assets available to provide services in the future and/or settle existing and future liabilities or future financial assets required to settle financial liabilities that have arisen from past transactions or other events.

The Municipality continues to be in a strong financial position. It has net financial assets of \$41.3 million.

Selected Notes Discussion

Early Adoption of Public Sector Accounting Standards PS 1202 (Pages 12 & 13)

This new note explains the nature of the change, the impact on financial statement presentation, the transitional provisions and summary of reclassifications. The new standard focuses on improving financial statement accountability, transparency and clarity for users. There is also a table that summarizes the quantitative impact of the reclassifications made. Due to the nature of transactions in MODL, the impact was minimal.

Future Accounting Pronouncements (Page 14)

This note explains amendments that will be made to PS 3150 Tangible Capital Assets and PS 3251 Employee Benefits. These changes will be effective in the next 5 years (2030 & 2031). Staff will evaluate the effect on financial reporting as we draw near to the effective dates.

Hospitality and Expenses of Reportable Individuals - Notes 22 & 23 (Page 37)

The Audit Committee must review the annual hospitality and expenses of reportable individuals. Reportable individuals are defined as the Mayor, Councillors and the CAO. Remuneration and all expenses must be reported. Hospitality expenses are expenses incurred while hosting individuals from outside the municipal government for reasons of diplomacy, protocol, business development or promotional advocacy. Examples include: gifts, receptions,

ceremonies, conferences, performances or other group events. The Municipality does not usually have any hospitality expenses and there are none to report in 2025-26.

PSAB Budget Reconciliation – Note 30 (Page 45)

This note has been prepared by staff as required in the new PSAB conceptual framework where Municipal budgets must also conform to the new statement standards effective April 1, 2026.

Municipal Trust Fund Financial Statements (Page 53)

The Trust Fund financial statements are prepared in accordance with the Canadian accounting standards for not-for-profit organizations not PSAB. This determination was made by the Municipal Auditor based on the nature of this non-consolidated fund.

The Municipal Trust Fund includes funds that have been entrusted to the Municipality. Specifically, there are:

1. Burial funds in the amount of \$3,720 held for three residents of Riverview Enhanced Living/Balsam Care (Note 3);
2. School Lands trust in the amount of \$26,227 representing MODL's interest for NGRHS and PVEC (Note 4), and
3. \$1,000,000 for funds donated by Lunenburg County Community Fund (Note 5).

A statement of financial position and accompanying notes are prepared to explain the financial activity in the Trust Fund. The Trust Fund is considered a separate entity and not consolidated in the Municipality's Financial Statements.

Compliance

The Audit Committee must review the municipality's compliance with statutory and regulatory obligations within the Committee's area of responsibility. Reviewing the audited financial statements, annual budget variances, expenses for reportable individuals and hospitality expenses meet this obligation.

As well, staff can report that all mandatory reporting to the Province (Annual Expenditure Report, Capital Investment Plan, and Statement of Estimates), have been or will be submitted before required deadlines. The Province released the Financial Information Return on Sept 8th with a September 30th deadline.

Glossary of Terms

Amortization – the systematic allocation of the historical cost of a tangible capital asset over its useful life.

Accumulated Amortization – the total amortization pertaining to a tangible capital asset from the time the asset was placed into service until the date of the financial statement.

Assets under Construction (Work in Progress) – tangible capital assets under construction at the end of the fiscal year that have not been put into service (e.g., Cookville WWTP upgrades).

Consolidated Financial Statements –statements containing financial information for the municipality and its owned or controlled organizations (e.g., LCLC).

Contributed Assets – assets that have been transferred or donated to the municipality and that will provide a future economic benefit.

Deferred Revenue – income received that will not be recorded as revenue until certain transactions or events take place.

Equity in Tangible Capital Assets – the net book value of recorded tangible capital assets less capital debt.

Expenditure – an outlay of cash, payment or disbursement.

Expense – the cost to the municipality of an activity and can be cash or non-cash cost (e.g., wages, materials, amortization).

Financial Assets – current cash resources plus any items or holdings that are expected to be converted into cash in the future.

Gain or Loss on Sale – proceeds from the sale of a tangible capital asset that are greater than (gain) or less than (loss), the net book value of the asset.

Government Transfers – entitlements, transfers under cost-share agreements, and/or grants from other levels of government.

Net Book Value – the total cost of a tangible capital asset minus the accumulated amortization and any write-down of the asset.

Restricted Surplus – the amount that results from excess revenues that have been internally designated for a specified future purpose or externally restricted, such as by provincial legislation (e.g. Capital Reserve Fund).

Tangible Capital Assets – non-financial assets having a physical substance that are held for use in the supply of goods and services, have economic lives beyond the accounting period, are used on a continuing basis and are not for sale in the ordinary course of operations (e.g. municipal facilities).

Unrealized Gains or Losses – new financial instruments standards require equity investments and derivatives that can be quoted on an active market to be recorded at fair value, with any unrealized gains/losses recorded annually in the statement of remeasurement gains (losses). Once those investments expire or are sold, the unrealized gain or loss becomes realized and is reallocated to the statement of operations.

Unrestricted Surplus – the portion of the accumulated surplus that results from excess revenue and expenses available for any future use.

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

Council
Item 11.1.1
September 22, 2026
Authorization: T. MacEwan



The Municipality of the District of Lunenburg Report

Report To: Mayor & Municipal Council
Submitted By: April Whynot-Lohnes, Municipal Clerk
Date: September 22, 2026
Re: Policy 109 Closure of Certain Public Streets
PIDs 60742368 & 60742376

On September 8, 2026, Council reviewed the new Policy 109 Closure of Certain Public Streets PIDs 60742368 & 60742376 and gave notice of its intent to approve the Policy at the September 22, 2026 Council meeting.

Section 48(1) of the Municipal Government Act states, "Before a policy is **passed**, amended or repealed, the Council shall give at least seven days' notice to all council members". Therefore, in accordance with Section 48(1), Policy 109 Closure of Certain Public Streets PIDs 60742368 & 60742376 will be presented for Council's approval at the September 22, 2026 Council session. The Council meeting of September 8, 2026 was considered Council's notice.

If Council approves the Policy, the following motion would be necessary:

"that Municipal Council approve Policy 109 Closure of Certain Public Streets PIDs 60742368 & 60742376, as presented".

The PIDs have been determined to be surplus. Once this policy is approved, Council can close the street reserves, declare the lands surplus and direct staff to dispose of them. To do so, the following motion is required:

"that Municipal Council declare PIDs 60742368 and 60742376 surplus as required by Policy 065 Divestiture of Surplus Land; and further direct staff to proceed with the disposal of the lands in accordance with Policy 065 and Section 51A of the Municipal Government Act,

following the filing of all required documents with the Land Registration Office by the Municipality's legal counsel".

Report Preparation	
Department	Administration
Report Prepared by	April Whynot-Lohnes, Municipal Clerk
Report Approved by	
Date Reviewed by C.A.O.	

Municipality of the District of Lunenburg

Policy Details	
Name	Closure of Certain Public Streets - PIDs 60742368 and 60742376
Number	109
Legislative Authority	Municipal Government Act section 315
Effective Date	

Purpose

- 1 It will be the policy of the Municipality of the District of Lunenburg to permanently close any street or part of a street, in accordance with the Municipal Government Act.

Policy

- 2 Council for the Municipality of the District of Lunenburg will close to public use the public streets identified as:

PID 60742368 being an undeveloped public street reserve shown and described, as lot 100, on a Plan of Subdivision prepared by Nathan E. Hughes, Nova Scotia Land Surveyor, dated March 20, 2026, and filed in the Lunenburg County Land Registration Office as plan number 127596089.

PID 60742376 being an undeveloped public street reserve shown and described, as lot 101, on a Plan of Subdivision prepared by Nathan E. Hughes, Nova Scotia Land Surveyor, dated March 20, 2026, and filed in the Lunenburg County Land Registration Office as plan number 127596089.

- 3 The portions of the public streets described above will cease to form part of the public street system of the Municipality of the District of Lunenburg, all rights of public users therein will be forever extinguished, and the Municipality may sell and convey the said lands.

Policy Adoption	
Date of Original Passage	
Date of Notice of Intent to Amend/Repeal/Consider	
Date of Council Approval	

Date of Effective Date (if different from approval date)	
I certify that this Policy 109 was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Effective Date
Original V1	Policy 109 Closure of Certain Public Streets - PIDs 60742368 and 60742376	

Proposed

Council
Item 11.2.3
September 8, 2026
Authorization: T. MacEwan



The Municipality of the District of Lunenburg

Request for Decision

Report to: Council

Submitted by: Jeff Merrill, LPP, MCIP, Director of Planning & Development Services

Date: September 8, 2026

Re: Policy 109 - Closure of Certain Public Streets - PID 60742368 and 60742376

Recommendation

That Council:

- 1) Give notice to all Council members that proposed Policy 109, Closure of Certain Public Streets - PID 60742368 and PID 60742376 will be presented to Council for approval at the September 22, 2026 Council meeting;
- 2) Declare the lands surplus to municipal requirements; and
- 3) Direct staff to dispose of the lands in accordance with the Municipality's Divesture of Surplus Land Policy (065) and Section 51A of the Municipal Government Act.

Background

The Municipality owns two undeveloped public street reserves located along Meldrum Avenue and Concordia Drive:

PID 60742368, shown as Lot 100; and

PID 60742376, shown as Lot 101 on Plan No. 127596089, see Appendix A.

These street reserves were created through the subdivision approval process to satisfy the adjacent access requirements of the Subdivision By-law, which requires road access points every 400 metres where future development of adjacent lands may occur.

Discussion

Council has adopted a policy of not automatically accepting new municipal public streets into the municipal road network. Proposals for new public streets are reviewed by Council to ensure that future maintenance and life cycle costs are financially sustainable.

The owner of the adjacent property is proposing a residential development and needs to subdivide the lands as part of the development. To subdivide the land, the property must have frontage on a maintained public street or an approved and constructed private designed road. The property owner is interested in acquiring the street reserves to construct a private designed road that will satisfy the access requirements of the Subdivision By-law for the proposed development.

Street closures are governed by Section 315 of the Municipal Government Act (MGA). Under Section 315, Council may close a public street or part of a public street by policy. Normally, a public hearing is required before adopting such a policy.

However, clauses 315(1A)(b)(i) and (ii) of the MGA, allow Council to close part of a street without holding a public hearing where:

the lands are determined by the engineer to be surplus; and
the value of the land is less than \$50,000.

The subject parcels are both undeveloped municipal street reserves and have been declared surplus by the Municipal Engineer. A review of the properties indicates that their value is less than \$50,000, meeting the requirements of Section 315(1A)(b) of the MGA.

Once the street reserves are closed, all public rights of use are extinguished and the Municipality may dispose of the lands in accordance with the MGA.

The Municipality's Divestiture of Surplus Land Policy (065) establishes the process for the sale of municipal property that is no longer required for municipal purposes. Before lands can be sold, Council must declare them surplus, Policy 065 section 5(1) and decide on the method of divestiture, Policy 065 section 6(1). Policy 065 clause 6(1)(d) enables Council to sell lands to an abutting landowner under Section 51A of the MGA. MGA Section 51A states "where a municipality holds land that is of insufficient size or dimensions to be capable of any reasonable use, in the opinion of the council, all or part of the land may be sold to the owner of any lot abutting that land..."

The subject parcels are narrow street reserves that have no practical municipal purpose once closed and are not suitable for independent development. The adjacent property owner has expressed an interest in acquiring the lands to provide access to a proposed residential development. Staff recommend that Council declare the lands surplus and direct staff to

proceed with their disposal in accordance with the Municipality's Divesture of Surplus Land Policy (065) and Section 51A of the MGA.

Strategic Focus

The proposed street closure supports Council's strategic priority of responsible growth and development by facilitating residential development while avoiding the expansion of the municipal road network and its associated long-term maintenance obligations.

Budget/Financial Implications

There are no direct budget impacts associated with the street closure. Disposal of the lands may result in revenue to the Municipality and will eliminate any future expectation that the Municipality develop or maintain the lands.

Climate Change/sustainability

n/a

Inclusion, Diversity, Equity and Accessibility (IDEA@MODL)

n/a

Strategic Communications

n/a

Work plan

Staff will complete the required legal and administrative processes associated with the closure and subsequent disposal of the lands, if approved.

Alternatives

1. Approve Policy 109, declare the lands surplus and direct staff to dispose of the lands in accordance with the Municipality's Divesture of Surplus Land Policy (065) and Section 51A of the Municipal Government Act.
2. Decline to approve Policy 109, resulting in the street reserves remaining municipal public streets. Note the adjacent property owner would not be able to subdivide their property unless they construct municipal public roads in the street reserves.
3. Defer consideration of the policy and request additional information from staff.

Conclusion

The subject properties are undeveloped street reserves that have been determined by the Municipal Engineer to be surplus to municipal needs. As the parcels meet the requirements of Section 315(1A)(b) of the Municipal Government Act, Council may approve Policy 109 to close the street reserves, declare the lands surplus, and direct staff to dispose of them in accordance with the Municipality's Divesture of Surplus Land Policy (065) and Section 51A of the Municipal Government Act.

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

Municipality of the District of Lunenburg

Policy Details	
Name	Closure of Certain Public Streets - PIDs 60742368 and 60742376
Number	109
Legislative Authority	Municipal Government Act section 315
Effective Date	

Purpose

- 1 It will be the policy of the Municipality of the District of Lunenburg to permanently close any street or part of a street, in accordance with the Municipal Government Act.

Policy

- 2 Council for the Municipality of the District of Lunenburg shall close to public use the public streets identified as:

PID 60742368 being an undeveloped public street reserve shown and described, as lot 100, on a Plan of Subdivision prepared by Nathan E. Hughes, Nova Scotia Land Surveyor, dated March 20, 2026, and filed in the Lunenburg County Land Registration Office as plan number 127596089.

PID 60742376 being an undeveloped public street reserve shown and described, as lot 101, on a Plan of Subdivision prepared by Nathan E. Hughes, Nova Scotia Land Surveyor, dated March 20, 2026, and filed in the Lunenburg County Land Registration Office as plan number 127596089.
- 3 The portions of the public streets described above shall cease to form part of the public street system of the Municipality of the District of Lunenburg, all rights of public users therein shall be forever extinguished, and the Municipality may sell and convey the said lands.

Policy Adoption	
Date of Original Passage	
Date of Notice of Intent to Amend/Repeal/Consider	
Date of Council Approval	

Date of Effective Date (if different from approval date)	
I certify that this Policy 109 was adopted by Municipal Council as indicated above.	
Signature of Municipal Clerk	Date

Version	Amendment Description	Effective Date
Original V1	Policy 109 Closure of Certain Public Streets - PIDs 60742368 and 60742376	

APPENDIX A - Plan No. 127596089
Street Reserve Lots 100 and 101

MASS (CSRS) 2010.0 3° MTM
CENTRAL MERIDIAN 64° 30'W

APPROVAL STAMPS

MUNICIPALITY OF LUNENBURG
SUBDIVISION APPLICATION NUMBER
U-52026-024
FINAL

THIS FINAL PLAN OF SUBDIVISION IS APPROVED FOR
LOT(S) LOTS 100, 101 & 43A-R

ENDORSED Nathan Hughes
(DEVELOPMENT OFFICER)

DATE MAY 27, 2026

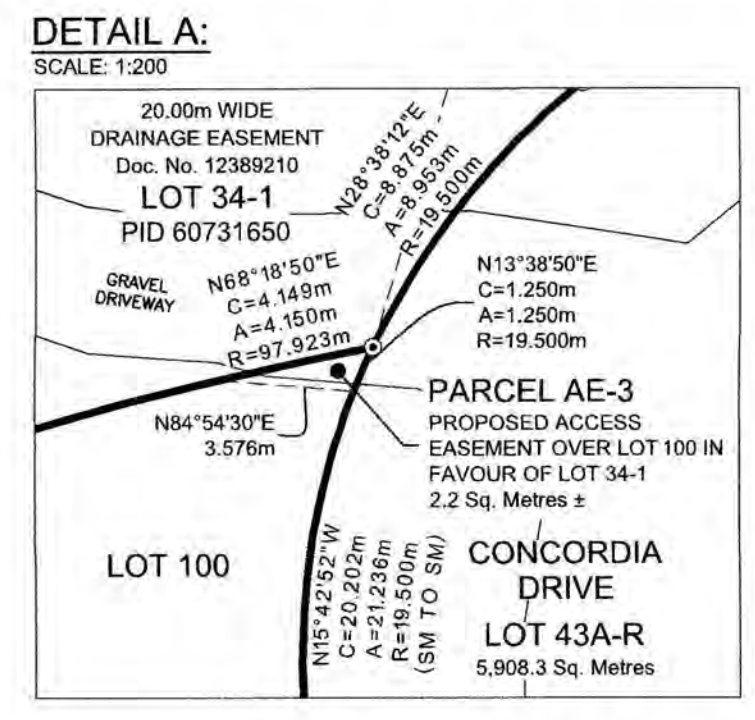
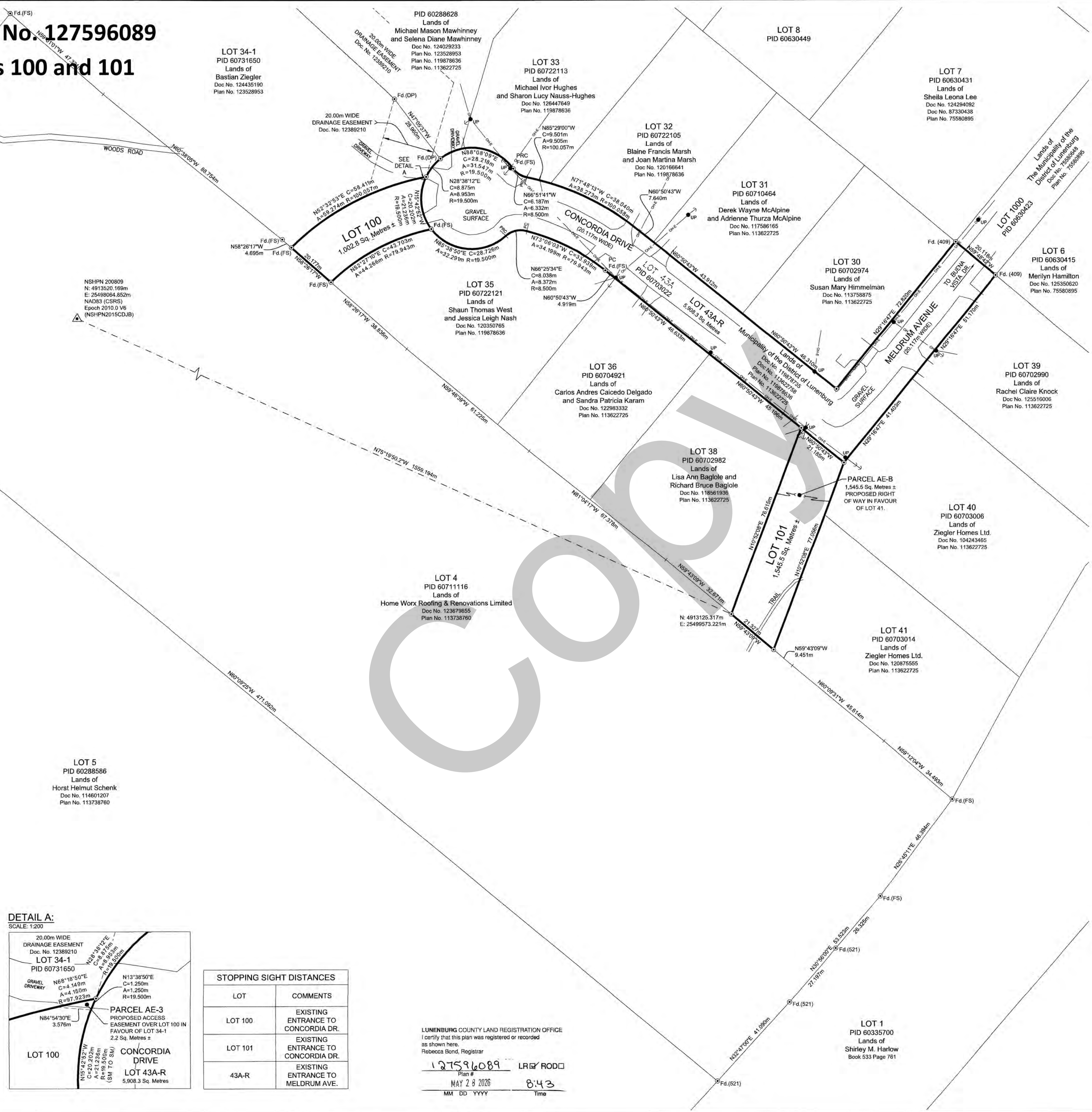
The following roads are owned and maintained
by the Municipality of the District of Lunenburg:
Melrum Avenue
Concordia Drive

Access to the Public Road(s) as shown, has been
approved for the lots created by this final plan of
subdivision, and any conditions which apply are
contained in a report dated Apr 1, 2026, and
available from the authority having jurisdiction
for the Public Roads.

“IMPORTANT NOTICE”
Lots 100, 101 & 43A-R (as, have) been created for
a purpose which does not require an on-site sewage
disposal system and will not be eligible for a permit
to install a system unless the requirements of
Nova Scotia Environment are met.

LUNENBURG COUNTY LAND REGISTRATION OFFICE
I certify that this is a true copy of a plan registered, recorded or filed
in the office named above or for the registration district of

Plan # 127596089
Reg. Date MAY 28 2026
Cert. Date MAY 28 2026
Rebecca Bond, Registrar



STOPPING SIGHT DISTANCES	
LOT	COMMENTS
LOT 100	EXISTING ENTRANCE TO CONCORDIA DR.
LOT 101	EXISTING ENTRANCE TO CONCORDIA DR.
43A-R	EXISTING ENTRANCE TO MELDRUM AVE.

LUNENBURG COUNTY LAND REGISTRATION OFFICE
I certify that this plan was registered or recorded
as shown here.
Rebecca Bond, Registrar

127596089 LR ROD
Plan #
MAY 28 2026
MM DD YYYY
Time 8:43

KEY PLAN
SCALE 1 : 25,000

LEGEND:

LANDS DEALT WITH BY THIS PLAN
OTHER LANDS
CALCULATED THE LINE
EASEMENTS
OVERHEAD WIRE
NOT TO SCALE
NOVA SCOTIA HIGH PRECISION NETWORK MONUMENT
PLACED SURVEY MARKER
FOUND SURVEY MARKER
UTILITY POLE
GUY WIRE
RADIUS ; ARC ; CHORD
FOUND
ROBERT C. BECKER, NSLS #521
DESIGNPOINT ENGINEERING & SURVEYING LTD.
FOGARTY SURVEYS INC.
UNIDENTIFIED ORIGIN

COORDINATE SYSTEM INFORMATION

GNSS SURVEY TYPE: NRTK	SOURCE: CAN-NET
HORIZONTAL DATUM: NAD83 (CSRS)	EPOCH: 2010.0 VELOCITY MODEL: V6
PROJECTION: 3° MTM	ZONE: 5 CENTRAL MERIDIAN: 64°30'W
REFERENCE MONUMENT: NSHPN 200809	
N: 4913520.169m	E: 25498064.852m
ADJUSTMENT ID: NSHPN2015CDJB	
COMBINED SCALE FACTOR: 0.999891	VALUES: GRID (METRIC) UNADJUSTED
FIELD SURVEYS WERE CARRIED OUT BETWEEN JANUARY 16, 2025 AND MARCH 19, 2026.	

NOTES:

1. LOT IDENTIFIER 100, 101 AND 43A-R ORIGINATE WITH THIS PLAN.

2. FINAL APPROVAL IS REQUESTED FOR LOT 100, LOT 101 AND 43A-R.

SURVEYOR'S CERTIFICATE

I, NATHAN E. HUGHES, NOVA SCOTIA LAND SURVEYOR, HEREBY CERTIFY THAT
THE SURVEY REPRESENTED BY THIS PLAN WAS CONDUCTED UNDER MY
SUPERVISION AND THAT THE SURVEY AND PLAN WERE MADE IN ACCORDANCE WITH THE
LAND SURVEYORS ACT, REGULATIONS AND STANDARDS MADE THEREUNDER.

DATED THIS 20TH DAY OF MARCH, 2026

NATHAN E. HUGHES, NSLS

OF NOVA SCOTIA
LAND SURVEYORS
No. 80576

DESIGNPOINT
engineering • surveying • solutions

Plan of Subdivision Showing
LOT 100 and LOT 101, and LOT 43A-R
Being a Subdivision of
LOT 43A
Lands of
MUNICIPALITY OF THE DISTRICT OF LUNENBURG

CONCORDIA DRIVE, MELDRUM AVENUE
CONQUERALL BANK
COUNTY OF LUNENBURG
PROVINCE OF NOVA SCOTIA

15 0 15 30 60
Scale: 1:750 (Metric)

DATE: MARCH 20, 2026

DWG NO: 24-389-SV-1
PLOT SIZE: 594.00mm X 841.00mm



The Municipality of the District of Lunenburg

Request for Decision

Report to: Mayor and Municipal Council

Submitted by: Ella Gindi, Planner II

Date: September 22, 2026

Re: Capital Funding: Demand Responsive Transit Vehicles
and Equipment Procurement

Recommendation

“That Municipal Council authorize a contribution of up to \$600,000 to Lunenburg County Wheels (LCW) Express from the approved capital budget for the procurement of three accessible transit vans and associated capital equipment required for the implementation of the Demand Responsive Transit service”.

Background

The Municipality is working with Lunenburg County Wheels (LCW) on the implementation of a Demand Responsive Transit (DRT) service. Under the proposed partnership, the Municipality would provide capital and annual operating funding, while LCW would be responsible for the day-to-day operation of the service, including staffing, dispatching, trip scheduling, customer service, fleet operations and vehicle maintenance.

The proposed service is intended to operate with two accessible transit vans in regular service and a third van available as standby. The standby vehicle would support service continuity during scheduled maintenance or mechanical breakdowns and could also be used when additional capacity is required.

Council has approved a capital budget of \$600,000 for the implementation of a transit service.

Discussion

Staff have been in discussion with accessible vehicle providers and received preliminary pricing of approximately \$170,000 per accessible transit van. With the additional vehicle equipment included, the estimated cost is approximately \$185,000 per vehicle.

Following discussions with Lunenburg County Wheels (LCW), staff are proposing that LCW purchase three new accessible transit vans. Since LCW will operate and maintain the service, it makes sense for LCW to select vehicles that meet its operational needs and are consistent with the types of vehicles its staff are familiar with. Smaller accessible transit vans are considered more appropriate for the proposed service because they are accessible, better suited to rural roads, and have lower operating and maintenance requirements than larger buses. They also better align with LCW's current driver's licensing requirements.

In addition to the vehicles, other equipment will be required to support the service, including:

- security and/or vehicle camera systems;
- bike racks;
- winter tires and rims;
- iPads and
- other vehicle and operational equipment needed to put the service into operation.

Procurement

The Municipality will not directly purchase the vehicles or associated vehicle equipment. Instead, staff is recommending that council provide a grant to LCW for the value needed to purchase three accessible transit vans and related equipment, and LCW will carry out the procurement.

LCW intends to obtain quotes from three specialized accessible vehicle suppliers: Move Mobility, Overland and Malle. LCW will review the quotes and select the vehicles and equipment that best meet the needs of the service.

Strategic Focus

The proposed Demand Responsive Transit service supports Council's Quality of Life, Affordability & Social Inclusion strategic priority by improving access to transportation for residents who may not have access to a private vehicle, including seniors, youth, persons with disabilities and lower-income residents. It will improve connections to employment, healthcare, shopping, recreation, and other essential services. The proposed service is specifically intended to connect rural communities with key destinations such as South Shore Regional Hospital,

Osprey Village, commercial areas, employment centres and community services. The initiative also supports Regional Economic Development by improving access to employment and services and providing transportation infrastructure that supports future growth.

Budget/Financial Implications

Council approved a \$600,000 capital budget for the purchase of buses. From this budget, it is proposed that the Municipality provides LCW with the funding required to purchase three accessible transit vans and associated vehicle equipment, including security cameras, bike racks, iPads and winter tires.

Climate Change/sustainability

The service supports Council's Climate Change Action priority by providing an alternative transportation option and establishing a more efficient shared transportation service within the Municipality

Inclusion, Diversity, Equity and Accessibility (IDEA@MODL)

Accessibility is a key consideration in the proposed service. The vehicles will be accessible and capable of accommodating passengers using wheelchairs and other mobility devices. The service is also intended to reduce transportation barriers for residents who may have limited access to a private vehicle, including seniors, youth, persons with disabilities, and lower-income residents. Passengers will be able to book trips through an app, online or by telephone, ensuring that residents without smartphones or reliable internet access can use the service.

Strategic Communications

A communications and promotional campaign will be developed prior to the launch of the DRT service to inform residents about the service area, operating hours, booking options, and how to use the service. Communications will be coordinated with LCW and will use multiple communication channels to reach residents throughout the service area.

Work plan

Implementation of the DRT service will require continued staff time to finalize the partnership with LCW, coordinate capital funding, support service implementation and communications, and establish processes for monitoring the service.

Alternatives

1. Council could direct the Municipality to procure the vehicles and equipment directly rather than providing capital funding to LCW. This option would require the Municipality to undertake the applicable municipal procurement process.

Conclusion

Providing capital funding directly to LCW will allow the organization responsible for operating the DRT service to procure vehicles and equipment that meet its operational and accessibility requirements. The proposed capital contribution of up to \$600,000 provides sufficient flexibility for LCW to procure three accessible transit vans and the associated equipment necessary to establish the service, while ensuring that the Municipality's contribution is limited to the actual eligible capital costs incurred.

Report Preparation	
Department	Planning and Development Services
Report Prepared by	Ella Gindi, Planner II
Report Approved by	Jeff Merrill, LPP, MCIP, Director
Date Reviewed by C.A.O.	



Memorandum

To: Mayor & Council

From: Alan Howell, LPP, MCIP – Deputy Director of Planning

Date: September 22, 2026

Re: Proposed Amendments to the Subdivision By-law

Recommendation:

- That Council refer the proposed Subdivision By-law amendments to the Planning Advisory Committee for review and recommendation to Council at its October 22, 2026 meeting.
- That Council direct staff to schedule a Public Information Session regarding the proposed Subdivision By-law amendments (By-law 036A - Subdivision By-law Amendment) in accordance with Policy 066, Public Engagement Policy.

Issue:

Several amendments to the Municipality of the District of Lunenburg's Subdivision By-law are required to implement recently adopted policies adopted as well to ensure consistency in definitions between the Municipal Planning Strategy (MPS) and the Subdivision By-law (SUB).

Background:

- The new MPS for MODL came into effect on July 14, 2026, and was adopted by Council on July 29, 2026.
- The MPS contained several policies that require amendments to the SUB to operationalize these policies.

- o Policy AGR-3 – to minimize fragmentation of existing active farmlands through limiting the number of lots through subdivision.
- o Policy LUD-1 – Requiring rezoning to Rural Residential (RR) where a residential development includes six or more lots at once or within a five-year period, and an internal road or shared driveway and is intended primarily for residential purposes.
- o LUD-34 - Prohibiting new public and private road construction within the Protected Watershed Two (PW-2) zone.
- As per MODL Policy 066, Public Engagement Policy prior to bringing a matter dealing with an amendment to the Subdivision By-law a Public Information Session must be held.

Process Timeline:

- September 22nd – Council Meeting - Council directs staff hold a Public Information Session & bring the proposed amendments to PAC.
- October 5 – 16 – Public Information Session held regarding proposed amendments.
- October 22nd - PAC meeting held on subdivision amendments.
- TBD – 1st Reading of By-law 036A - Subdivision By-law Amendment

Request for Agenda Items under Mayor's/Deputy Mayor's/Councillors' Matters

TO: Chief Administrative Officer
FROM: Wendy Oickle
DATE: 2026-09-16

1. Agenda Item
Permission from council to attend Financial Management for Elected Officials Workshop

2. On what agenda do you want the item placed?
Council meeting

3. Do you have written material to circulate with the agenda? Yes ☐ No ☒

If you do, please attach it to this form. If you do not, please explain.

Date: Wednesday, October 21, 2026 in Truro, NS, in person

Budget- as of end of June I still have within my councillor budget the money

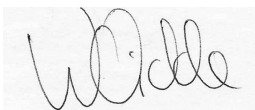
4. What is its relevance to Council or the committee?

a practical, skills-based workshop designed to strengthen the financial knowledge and decision-making skills of municipal councillors Even though this is my second term I would like to further my knowledge and understanding of municipal financial matters, this is an important part of my responsibility to my residents.

5. What outcome(s) are you seeking?

The Policy provides that for Council members to get reimbursed for attendance at courses, a written request has to be made to Council Please consider this my written request to council.

I hope that you will grant my request to attend this workshop. Thank you



Councillor's Signature

2026-09-16

Date

Approval for agenda: Yes ☐ No ☐

Reason for Denial:

Mayor or Chair of Committee

Date