

TOWN OF LUNENBURG  
**COUNCIL MEETING AGENDA**  
Tuesday, March 12, 2024 | 6 pm  
Lunenburg Town Hall – Council Chamber  
120 Townsend Street



**NOTICE:** Council meetings are open to the public and held in Town Hall. **Please use the back entrance at 120 Townsend Street.**

The public can also watch meetings through Zoom. To livestream this meeting starting at 6 pm, use this Zoom link: <https://us06web.zoom.us/j/88956545878>

Meeting recordings are also available on the Town's [YouTube](#) channel.

**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

This meeting takes place in the traditional and ancestral territory of the Mi'kmaq people. We are all Treaty people.

**3. APPROVAL OF AGENDA**

3.1 March 12, 2024 Council Meeting Agenda

**Recommendation:** That Council approve the agenda for the March 12, 2024 meeting as presented.

**4. APPROVAL OF MINUTES**

4.1 February 27, 2024 Council Meeting Minutes

**Recommendation:** That Council approve the February 27, 2024 meeting minutes as presented.

**5. PUBLIC INPUT AND QUESTIONS – 20 MINUTES**

- Each person is limited to 3 minutes
- Each person must state their name
- Questions or comments are directed to the Chair

**6. PRESENTATIONS**

6.1 Why Non-Market Housing Options Matter – South Shore Housing Action Coalition

6.2 Harbour View Haven Project Update – Meg Sampson & Donna Hoar

**7. CORRESPONDENCE**

7.1 Coastal Protection Action Plan – Government of Nova Scotia

**8. PUBLIC HEARINGS, PUBLIC INFORMATION MEETINGS AND APPEALS**

## **9. BUSINESS ARISING AND UNFINISHED BUSINESS**

### **9.1 Civic Square Compatibility and Accessibility Project**

**Recommendation:** That Council direct Staff to work with Vigilant and Mills & Wright on refining Concept 3: Working with the Natural Landscape for the Civic Square Compatibility and Accessibility Project based on feedback from the disability community.

## **10. NEW BUSINESS**

### **10.1 Temporary Borrowing Resolution**

**Recommendation 1:** That Council read out and approve the Temporary Borrowing Resolution as presented in Schedule 1.

**Recommendation 2:** That Council read out and approve the resolution authorizing the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance as presented in Schedule 2.

### **10.2 2024 Municipal Election**

**Recommendation 1:** That Council approve conducting a paperless election for the October 19, 2024 Municipal Election.

**Recommendation 2:** That Council approve using the List of Electors from Elections Nova Scotia as the Preliminary List of Electors for the 2024 Municipal Election.

**Recommendation 3:** That Council delegate its authority to appoint assistant returning officers to the Municipal Clerk to allow the clerk to appoint one or more assistant returning officers to assist the returning officer and act in their absence.

**Recommendation 4:** That Council delegate its authority to establish, modify, and amend the tariff of fees and expenses for the costs of the 2024 municipal election, as well as to outline a procedure for the submission and verification of accounts payable to the Municipal Clerk.

### **10.3 Amendment: By-law to Repeal Certain By-laws – 1<sup>st</sup> reading**

**Recommendation:** That Council approve first reading of the Amended By-law to Repeal Certain By-laws as presented.

### **10.4 Special Events Policy – Notice**

**Recommendation 1:** That Council give notice to approve the Special Events Policy as presented.

Recommendation 2: That Council give notice to repeal the Annual Town Parade Approval Procedure Policy.

Recommendation 3: That Council approve first reading of the amended Public Places By-law, By-law #55, as presented.

**11. NOTICES OF MOTION, INFORMATION REQUESTS AND COUNCILLOR REPORTS**

11.1 Lilydale Four-Way Stop Safety Concerns – Notice provided by Councillor Mosher on Feb. 27, 2024

Recommendation: That Council direct staff to contact the Department of Transportation to express safety concerns about the four-way stop in Lilydale.

**12. MOTION ACTION LIST**

**13. IN CAMERA**

**14. ADJOURNMENT**

TOWN OF LUNENBURG  
**COUNCIL MEETING MINUTES**

February 27, 2023 | 6 pm

Lunenburg Town Hall – Council Chamber and virtually through Zoom



**Present** Mayor Jamie Myra, Deputy Mayor Stephen Ernst, Councillors Ed Halverson, Jenni Birtles, Peter Mosher and Susan Sanford

**Absent** Councillor Melissa Duggan

**Also present** Jamie Doyle, CAO  
Lisa Dagley, Director of Finance  
Tyson Joyce, Director of Public Works  
Hilary Grant, Director of Community Development  
Michael Best, Communications Manager  
Kayla Byrne, Municipal Clerk

**Call to Order** The meeting was called to order at 6 p.m.

**Land acknowledgment** The Mayor recognized Lunenburg’s location on the unceded territory of the Mi’kmaq people.

**Approval of Agenda** Moved by Councillor Birtles, seconded by Councillor Sanford, that Council approve the agenda for the February 27, 2024 meeting as presented.

**Motion carried unanimously**

**Approval of Minutes** Moved by Councillor Mosher, seconded by Councillor Birtles, that Council approve the January 23, 2024 meeting minutes as presented.

**Motion carried unanimously**

**Public Input and Questions** Gayle Zaunscherb provided more information for agenda item 10.5 Municipal Planning Strategy and Land Use By-law Amendment Application: Wolff Avenue – Adams Street Parking.

Thom Barclay provided comments and asked various questions about the proposed development of Blockhouse Hill.

Paula Rennie provided comments and asked various questions about the proposed development of Blockhouse Hill.



Allison Strachan commented on several municipal matters, including the renaming of Cornwallis Street, the spelling of Sylvia/Silvia Park, and inquired about archeologist initiatives for Blockhouse Hill.

Quarterly Police Report	<p>Council received a quarterly report from the Lunenburg County RCMP, highlighting staff updates and calls for services.</p> <p>Cpl. Leggett indicated they will provide further details regarding an inquiry on the possibility of an increase in crime statistics. It was also noted that the RCMP is preparing for their annual meeting with the regional Chief Administrative Officers to help set community priorities</p>
Cornwallis Street Renaming	Council received two letters concerning the renaming of Cornwallis Street.
Vulnerable Persons Registries Response	Council received a response from the Department of Municipal Affairs and Housing concerning a request to create a provincial vulnerable persons registry.
Burg Classic Sponsorship	Council received, for information, the Burg Classic Sponsorship Package.
REMO Operating Budget	<p>Concerning a recommendation from the REMO Advisory Committee, Council made the following motion:</p> <p>Moved by Councillor Sanford, seconded by Councillor Mosher, that Council approve the core budget of \$410,418 for the 2024/25 Regional Emergency Management Organization (REMO) operating budget and the Town of Lunenburg's portion of \$21,511.51, as recommended by the REMO Advisory Committee.</p> <p style="text-align: right;"><b>Motion carried unanimously</b></p>
Old Town Lunenburg HCD Plan and By-law	<p>Moved by Councillor Mosher, seconded by Deputy Mayor Ernst, that Council approve a second reading of the Old Town Lunenburg Heritage Conservation District Plan and By-law as presented (Attachment A).</p> <p style="text-align: right;"><b>Motion carried unanimously</b></p>
Water Quality Test Results	Council received potable and wastewater quality test results for July – September 2023.

Marketing Levy  
By-law

Moved by Councillor Mosher, seconded by Councillor Birtles, that Council direct staff to bring forward a draft Marketing Levy By-law for first reading.

**Motion carried unanimously**

Source Water  
Protection  
Advisory  
Committee

Moved by Councillor Mosher, seconded by Councillor Halverson, that Council adopt the Source Water Protection Advisory Committee's Terms of Reference as presented (Attachment A).

**Motion carried unanimously**

Moved by Deputy Mayor Ernst, seconded by Councillor Halverson, that Council appoint Councillor Mosher and Councillor Sanford to serve as the Town's representatives on the Source Water Protection Advisory Committee.

**Motion carried unanimously**

Moved by Councillor Sanford, seconded by Councillor Birtles, that Council add one NSCC Natural Resources Environmental Technology representative as an ex-officio non-voting Source Water Protection Advisory Committee member.

**Motion carried unanimously**

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council appoint MODL Councillor Chasidy Veinotte to serve as MODL's representative on the Source Water Protection Advisory Committee.

**Motion carried unanimously**

MPS/LUB  
Amendment:  
Wolff Avenue –  
Adams Street  
Parking

Moved by Councillor Halverson, seconded by Councillor Mosher, that Council direct staff to work on a proposed amendment to the Land Use By-law (LUB) to enable up to five on-site parking spaces in front yards.

**Motion carried unanimously**

Moved by Councillor Halverson, seconded by Deputy Mayor Ernst, that Council direct Staff to work on proposed Municipal Planning Strategy and Land-Use By-law amendments to require on-site parking upon the completion of the Parking and Traffic Study.

**Motion carried unanimously**

MPS/LUB Amendment: Rezoning	Moved by Councillor Sanford, seconded by Deputy Mayor Ernst, that Council direct staff to work towards amending the Municipal Planning Strategy and Land Use By-law to redesignate PID 60052495, PID 60052503 (rear and front portion), PID 6005251, PID 60052529, PID 60052537, PID 60052552, PID 60487857, PID 60052586, and PID 60052594 to Residential (RES) and rezone them Lower Density Residential (RL).				
	<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">FOR</td> <td style="width: 50%;">AGAINST</td> </tr> <tr> <td>5 Councillors</td> <td>1 Councillor (Councillor Mosher)</td> </tr> </table> <p style="text-align: right;"><b>Motion carried</b></p>	FOR	AGAINST	5 Councillors	1 Councillor (Councillor Mosher)
FOR	AGAINST				
5 Councillors	1 Councillor (Councillor Mosher)				
Alternative Voting By-law	Moved by Councillor Mosher, seconded Councillor Birtles, that Council approve first reading of the Alternative Voting By-law as presented. <p style="text-align: right;"><b>Motion carried unanimously</b></p>				
Election Deposit By-law	Moved by Councillor Mosher, seconded by Councillor Halverson, that Council approve first reading of the Election Deposit By-law as presented. <p style="text-align: right;"><b>Motion defeated unanimously</b></p>				
Councillor Reports and Notices of Motion.	<p>A motion to direct staff to prepare an information report on processes to remove a councillor for appointed roles was moved but not seconded. Therefore, no vote was held.</p> <p>Councillor Halverson inquired about follow-up actions after the Government of Nova Scotia announced that it would not proceed with the Coastal Protection Act. Staff confirmed this topic will be further discussed with the other CAOs and the region's Councils, and updates will be provided to Council as they become available.</p> <p>Councillor Mosher presented the following notice of motion: That Council direct staff to contact the Department of Transportation to express safety concerns about the four-way stop in Lilydale. This motion will return for Council's consideration at its next meeting.</p>				
Motion Action List	Council received the motion action list.				
Recess	Mayor Myra called a recess at 7:30 p.m.				
In Camera	Moved by Councillor Birtles, seconded by Councillor Sanford, that Council move in camera at 7:43 p.m. to discuss agenda items 13.1				

Contract Negotiations and 13.2 Acquisition, sale, lease and security of municipal property per the Municipal Government Act.

**Motion carried unanimously**

Revert to Open Session

Council reverted to open session at 7:56 p.m. and made the following motion:

Moved by Councillor Mosher, seconded by Councillor Sanford, that Council approve the extension of the Curbside Waste Collection Services Contract with GE's All Trucking Limited for fiscal 2024/25 and 2025/26.

**Motion carried unanimously**

Adjournment

There being no further business, the February 27, 2024 Council meeting adjourned at 7:57 p.m.

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The minutes were read and approved.



Why Non-Market  
Housing Options  
Matter...  
*and what  
municipalities can do*

South Shore  
Housing  
Action  
Coalition

[sshousingaction@gmail.com](mailto:sshousingaction@gmail.com)

<http://sshac.ca>

# Building Understanding: Non-Market Housing

1. About South Shore Housing Action Coalition (SSHAC)
2. About Housing
3. Why Non-Market Housing Options Matter
4. Community Dynamics
5. Housing Spectrum in Lunenburg
6. Affordability: 30% of Income or Less
7. Housing Experience
8. Opportunity: Non-Market Housing

“Building awareness and facilitating action on the need for improved access to healthy, safe, and affordable housing options for all in Lunenburg and Queens Counties”

South Shore Housing Action Coalition

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# Housing...

- *IS A HUMAN RIGHT*
- *Is essential to the health and sustainability of a community*
- *Options across housing spectrum are needed*
- *Needs are fluid and dynamic throughout the lifespan*



# Why Non-Market Housing Options Matter

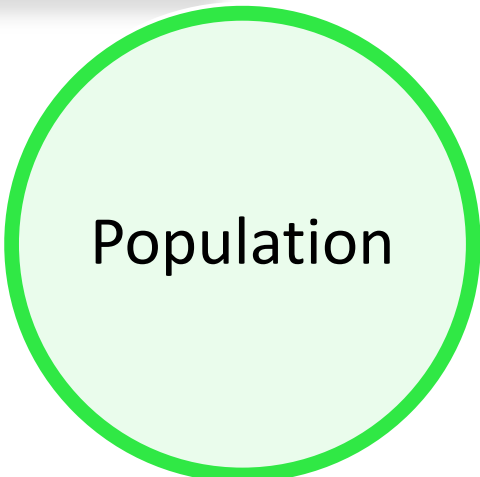


# Community Dynamics



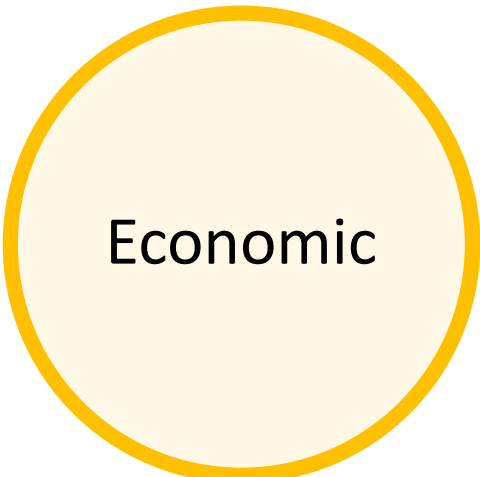
Housing

Market Driven  
Availability  
Accessibility  
Affordability  
Suitability  
Rental vs. Ownership



Population

Growth  
Demographic Changes  
Diversity  
In/out migration



Economic

Cost of living  
Funding Opportunities  
Municipal Fiscal  
Responsibilities  
Workforce Housing

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**“89% of rental housing stock is privately owned and operated in Nova Scotia.”**

*- Dr. Levitan-Reid,  
extrapolated data from  
Statistics Canada*



## The Housing Spectrum in Lunenburg

# Affordable Shelter Costs based on 30% of Income

Affordable Shelter Costs @ 30% of Median Household Incomes in Lunenburg	One Person Households: \$820	Lone Parent Households: \$1,460	All Households: \$1,580
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Description	Tenant Households	Homeowner Households
Average Monthly Shelter Costs	\$922	\$1,106
Monthly Income Required	\$3,073	\$3,687
Yearly Income Required	\$38,640	\$44,240
Hourly Wage Required	\$19.21	\$23.04

**\$720/mo**

Affordable Shelter Costs for Minimum Wage Earner @ 30% of monthly income (40hr/wk at 2023-24 min wage, \$15/hr)

Data Source: 2021 Census of Canada: Community Profile Town of Lunenburg

## Resident Voices & Experiences

**90%**

do not feel they could find a suitable alternative

**36%**

are spending more than 30% of their income on housing

**28%**

saw their rent or mortgage increase by an average of \$215/month in 2021

**23%**

have considered leaving due to housing issues

*“Many seniors are being forced to move out of town. Lots of them are moving to Bridgewater.”*

*“People from this community who want to stay in this community are being forced to look outside the town to find something affordable. And what is available usually needs a lot of work.”*



## OPPORTUNITIES

Building Options Across the Continuum Through Non-Market Housing  
Intentional Focus on Affordability, Accessibility, Suitability

# Forward Momentum

- The Town of Lunenburg is taking steps in the right direction to identify, and prioritize actions to address housing need
  - ✓ **Comprehensive Community Plan**  
Goal: A town that offers a wide range of high quality and affordable housing options
  - ✓ **Waiving of Development Fees for Non-Profit Housing**
  - ✓ **Housing Accelerator Fund Application, and identified initiatives**
  - ✓ **Community Engagement**

- **Implementing HAF initiatives, regardless of funding**
- **Looking beyond the numbers to understand the experience**  
SSODA's monthly reports
- **Evidence-Informed Decision Making**  
Using available information and best practices for developing options along the housing spectrum
- **Community Capacity for Non-Market Housing Development**  
Explore opportunities to partner with, or provide land to, non-market housing developers  
Continued engagement with community
  - New Ross Community Care
  - Mahone Bay Community Housing Co-Op
  - Atlantic Sea Change Cooperative Housing
  - Nova Scotia Housing Trust – Wheelhouse Motel Development
- **Learn more about Non-Market Housing Types**  
Connect with Nova Scotia Non-Profit Housing Association  
Consider becoming a member!
- **Continued participation in SSHAC**

# Considerations

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# References/More Information

- **Nova Scotia Non-Profit Housing Association:** <http://nsnonprofithousing.ca>
- **Local Non-Profit Housing:**
  - Liverpool: <https://chfcanada.coop/new-co-op-to-build-affordable-homes-in-rural-nova-scotia/>
  - New Ross Care Society: <https://newrosscare.com/>
  - Mahone Bay co-op
  - Atlantic Sea Change Cooperative Housing (Lunenburg):  
<https://www.facebook.com/profile.php?id=100094184426448>
- **South Shore Open Doors Association:** <https://www.ssoda.org/>
- **South Shore Housing Action Coalition:** <http://sshac.ca>
- **Town of Lunenburg Reports/Plans:** <https://townoflunenburg.ca/town-government/plans-and-studies.html>
- **Census Profile, 2021 Census of Population:** <https://www12.statcan.gc.ca>



# Harbour View Haven – Lunenburg Council

March 12, 2024



# Nycum & Associates

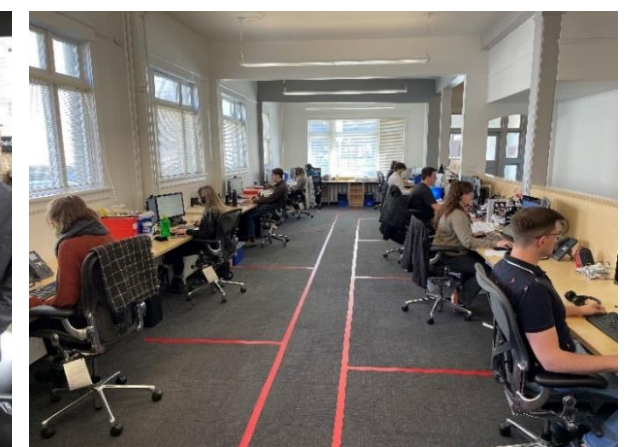
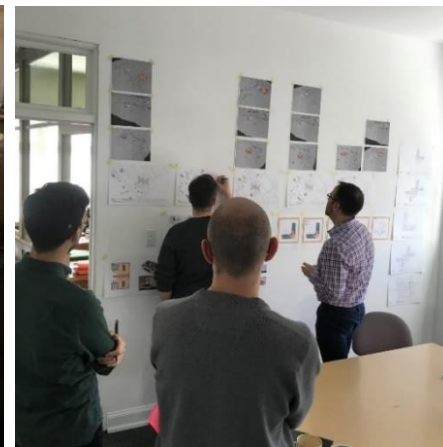
- Established 1982
- Office in North End Halifax, 100% locally owned
- We are certified diverse supplier
- ~20 staff
- Special focus in Healthcare; Special sub-focus in Long Term Care
- First Long-Term Care Facility designed in 1988
- Responsible for design of more than half LTC beds built 2007-2012
- Engaged by NSSLTC to support development of LTC Design Standard
- Presently 456 LTC beds in design or construction phase

Building together  
with respect for others

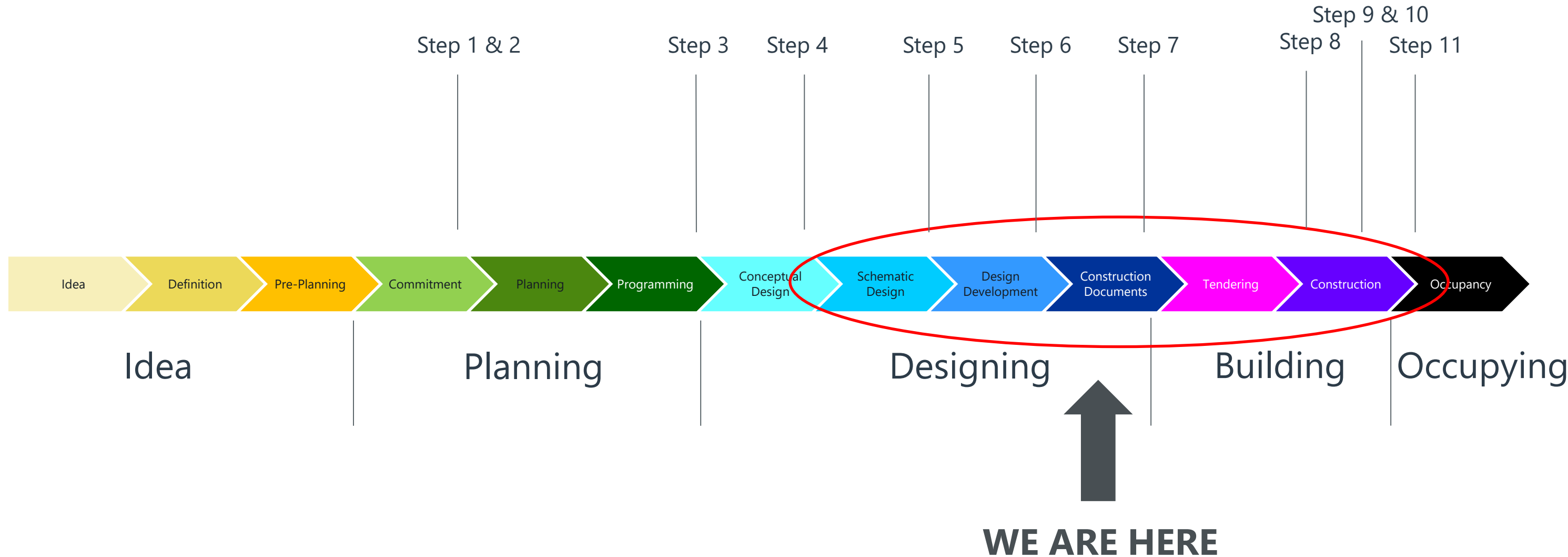
Meaningful Work  
& Thoughtful Collaboration

Listening carefully,  
planning together

Working for People  
Who Care for People




# Design, Construction, & FDAP Project Process Sequence





# Site Surroundings & Placement



-  New Harbour View Haven Site
-  Old Harbour View Haven Site, Stelia Building, Lunenburg Academy
-  Boundary of UNESCO World Heritage Property
-  Sight Line from new site to Lunenburg Academy



# Schematic Site Placement

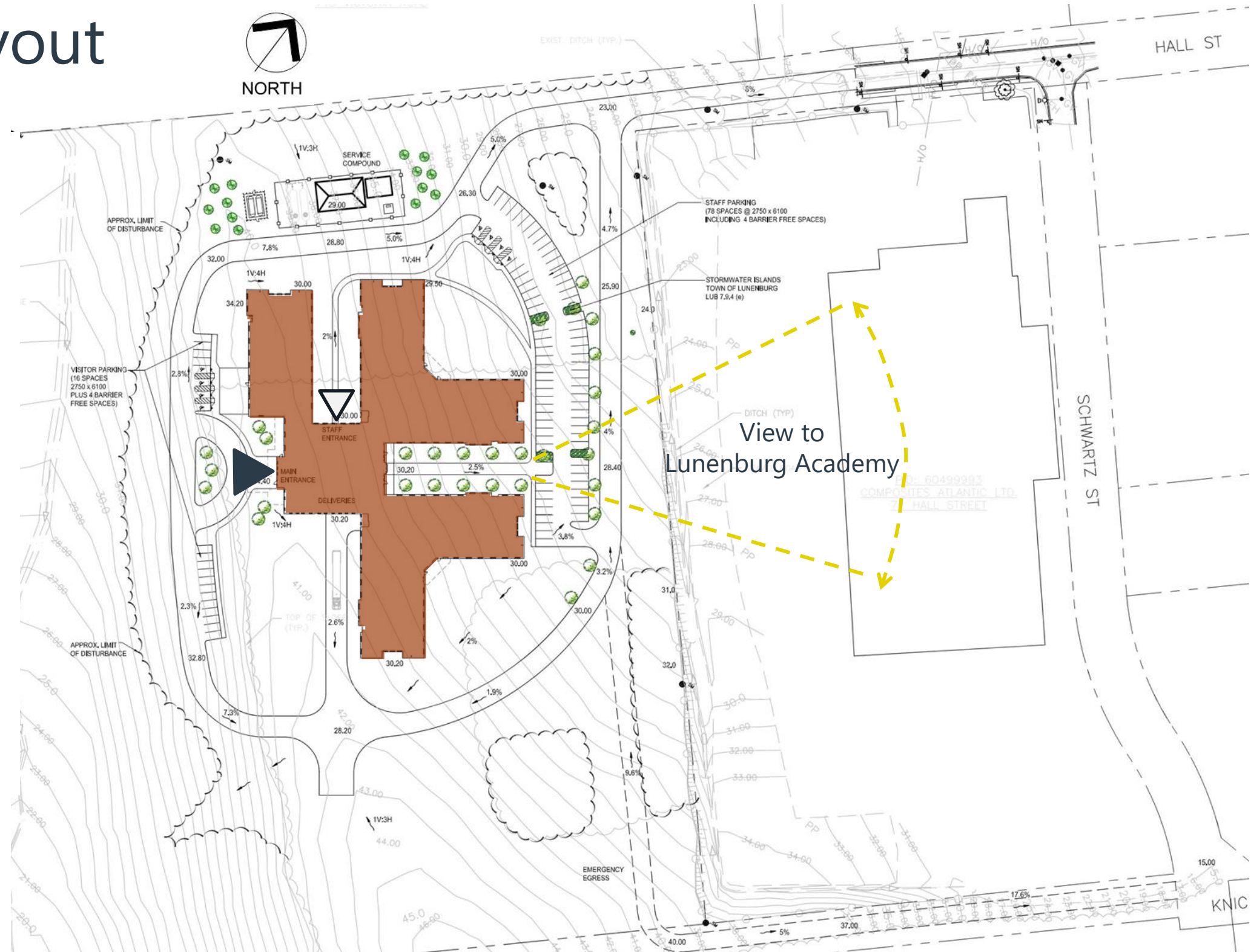




# Preliminary Site Layout

## Building's position on site:

- Prioritizes views from Resident Rooms
- Works well with topography (there is a strong relationship between building and site)
- Aligns the interior "main street" with view over Stelia towards the Lunenburg Academy
- Relatively short distances to existing services on Hall Street (efficient use of resources)
- Locates designated Staff and Visitor parking near their respective entrances
- Creates a discrete shipping-receiving area
- Allocates spaces for a landscape buffer between the new facility's staff parking area and Stelia
- Incorporates secondary emergency exit from the site



# Preliminary 3D View



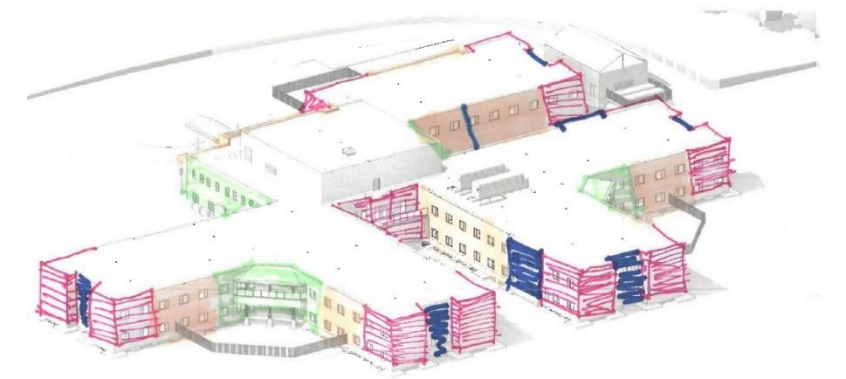
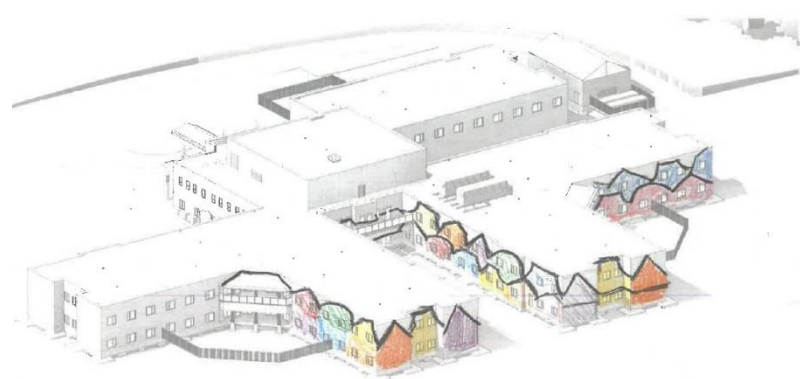
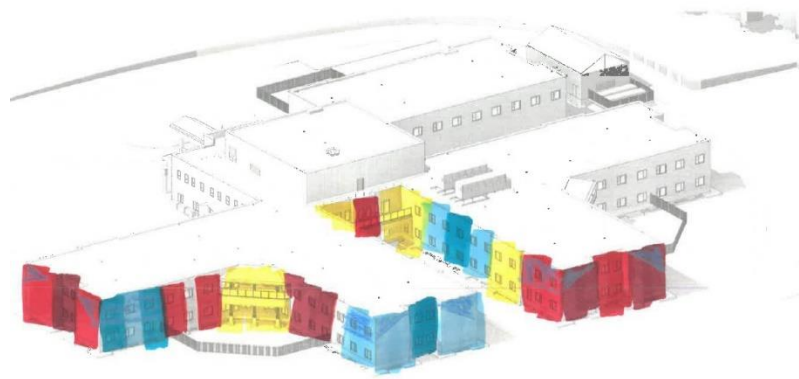
South View



# Exterior Cladding Concept Design

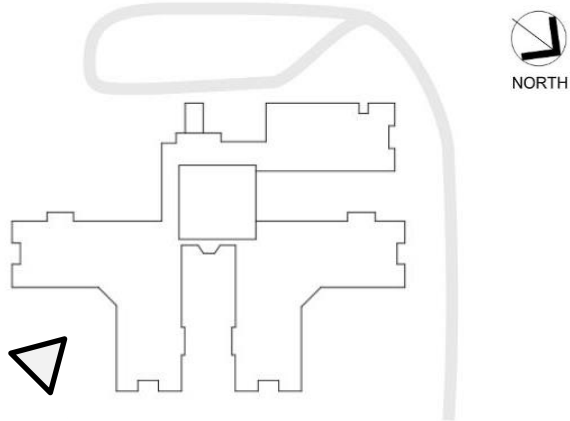


Exterior cladding design is the result of an iterative process that began by studying Lunenburg as a whole, and working to determine how those elements could be incorporated into a single building.

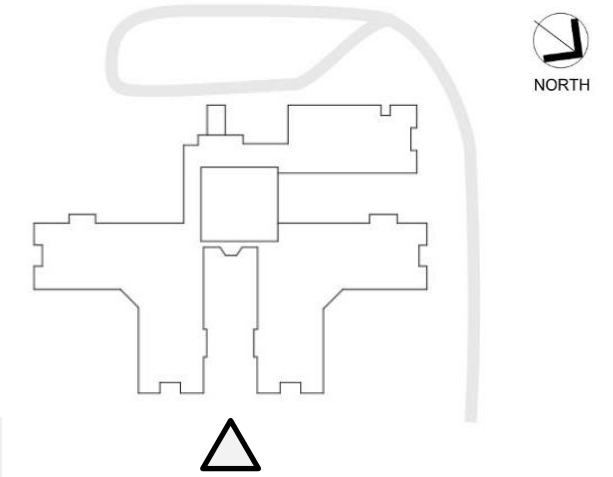


Early concept sketches

# Exterior Cladding Concept Design

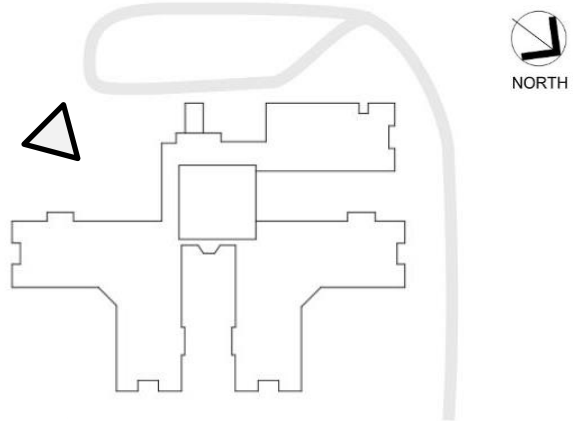


# Exterior Cladding Concept Design





# Exterior Cladding Concept Design



# Building by Department

## Level 2

- RESIDENT LIVING
- ADMINISTRATION
- NUTRITION STAFF
- LEISURE AND RECREATION
- PUBLIC AND RESIDENT AMENITIES
- THERAPEUTIC & MOBILITY SERVICES
- STAFF FACILITIES
- MECHANICAL & ELECTRICAL
- ENVIRONMENTAL & SUPPORT SERVICES
- FACILITY SERVICES

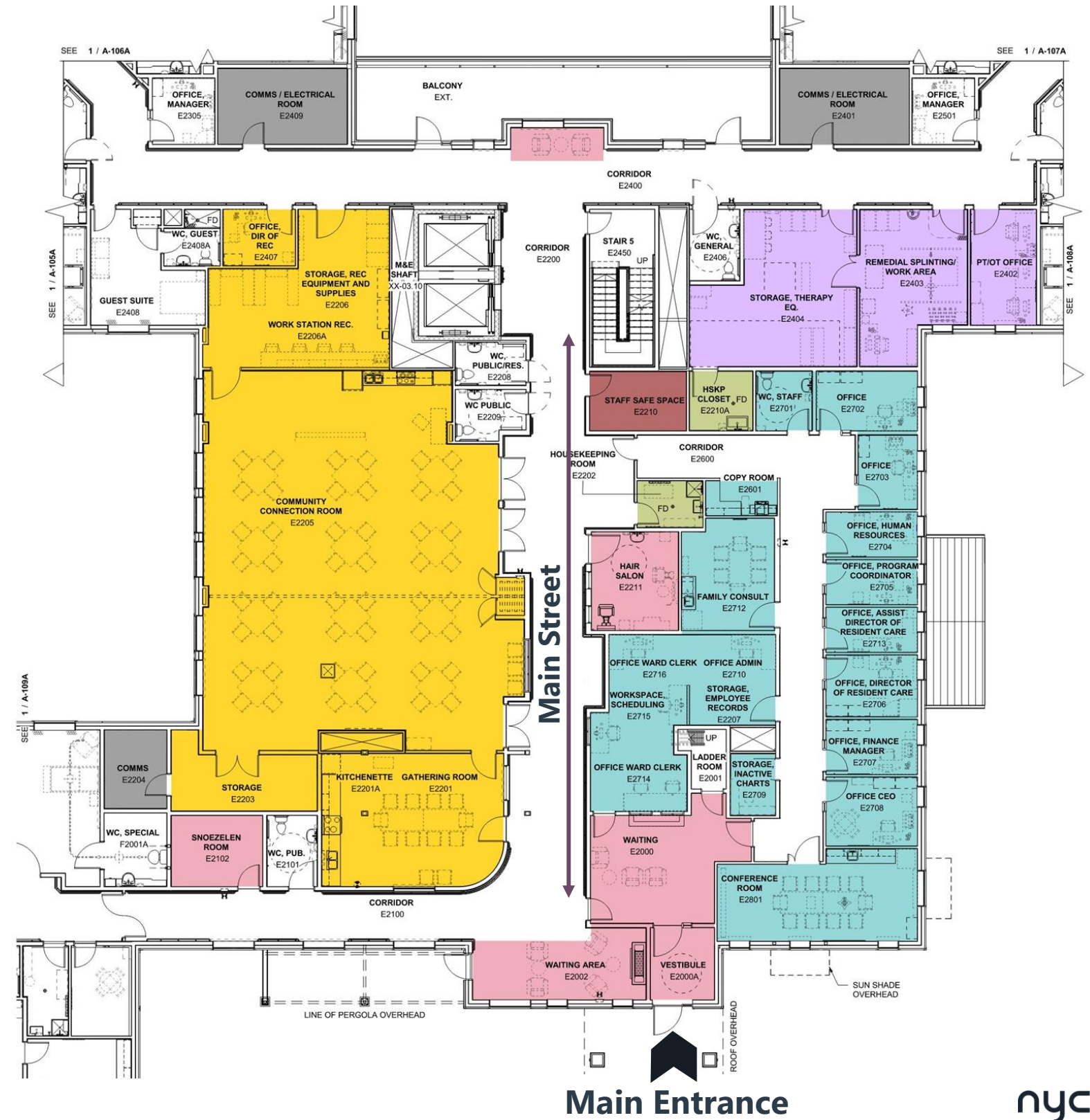




# Building by Department

## Level 2 – Core

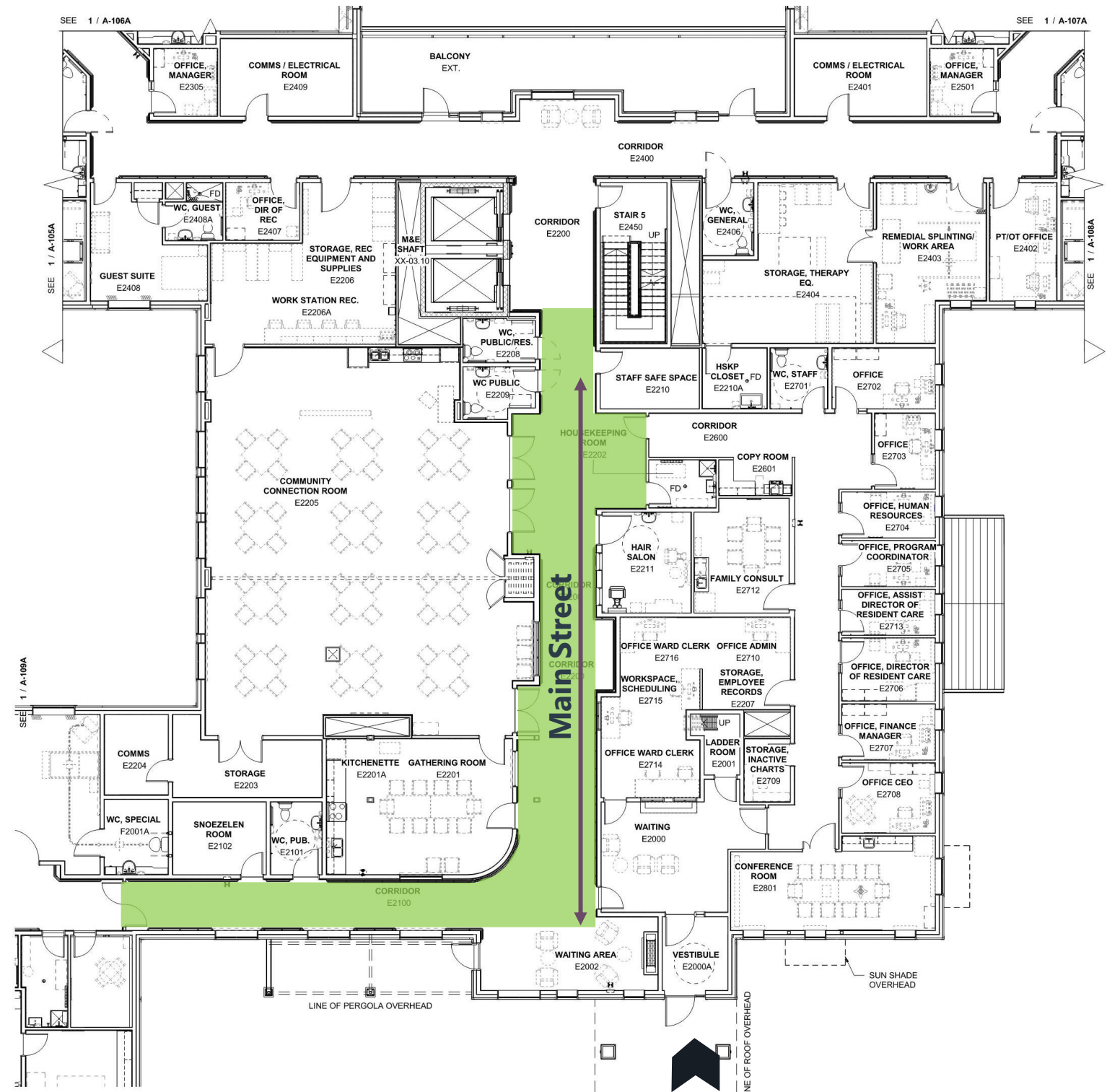
- RESIDENT LIVING
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- STAFF FACILITIES
- MECHANICAL & ELECTRICAL
- ENVIRONMENTAL & SUPPORT SERVICES
- FACILITY SERVICES



**Main Entrance**

# Building by Department

## Level 2 – Main Street



**Main Entrance**



# Main Street



Horizontal clapboard



Traditional shingles





# Building by Department

## Level 1



# Building by Department

## Level 1 – Core

- RESIDENT LIVING
- ADMINISTRATION
- NUTRITION STAFF
- LEISURE AND RECREATION
- PUBLIC AND RESIDENT AMENITIES
- THERAPEUTIC & MOBILITY SERVICES
- STAFF FACILITIES
- MECHANICAL & ELECTRICAL
- ENVIRONMENTAL & SUPPORT SERVICES
- FACILITY SERVICES

**Staff Entrance**



**Shipping/Receiving**



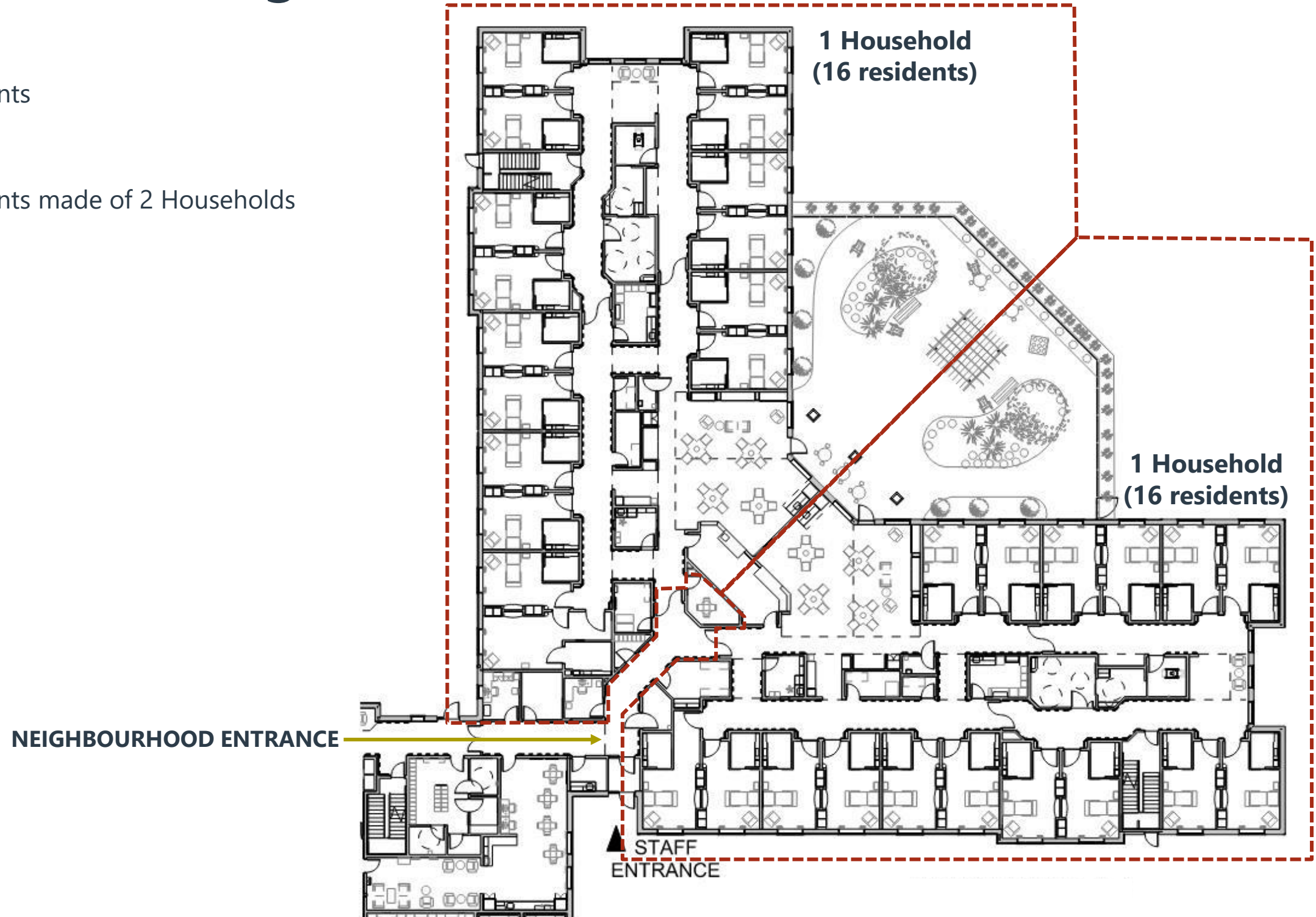
# Neighbourhood Configurations

## Household:

- Unit of 16 Residents

## Neighbourhood:

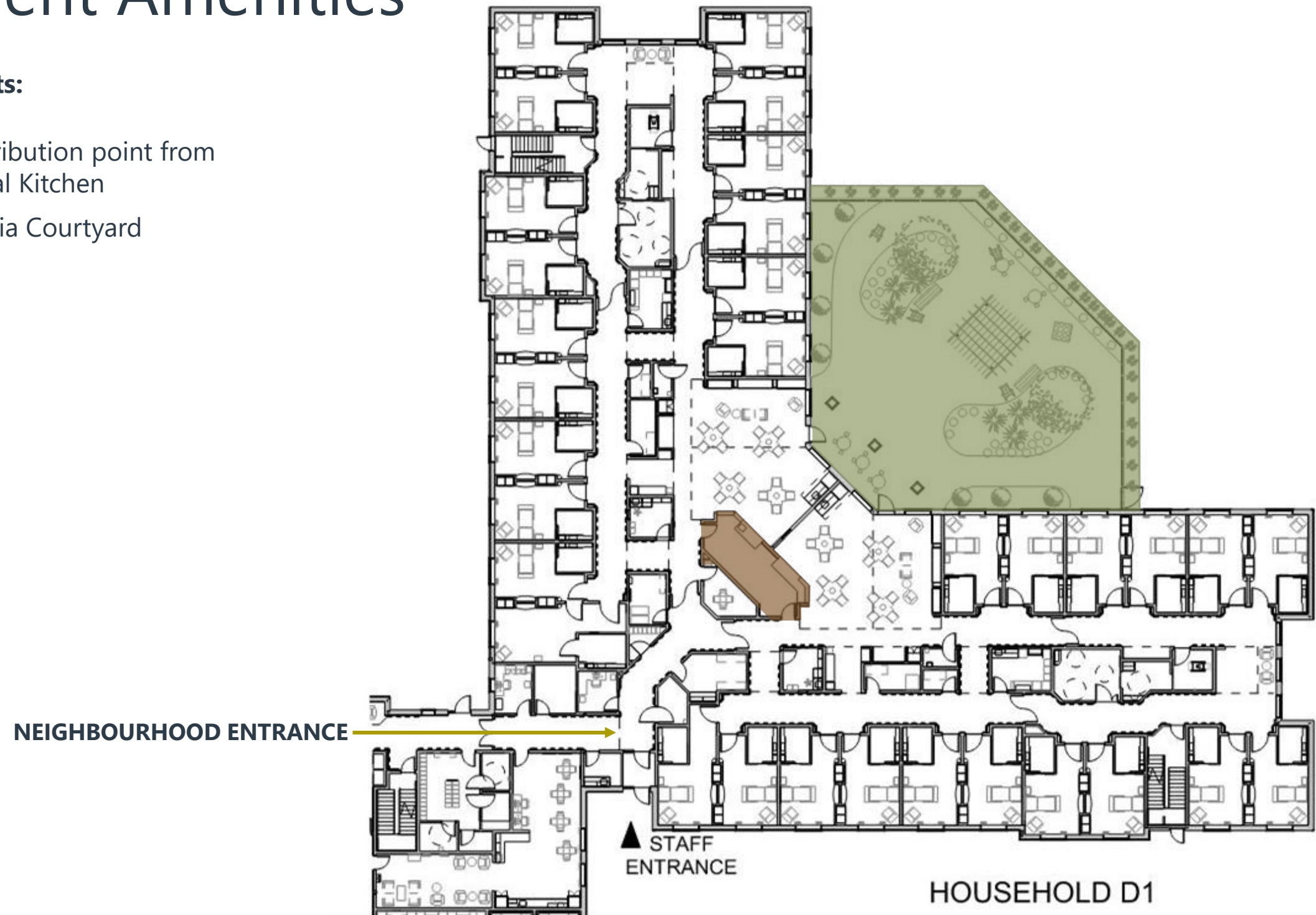
- Unit of 32 Residents made of 2 Households



# Shared Resident Amenities

## Amenities per 32 Residents:

- Servery:
  - Food distribution point from the Central Kitchen
- Outdoor access via Courtyard



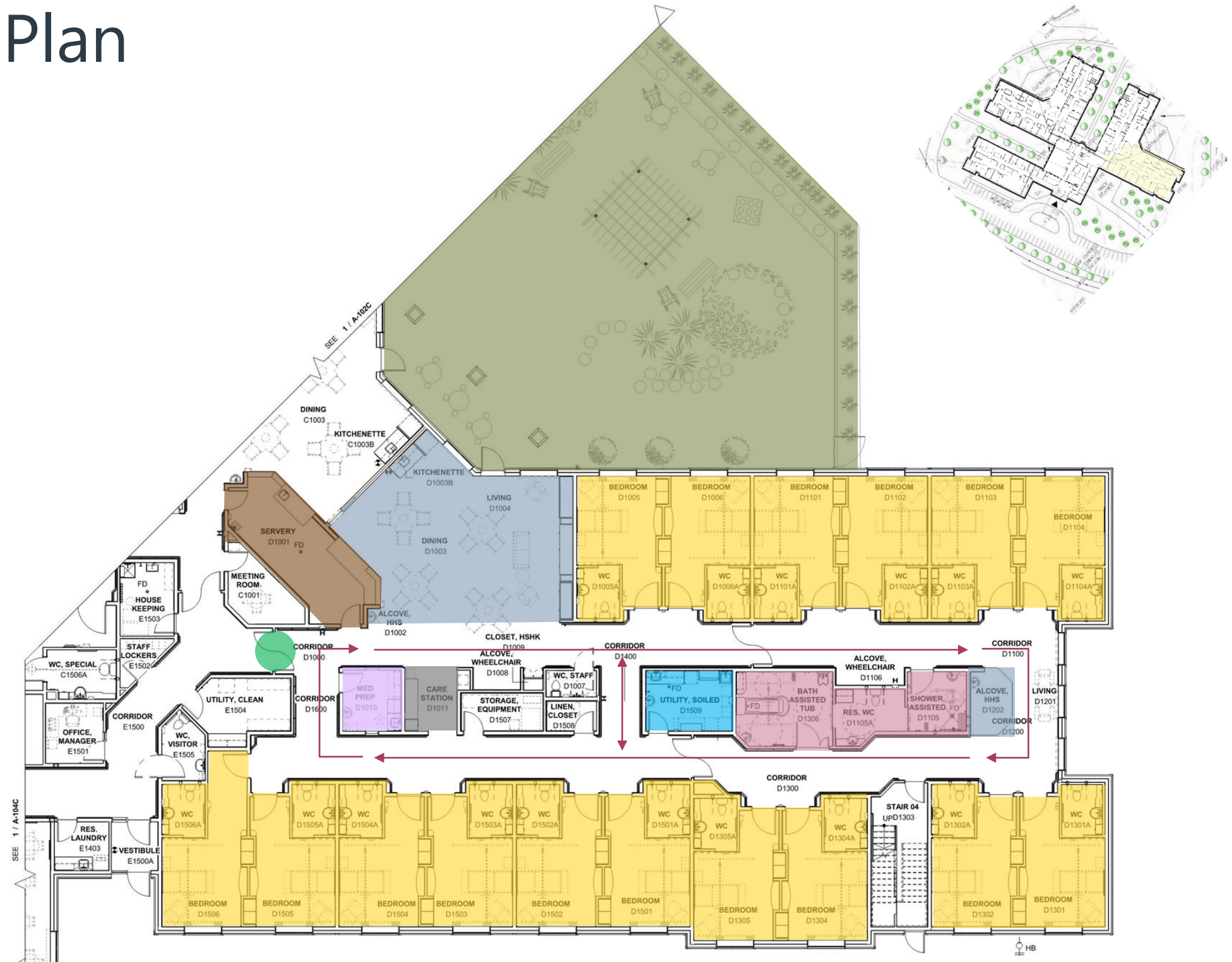


# Preliminary Floor Plan

## Resident Household

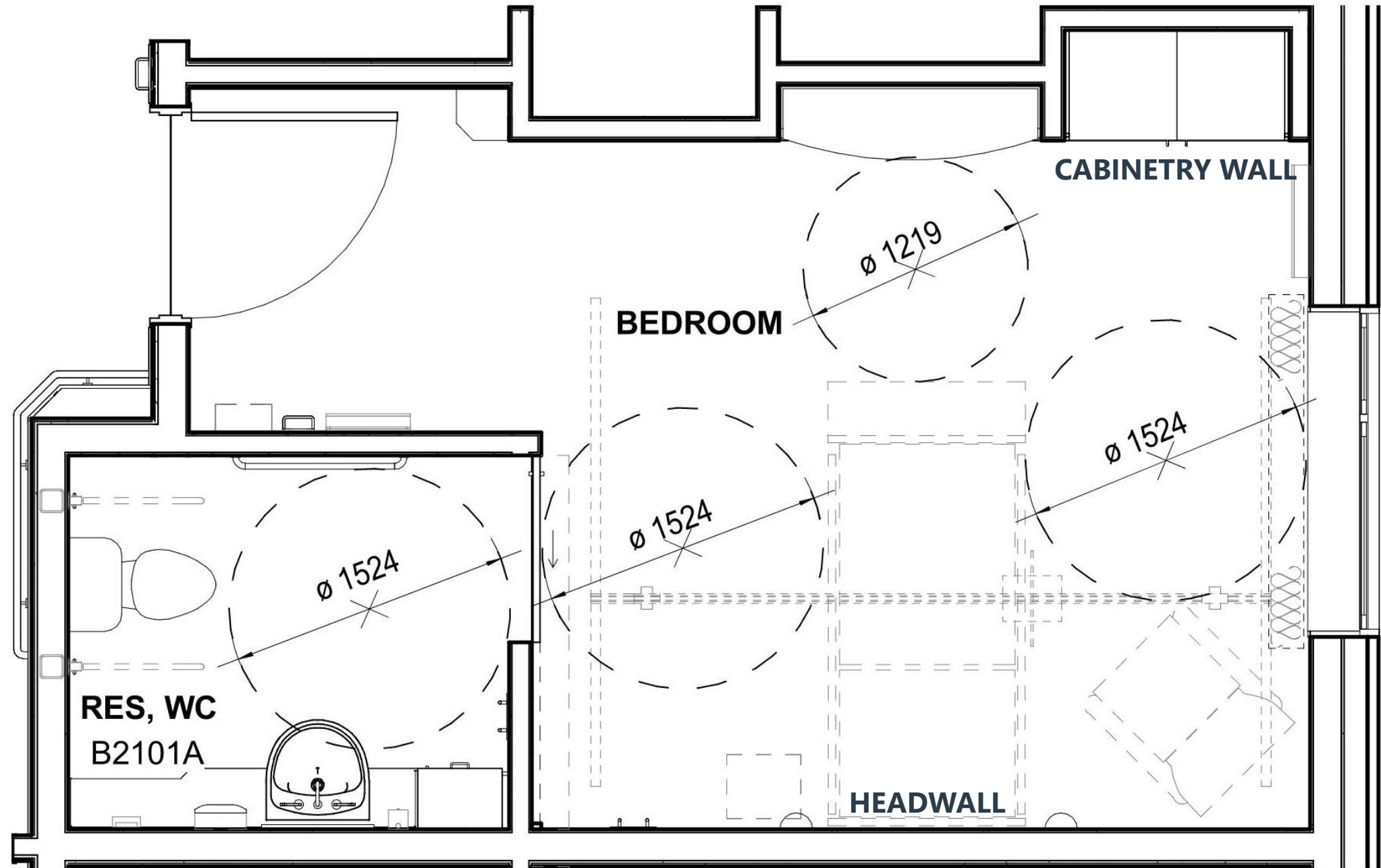
### Amenities per 16 Residents:

- Household Entrance
- Resident Rooms
- Household Loop
- Living & Dining
- Servery
- Outdoor space
- Bathing Suite
- Med Prep Room
- Care Station
- Soiled Utility



# Preliminary Floor Plan

## Resident Bedroom & Ensuite





# Previous Project Views

## Resident Bedroom & Ensuite



Thank you!



February 26, 2024

Dear Mayors, Wardens, and Councillors:

Today, February 26, the Government of Nova Scotia announced *The Future of our Coastline: Nova Scotia's plan to protect people, homes, and nature from climate change*.

This plan has 15 actions for property owners, municipalities, and the province to keep coastal homes, communities, and natural areas safer from the impacts of climate change, such as rising sea level and more frequent and intense storms which lead to coastal flooding and erosion. You can read it at [novascotia.ca/coastal-plan](https://novascotia.ca/coastal-plan).

Nova Scotians are a coastal people, and being near the ocean contributes significantly to our quality of life – people want to live by it and enjoy it safely. As the elected representatives of our communities, we all share the same vision – safe, sustainable, healthy, and climate-resilient communities.

Nova Scotians in every part of the province are now experiencing the negative effects of climate change. Last summer's flooding and wildfires were a heartbreaking reminder of that. Our coast is on the front lines of climate change. In response, we are taking action. We are:

- achieving the ambitious targets set out in the *Environmental Goals and Climate Change Reduction Act*,
- providing important climate information to Nova Scotians through the first provincial Climate Risk Assessment developed since 2005,
- making significant progress on achieving the 68 goals in the Climate Change Plan,
- designating new protected areas,
- implementing a new strategy to achieve 20 per cent land and water protection by 2030, and
- introducing a new coastal protection plan that responds to specific concerns related to the impacts of climate change on our coast such as erosion, rising sea levels and coastal flooding.

We developed this plan after listening to Nova Scotians, municipalities, and other stakeholders. We also did thorough and thoughtful analysis of all possible options. It does not involve proclaiming the *Coastal Protection Act*, which was too limiting in that it only applied to new builds.

This plan is broader, more flexible, and comprehensive. It is about empowering coastal property owners to make informed decisions, supporting municipal leadership, and taking provincial action to empower our people and our communities to adapt to the impacts of climate change. It is about giving municipalities, communities and private property owners options, because one size fits all doesn't work.

It is the best and most effective path forward to protect the coast and all homes along it – whether they were built 50 years ago or are being planned for the future.

Municipalities are leaders in climate change adaptation and mitigation, and have been for years. Every day, you are leading the change needed to make sure our communities are climate-resilient. Whether that is installing EV chargers, moving to green energy like wind and solar, greening your municipal fleet, or retrofitting buildings and installing heat pumps, you are helping prepare our province for the future.

As Mayors, Wardens, and Councillors, you are leaders in your communities, and you know them best. At the council table, you navigate difficult decisions regarding land-use planning, zoning, by-laws, policies and permits day-in, day-out. This is why we believe that municipalities are best equipped to take critical action designing and building coastal communities that are safe and resilient to climate change, especially as Nova Scotia is experiencing rapid growth. Your leadership is essential in meeting our goals, and working together we cannot fail.

We know you are working tirelessly to manage many issues and priorities and our aim is that you will see the benefits and embrace the actions in this plan. Our government will support you by:

- investing in more flood line maps for you to use in your zoning and planning work,
- investing in your climate adaptation and mitigation work through funding programs like the Sustainable Communities Challenge Fund and the Community Climate Capacity Program, and
- conducting a province-wide erosion risk assessment, and more.

In the coming months we will continue to thoughtfully engage with municipal leadership through the Nova Scotia Federation of Municipalities, the Association of Municipal Administrators Nova Scotia, and directly with you and your municipality.

By working together, the Province, municipalities and property owners will ensure our coastal communities are designed, planned and built to help protect them from climate change impacts.

With these actions we've set out today, we look forward to continuing to work with you to create thriving, sustainable and resilient communities in Nova Scotia.

Our best regards,



Honourable John A. Lohr  
Minister of Municipal Affairs and Housing



Honourable Timothy Halman  
Minister of Environment and Climate Change

## **Additional Resources:**

Environmental Goals and Climate Change Reduction

Act: <https://nslegislature.ca/sites/default/files/legc/statutes/environmental%20goals%20and%20climate%20change%20reduction.pdf>

Our Climate, Our Future: Nova Scotia's Climate Change Plan for Clean Growth:

<https://climatechange.novascotia.ca/sites/default/files/uploads/ns-climate-change-plan.pdf>

Weathering What's Ahead: Climate Change Risk and Nova Scotia's Well-being:

<https://climatechange.novascotia.ca/climate-impacts>

More information on the Sustainable Communities Challenge Fund is available at:

<https://nschallengefund.ca/>

More information on Community Climate Capacity Program is available at

<https://cleanfoundation.ca/ccc/>

**Subject:** Civic Square Compatibility & Accessibility Project  
**From:** Hilary Grant, Director of Community Development  
**Date:** March 12, 2023

---



### **Recommendation**

That Council direct Staff to work with Vigilant and Mills & Wright on refining Concept 3: Working with the Natural Landscape for the Civic Square Compatibility and Accessibility Project based on feedback from the disability community.

### **Alternatives**

- Reject the What We Heard Report, citing the need for more comprehensive data analysis and/or community engagement.
- Defer a decision, allowing time for further Council review.

### **Background**

On August 8, 2023, Council awarded the Civic Square Compatibility & Accessibility Project contract to Vigilant Atlantic. Vigilant Atlantic submitted the Civic Square Compatibility & Accessibility Project "What We Heard" Report to Staff on March 5, 2024 (Attachment A). This report encompasses draft concept designs and valuable feedback from a public workshop on November 30, 2023. Additionally, Staff led a focus group with representatives from the Lunenburg Royal Canadian Legion Branch 23 and members of the disability community on December 14, 2023. Further, draft design concepts were presented to the Joint Accessibility Advisory Committee on February 7, 2024.

The Town of Lunenburg is undertaking this project to enhance accessibility and Civic Square's heritage value. The feedback received from the public should play a pivotal role in informing the design of Civic Square to ensure inclusivity and ease of use for all community members. It is imperative to treat the feedback from individuals reliant on proposed accessibility features with utmost seriousness.

### **Discussion**

Civic Square's public use is part of Old Town Lunenburg's Outstanding Universal Value (Attachment B). Community members preferred Concept 3: Working with the Natural Landscape to achieve compatibility and accessibility through sensitive design. Concept 3 makes Civic Square fully accessible while minimizing the visual impact on Civic Square.

Staff received feedback for design refinement from focus group participants and the Joint Accessibility Advisory Committee.

## 1. Considerations for Access:

- Explore the possibility of a switchback ramp at the front of Town Hall on Cumberland Street while acknowledging concerns about their maintenance and usage. External lifts were seen as challenging to maintain.
- Ensure accessibility for all floors of Town Hall, as accessibility is crucial for employment and civic engagement.
- Incorporate accessible pathways that are gently sloped and wide and incorporate seating and handrails.
- Provide direct access from the parking lot at the Old Fire Hall to Town Hall, ensuring accessible parking and routes to amenities.
- Prioritize accessibility for parents with disabilities in the design of play spaces.
- Provide choices in pathways and access points, such as ramps and stairs, to accommodate different needs and preferences.
- Provide lighting along pathways for safety and accessibility.
- Use non-slip and color-contrasted surface materials for pathways.
- Include accessible washrooms on each floor of the atrium if feasible.
- Ensure sufficient and strategically located accessible parking with clear signage and wayfinding.
- Install electric chair charging stations.

## 2. Specific Design Preferences:

- Preserve trees and maintain an organic feel in the design.
- Incorporate seating near the bandstand and ensure accessibility for wheelchair users.
- Consider incorporating monuments into organic pathways and explore new locations for war memorials.
- Consider burying electricity infrastructure to enhance aesthetics and safety.
- Explore opportunities to provide internet/Wi-Fi access in the area.
- Fence play spaces for safety and security, particularly for children with disabilities.

Several people who use wheeled mobility devices preferred the third design option compared with the switchback ramps for ease of use. Additionally, relocating monuments did not pose a significant concern for members of the Legion. Notably, ensuring accessibility to Town Hall emerged as a top priority for the focus group and the Joint Accessibility Committee, with cost considerations deemed insufficient to justify exclusion from this space. Conversely, some participants in the workshop raised apprehensions regarding potentially prohibitive construction costs, which tempered their support for the project.

The next phase of the design process is Vigilant Atlantic preparing tender documents encompassing architectural, structural, mechanical, and electrical specifications, accompanied by Class C cost estimates. These documents will also include an anticipated project construction timeline and an assessment of maintenance costs associated with the proposed new design. Progressing through this stage of the design process will provide a clearer understanding of construction expenses, enabling Staff to pursue funding opportunities and ensure readiness for implementation should Council opt to pursue grants and advance the project further.

### **Strategic Plan Relevance**

- Community Structure: Direction regarding how the Town will be structured and how land will be used.
- Heritage: Preserve the valuable heritage resources of Lunenburg while embracing an ongoing landscape evolution.
- Urban Design: Direction to enhance residents' and visitors' experience of the built environment.

### **Relevant Legislation**

UNESCO's Convention Concerning the Protection of the World Cultural and National Heritage

Town of Lunenburg's Comprehensive Community Plan

Town of Lunenburg's Municipal Planning Strategy

Town of Lunenburg's Land-Use By-law

Town of Lunenburg's Old Town Lunenburg Heritage Conservation District Plan and By-law

### **Financial**

This report is part of the \$76,070 (plus HST) approved by Council on August 8, 2023, and is within the amount allocated under the Town's Operating Budget.

### **Communications**

Staff have posted the What We Heard Report on the Town's website.

### **Attachments**

Attachment A – Civic Square Compatibility & Accessibility Project What We Heard Report

Attachment B – Statement of Outstanding Universal Value

# Town of Lunenburg

## Civic Square Compatibility & Accessibility



### What We Heard Report For the Re-Development of The Lunenburg Civic Square

Prepared by:  
Vigilant Atlantic and Mills&Wright



Atlantic Canada's  
Construction Agency  
Help | Build | Trust



#### PREPARED BY:

**NAT SALFAS,**

**Lead Architect**

VIGILANT ATLANTIC

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Dartmouth, NS B3B 1T2

nsalfas@vigilantatlantic.ca

#### SUBMITTED TO:

**HILARY GRANT, Director**

**Community Development**

TOWN OF LUNENBURG

119 Cumberland St., PO Box 129

Lunenburg, NS, B0J 2C0

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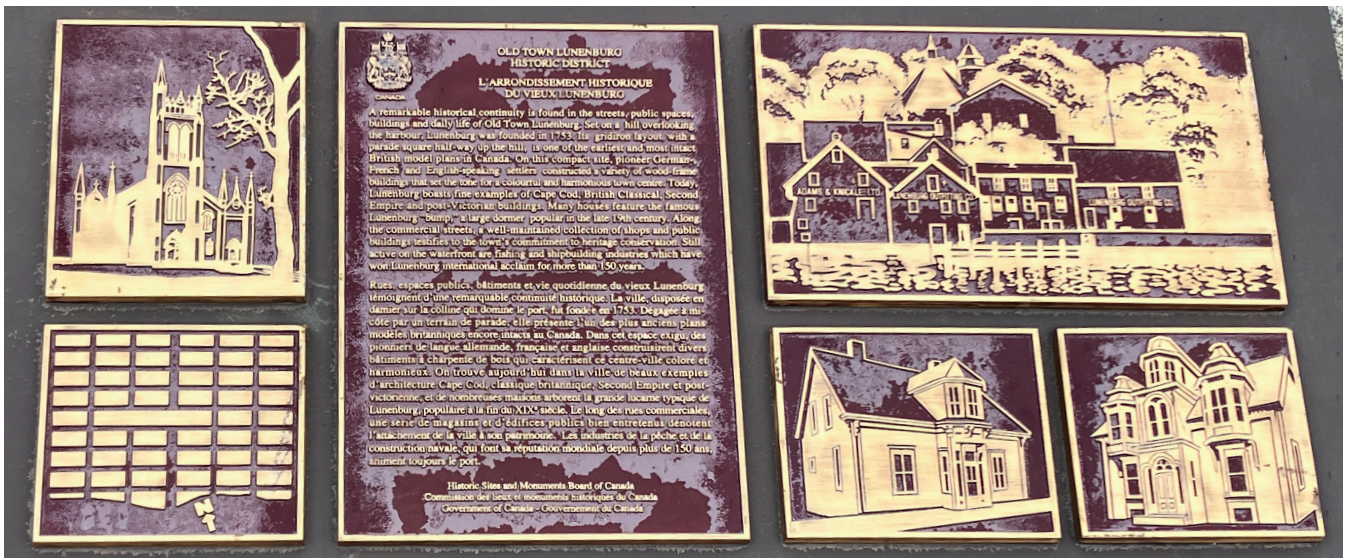
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**APPENDIX A:** Town of Lunenburg Civic Square Compatibility & Accessibility Presentation

**APPENDIX B:** Public Engagement Attendee Participation Handouts

**APPENDIX C:** Accessibility Committee Comments



Above Image: Old Town Lunenburg Historic District Plaque located in the Lunenburg Civic Square.

Cover Page Images: Historic Photos of the Lunenburg Civic Square.



# PROJECT OVERVIEW

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The Civic Square Compatibility and Accessibility Project for Lunenburg, NS, is part of the Town of Lunenburg's principal goal of making Old Town accessible and inclusive for all users. The project consists of the introduction of sensitive architectural and landscape interventions having the least effect on the character defining elements of Lunenburg's Civic Square. Interventions that comply with CSA-B651-18 accessibility code must be skillfully intertwined with the landscape to preserve the values and attributes that support the Outstanding Universal Values of the site.

The Civic Square Compatibility and Accessibility Project will, at a minimum, achieve these five components:

1. Restoration of the bandstand - This much beloved structure is to be restored and made accessible for all to enjoy without impacting its character defining elements. Work is to include the reinstatement of its original finial, now in storage.
2. Rehabilitation of the Cenotaph, LVFD, and UNESCO Monuments as required to make them accessible. The presence of each monument, nearby landscaped and resting areas also invite people to walk around and enjoy their time.
3. Rehabilitated Town Hall entrances at 119 Cumberland St. which meet the Standards and Guidelines for the Conservation of Historic Places in Canada.
4. Improved access, pedestrian circulation, and connectivity throughout Civic Square.
5. Hard and soft landscaping design with consistent ground surfaces, stairs ramps and railings to create a more unified space.

Project goals and objectives will be achieved through minimal architectural and landscape interventions to satisfy the project scope. The site sensitivity demands an appropriate and sustainable approach where new elements engage in a moving dialogue with its character, materials, and context. The local character, nature and materials will inform project material selection.

Sustainable and inclusive public spaces address the needs of a variety of stakeholders and age groups. The project will engage with this diversity and provide opportunities for a flexible and diverse urban space to be used all year around by different community groups, children, and elderly.

Vigilant's design team, which included landscape architect, Mills & Wright, prepared three concept designs for the Town of Lunenburg Civic Square. These concepts were provided to the Town staff for their review and comments. After this review, our design team conducted an in-person workshop on November 30, 2023 with community members, Town staff, and other stakeholders. The goal of this workshop was to gather feedback from the local community on key design elements to create a final solution the community can be proud of.

This is what we heard.

# WHAT WE HEARD

## METHODOLOGY

The Vigilant design team prepared three concepts for the Lunenburg Civic Square Compatibility and Accessibility Project and presented them to the Town of Lunenburg in the Public Engagement Session. Please refer to *Appendix A* for the presentation slides shown during the Public Engagement.

On November 30, 2023 we met with the Town representatives, local residents, and other stakeholders at the Firehall to engage in a public workshop where we presented these concepts for the opportunity to gain feedback and input. Approximately 24 community members attended the event.

Prior to presenting the three concepts, we discussed the current design of the Lunenburg Civic Square (hereafter referred to as the site). It's terrain and topography, the location of monuments and buildings, and the current level of accessibility access.

The existing landscape of the site has a steep incline from Cumberland St. to Townsend St. as one walks through the monuments. The stairs between the monuments and throughout the site create accessibility barriers and are not inclusive for all

users. As well, some of the existing paved pathways have a slope that is too steep to meet the accessibility requirements, and create difficulties for some users.

Our designs aimed to make the monuments, and bandstand, and access to seating accessible in all three concepts. However, as we went through the design process we realized that not all accessible features are inclusive to all users. For example, when only given switchback ramps and long pathways designed for accessibility compliance, able-bodied users may find these longer pathways are impeding and would prefer a small set of steps for ease of progressing thorough the site instead.

As well, the steep incline of the site requires a lengthy ramp. Ramps require landings at defined intervals, which add to the distance an individual must travel to reach the destination. Lengthy ramps and pathways can be physically exhausting for the user. We felt it was in the best interest of the user to maneuver the monuments on the site so that travel distance between them was lessened. By creating areas of interest (monument plaza), seating / rest areas (landscaped amphitheater seating), and a creative mix of stairs and accessible ramps and pathways we designed concepts for the site that are not only accessible, but also inclusive for all of the users.



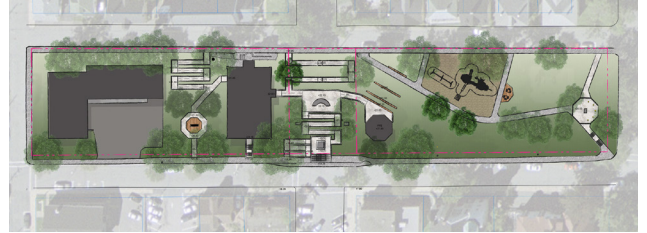
Images (left):  
1. Townhall  
2. Lunenburg Regiment Memorial  
3. Norwegian Memorial  
4. WWII Monument  
5. Bandstand  
6. LVFD Monument  
7. WWI Monument  
8. Old Town Lunenburg, UNESCO World Heritage Site Monument

## METHODOLOGY *(continued)*

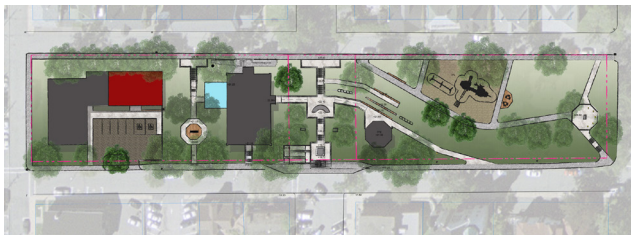
Vigilant presented the three concept drawings, along with photo examples of key design elements and encouraged attendees to ask questions throughout the presentation to ensure each concept design was understood to ensure ample feedback. Vigilant provided each attendee with a worksheet (please refer to Appendix B) to document their comments, questions, and concerns regarding each concept as well as any other thoughts or ideas. These worksheets were collected and analyzed for the purpose of this report.



*Civic Square: Existing Site Plan*



*Civic Square: Concept #1*



*Civic Square: Concept #2*



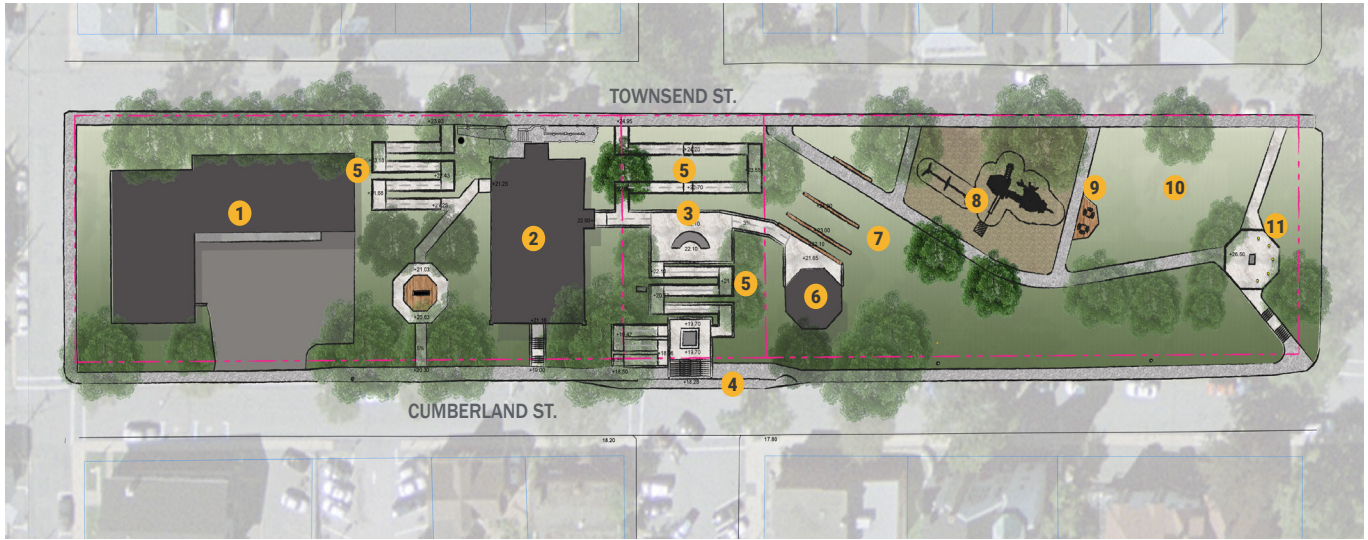
*Civic Square: Concept #3*

After the presentation of each concept, Vigilant conducted an open discussion with all attendees and provided an opportunity to discuss a number of other items (accessibility, inclusivity, lighting, safety, etc). These notes are summarized in the next section of this report.

The images above and to the left are of the existing Lunenburg Civic Square and the three concepts we presented. We have provided a summary of each concept and their key design elements on the following pages.



# Concept One: Ramps



- |                                      |                         |   |
|--------------------------------------|-------------------------|---|
| 1 Old Fire Station                   | 5 Accessible Ramps      | 9 Picnic Area   |
| 2 Town Hall                          | 6 Bandstand             | 10 Open Flex-Space  |
| 3 War Memorials                      | 7 Amphitheater          | 11 Old Town Lunenburg – UNESCO World Heritage Site Monument |
| 4 Entrance Stairs & Widened Sidewalk | 8 Accessible Playground |   |

- Switchback ramps, which meet accessibility standards, to improve access to the monuments and buildings.
- Switchback ramps are accessible, but not inclusive.
- Monuments remain in the same location.
- Added seating in the bandstand area (Amphitheater).
- Added accessible pathways along the playground.
- New accessible equipment in playground.

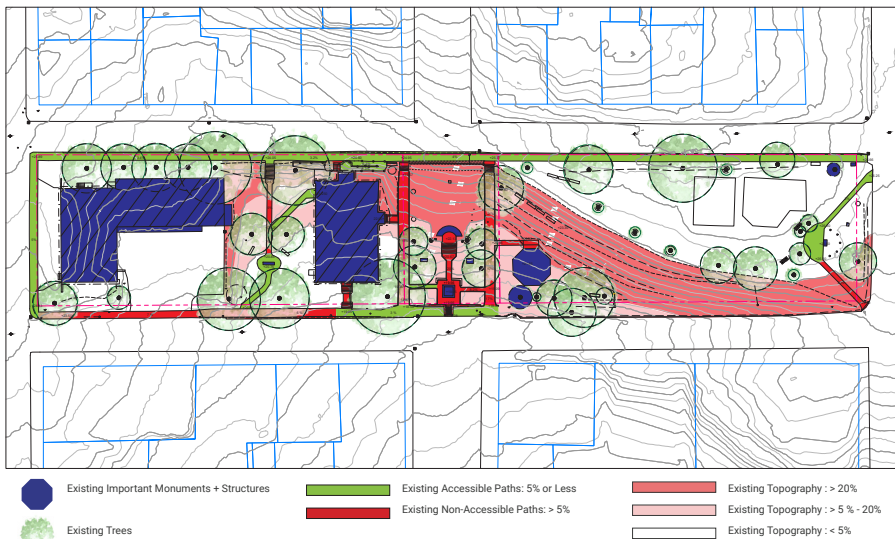


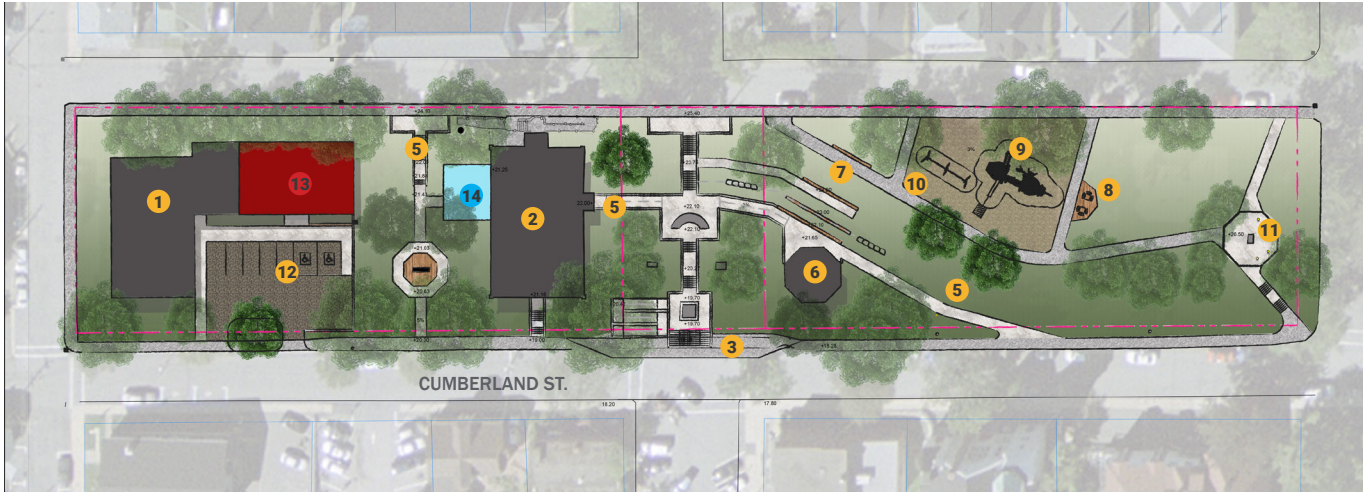
Image: Diagram from Presentation identifying the existing accessible and non-accessible pathways, and the slope of the existing terrain.



Image: Example of a concrete switchback ramp with metal handrail.



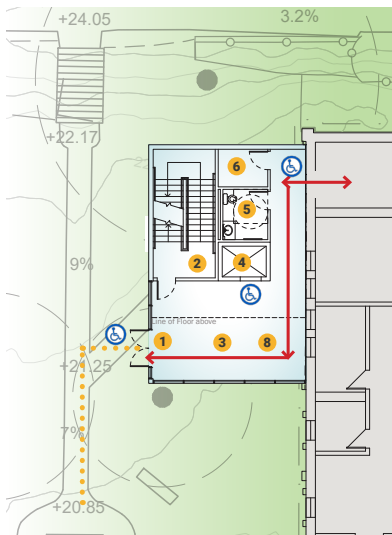
# Concept Two: New Atrium/Elevator



- 1 Old Fire Station
- 2 Town Hall
- 3 War Memorial Plaza
- 4 Central Staircase
- 5 Accessible Ramps
- 6 Bandstand
- 7 Amphitheater
- 8 Accessible Playground
- 9 Picnic Area
- 10 Open Flex-Space
- 11 Old Town Lunenburg – UNESCO World Heritage Site Monument
- 12 Civic Plaza Space
- 13 New Building - See Architecture
- 14 New Atrium - See Architecture

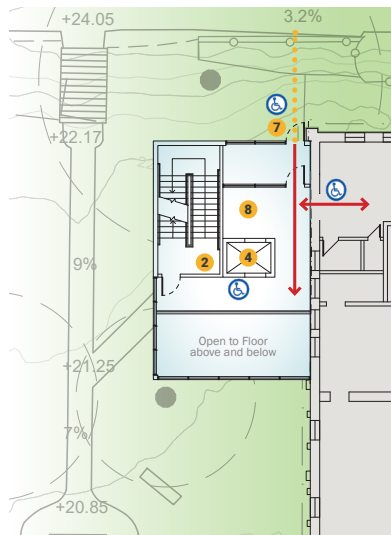
- New atrium structure with elevator added to the town hall
- The new pathways and ramps create accessibility and encourage interaction with the monuments.
- Atrium allows for educational opportunities
- Atrium allows for accessible washroom facilities
- Added seating in the bandstand area (Amphitheater)
- Some ramps were added near the War Memorial Plaza, less than Concept One
- Added accessible pathways, from Cumberland St., along the playground and to the bandstand.
- New accessible equipment in playground.

PROPOSED ATRIUM: GROUND FLOOR PLAN



- 1 Entrance: West Elevation, Accessed from Cumberland St. via the LVM Courtyard
- 2 Stairwell
- 3 Atrium Lobby: Open to floors above
- 4 Elevator: Provides accessible access to all floors of the Town Hall
- 5 Accessible Family Washroom
- 6 Janitor Room

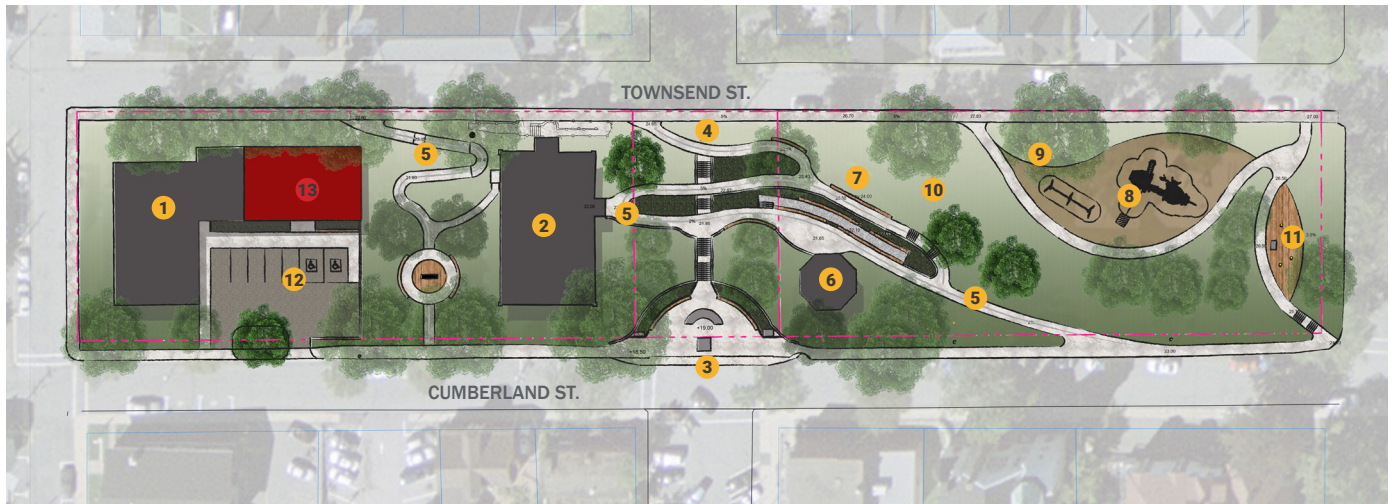
PROPOSED ATRIUM: FIRST FLOOR PLAN



- 7 Entrance: North Elevation, Accessed from Townsend St.
- 8 Areas to display Interpretation Panels for the Lunenburg Civic Square
- New Accessible Pathways
- ♿ Accessible Entryways to Proposed Atrium

Images (left): Conceptual floor plans for first two levels of the Atrium from the presentation.

## Concept Three: Working with the Natural Landscape



- |                      |                         |   |                                    |
|----------------------|-------------------------|---|------------------------------------|
| 1 Old Fire Station   | 5 Accessible Walkways   | 9 Picnic Area   | 13 New Building - See Architecture |
| 2 Town Hall          | 6 Bandstand             | 10 Open Flex-Space  |                                    |
| 3 War Memorial Plaza | 7 Amphitheater          | 11 Old Town Lunenburg – UNESCO World Heritage Site Monument |                                    |
| 4 Central Staircase  | 8 Accessible Playground | 12 Civic Plaza  |                                    |

- Some of the monuments are moved to create the War Memorial Plaza at Cumberland St.
- New accessible pathways follow the grade of the sloping landscape to create longer and more natural pathways throughout the area.
- Accessible pathway slope is 5% or less, providing a gradual and gentle incline throughout the Civic Square.
- Moving monuments is key to achieving the gently sloping walks shown.
- Increased playground space.
- New accessible equipment in playground.
- Lawn Space acts as standing room overlooking bandstand and buffers play-area from contemplation spaces.
- Encourages visitors to interact with nature.
- Encourages visitors to interact with the monuments.



Image: Photo taken during the Design Team's initial site visit. View from Cumberland St.



# RESULTS

When asked about the area, attendees said the monuments, public parade, and remembrance day are the first things that come to mind. They expressed their adoration for the view and the beautiful space the Square provides their community. They said they often walk the area daily. These comments highlight the importance of holding these workshops and community discussions to ensure we create a space the community can continue to enjoy.

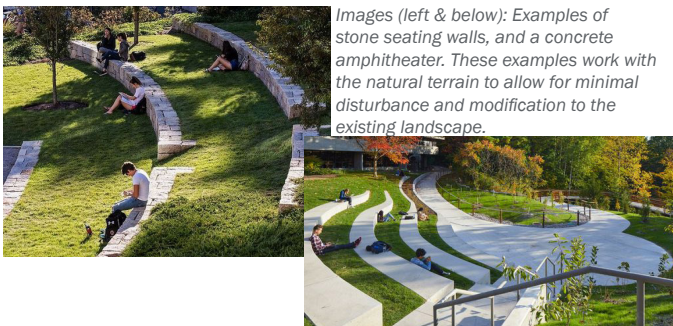
Vigilant analyzed our notes from the workshop, the eleven collected attendee worksheets, and other information collected (other meeting notes and emails) to highlight the following comments, recommendations, and concerns for each of the three concept options.

## Concept One: Ramps

It was clear from all feedback provided that this concept, while accessible, provides an aesthetic concern for the community. Almost all of the worksheets collected indicated a concern for the look and feel of so many switchback ramps, especially in contrast to the natural beauty of the Square. During the open discussion numerous members described the visual impact of these ramps in the area as “daunting”.



Images (above & right): Examples of gently sloping walkways that embrace the natural slope of the landscape.



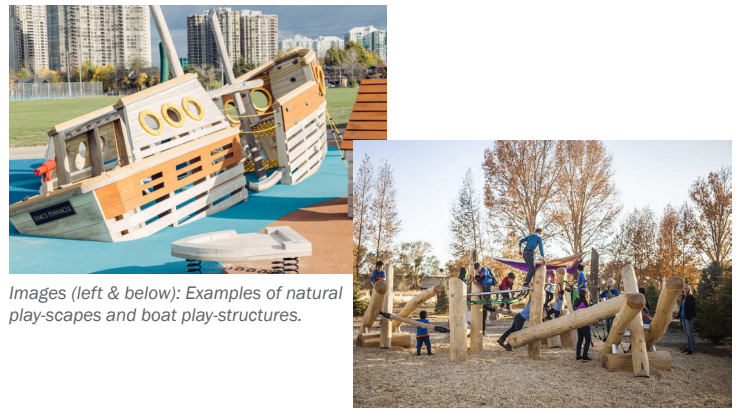
Images (left & below): Examples of stone seating walls, and a concrete amphitheater. These examples work with the natural terrain to allow for minimal disturbance and modification to the existing landscape.

## Concept Two: New Atrium/Elevator

From all the feedback collected, there were numerous concerns with the Atrium; mainly concerns with the overall cost. While some feedback suggested that residents were excited to see more accessible features provided by the Atrium (accessible bathroom and access to the Town Hall), the overall consensus was that this opinion was too expensive.

## Concept Three: Working with Nature

Over half of the worksheets provided and most of the discussion around concept three involved concern with moving the monuments. There was however, more positive feedback from this concept. Community members were pleased to see natural pathways that were integrated with the natural beauty of the topography, reduced ramps, natural play areas and playground(s) incorporating a nautical theme, along with natural options (including stone) for the Amphitheater seating.



Images (left & below): Examples of natural play-scapes and boat play-structures.

Ample feedback was also provided with regards to the reduced number of ramps (with comparison to option one). Town residents were happy to see more natural walking paths and reduced switchback ramps. It was understood that this option required the movement/relocation of numerous monuments to create a War Memorial Plaza. Residents were intrigued to be able to move monuments to street level to increase interaction and accessibility, but these benefits did not outweigh the general concern with moving such historical invaluable centerpieces.

Note: All images, shown on this page, are from our presentation. Please refer to Appendix A for the complete Presentation document.



# SUMMARY

The Lunenburg Civic Square Compatibility and Accessibility Project aims to enhance accessibility and inclusivity in Old Town. The project focuses on sensitive architectural and landscape interventions to maintain Lunenburg’s Civic Square’s character.

Five key components include the restoration of the bandstand, rehabilitation of monuments, town hall entrance improvement, enhanced access and circulation, and unified landscaping design.



Bandstand, with Holiday Decor



Image: Photos taken during the Remembrance Day Service, November 11, 2023

The project prioritizes minimal interventions, sustainability, and inclusivity for diverse age groups. Three concept designs were presented, incorporating ramps, a new atrium/elevator, and a nature-focused approach. A workshop gathered feedback from community members, Town staff, and stakeholders on key design elements.

The report concludes the community’s preference for designs that balance accessibility with preserving the historical and natural aesthetic integrity of Lunenburg’s Civic Square.



Bandstand, Community Festival



## Attachment B – Statement of Outstanding Universal Value

### Outstanding Universal Value

#### Brief synthesis

Old Town Lunenburg is the best surviving example of a planned British colonial settlement in North America. Established in 1753, it has retained its original layout and overall appearance, based on a rectangular grid pattern drawn up in the home country. The inhabitants have safeguarded the Town's identity throughout the centuries by preserving the wooden architecture of the houses and public buildings, some of which date from the 18th century and constitute an excellent example of a sustained vernacular architectural tradition. Its economic basis has traditionally been the offshore Atlantic fishery, the future of which is highly questionable at the present time.

**Criterion (iv):** Old Town Lunenburg is a well-preserved example of 18th century British colonial urban planning, which has undergone no significant changes since its foundation, and which largely continues to fulfil the economic and social purposes for which it was designed. Of special importance is its diversified and well-preserved vernacular architectural tradition, which spans over 250 years.

**Criterion (v):** Old Town Lunenburg is an excellent example of an urban community and culture designed for and based on the offshore Atlantic fishery which is undergoing irreversible change and is evolving in a form that cannot yet be fully defined.

#### Integrity

Within the boundaries of the 33.85 ha property are located all the elements necessary to express the Outstanding Universal Value of Old Town Lunenburg. The property encompasses the intact original town plan in its entirety, missing only the fortifications that surrounded the Town in its early years, but of which there are no surviving above-ground remains. Its boundaries adequately ensure the complete representation of the features and processes that convey the property's significance, and there is a 32.44 ha buffer zone. The property does not suffer unduly from adverse effects of development and/or neglect.

#### Authenticity

Old Town Lunenburg is authentic in location and setting, forms and designs, materials and substances, and uses and functions. The original British colonial town plan remains evident, including the regular layout of property parcels in a grid pattern with geometrically regular streets, central public spaces, and key community structures, with a functioning waterfront as its focus. In terms of forms and materials, there is a harmony of scale, siting and materials (predominantly wood) throughout the property, and a regional architectural vocabulary that includes the 'Lunenburg bump', an indigenous five-sided dormer. While a continuing vernacular architectural tradition is integral to the property's Outstanding Universal Value, there has been very limited infill in the modern era. Many of the property's historic uses and functions survive.

Most of the recent changes to the property are renovations to specific buildings, some of which have better conveyed the heritage value of Old Town Lunenburg than others. Due to long-term economic circumstances, there are also ongoing pressures on property owners in terms of rising property values, maintenance costs, and the challenges of retaining historical accuracy in restoration planning.

**Subject:** Temporary Borrowing Resolution  
**Prepared by:** Lisa Dagley, Director of Finance  
**Date:** March 12, 2024



---

## **Recommendation**

That Council approve a Temporary Borrowing Resolution of \$603,917 for financing the debt-funded capital projects from 2022/23 for the Spring 2024 Debenture Issue application, per Schedule 1 attached to the March 12, 2024 Council report.

That Council authorize the Mayor and Municipal Clerk to sign the Resolution for Pre-Approval of Debenture Issuance, subject to interest rate confirmation not to exceed 6.5%, to enable the Town of Lunenburg to secure a debenture of \$603,917, per Schedule 2 attached to the March 12, 2024 Council report.

## **Background**

On October 10, 2023 Council approved a borrowing of \$603,917 as part of the financing for three (3) Capital Projects from fiscal 2022/23. It is now time for the Town to secure a debenture for this financing and a Temporary Borrowing Resolution needs to be approved as part of the process (Schedule 1).

## **Discussion**

To participate in the 2024 Spring Debenture issue, a Council Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate (Schedule 2) is required. The Municipal Finance Division of the Department of Finance and Treasury Board has set the pre-approval interest cap at 6.5%.

Staff are recommending the following loan terms:

Fire #4 Rescue Truck – 15 years  
WWTP Flood Protection (Berm) – 10 years  
Public Works Loader – 15 years

The objective of the Municipal Finance Division is to provide capital funding to municipalities at the lowest possible cost.

## **Strategic Plan Relevance**

Servicing and Facilities: Direction to ensure efficient infrastructure, and that municipal facilities are properly managed and maintained for future use.

**Financial**

As noted above.

**Attachments**

Schedule 1 - Temporary Borrowing Resolution

Schedule 2 - Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

MUNICIPAL COUNCIL OF THE

Town of Lunenburg

TEMPORARY BORROWING RESOLUTION

Amount: \$ 603,917

Capital Projects: Detailed in Schedule "A"

WHEREAS Section 66 of the Municipal Government Act provides that the Council of the Town of Lunenburg, subject to the approval of the Minister of Municipal Affairs and Housing, may borrow to expend funds for a capital purpose as authorized by statute;

WHEREAS the Council of the Town of Lunenburg has adopted a capital budget for this fiscal year as required by Section 65 of the Municipal Government Act and are so authorized to expend funds for capital purposes as identified in their capital budget; and

WHEREAS the specific amounts and descriptions of the projects are contained in Schedule "A" (attached);

BE IT THEREFORE RESOLVED

THAT under the authority of Section 66 of the Municipal Government Act, the Council of the Town of Lunenburg borrow a sum or sums not exceeding Six hundred three thousand nine hundred seventeen Dollars (\$ 603,917) for the purpose set out above, subject to the approval of the Minister of Municipal Affairs and Housing;

THAT the sum be borrowed by the issue and sale of debentures of the Council of the Town of Lunenburg to such an amount as the Council deems necessary;

THAT the issue of debentures be postponed pursuant to Section 92 of the Municipal Government Act and that a sum or sums not exceeding Six hundred three thousand nine hundred seventeen Dollars (\$ 603,917) in total be borrowed from time to time from any chartered bank or trust company doing business in Nova Scotia;

THAT the sum be borrowed for a period not exceeding Twelve (12) Months from the date of approval of the Minister of Municipal Affairs and Housing of this resolution;

THAT the interest payable on the borrowing be paid at a rate to be agreed upon; and

THAT the amount borrowed be repaid from the proceeds of the debentures when sold.

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution read and duly passed at a meeting of the Council of the Town of Lunenburg held on the \_\_\_ day of \_\_\_, 2024. GIVEN under the hands of the Clerk and under the seal of the Council of the Town of Lunenburg this \_\_\_ day of \_\_\_, 2024. Clerk



**MUNICIPAL COUNCIL OF THE  
Town of Lunenburg  
TEMPORARY BORROWING RESOLUTION**

Amount: \$ 603,917

Capital Projects: Detailed in Schedule "A"

**SCHEDULE "A"  
CAPITAL PROJECTS**

		<b>Estimates \$</b>
<b>Heading / Category: FIRE</b>		
<b>Item</b>	#4 Rescue Fire Truck	175,531
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>175,531</b>
<b>Heading / Category: Wastewater</b>		
<b>Item</b>	WWTP - Flood Protection (Berm)	200,000
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>200,000</b>
<b>Heading / Category: Public Works</b>		
<b>Item</b>	Dresser Loader	228,386
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>228,386</b>
<b>Heading / Category:</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>0</b>
<b>Heading / Category:</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>0</b>
<b>Heading / Category:</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Item</b>		
<b>Heading Sub Total:</b>		<b>0</b>
<b>TOTAL REQUEST CONTAINED WITHIN THIS RESOLUTION</b>		<b>603,917</b>

**Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate**

**WHEREAS** clause 66 (1) of the *Municipal Government Act* (the "Act") provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

AND **WHEREAS** clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs and Housing (the "Minister"), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

AND **WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND **WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Finance Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

AND WHEREAS the resolution of council to borrow for was approved by the municipal council on \$603,917.  
(council's TBR approval date)

**BE IT THEREFORE RESOLVED**

**THAT** under the authority of Section 91 of the *Municipal Government Act*, the

**Town of Lunenburg**  
*(Name of Unit)*

borrow by the issue and sale of debentures a sum or sums not exceeding \$ 603,917, for a period not to exceed 15 years, subject to the approval of the Minister;

**THAT** the sum be borrowed by the issue and sale of debentures of the

**Town of Lunenburg**  
*(Name of Unit)*

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 6.5%;

**THAT** the debenture be arranged with the Province of Nova Scotia with interest to be paid semi-annually and principal payments made annually;

**THAT** this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

**For Province use only:**

TBR #: \_\_\_\_\_

Minister signed: \_\_\_\_\_

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the

**Town of Lunenburg**  
*(Name of Unit)*

held on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**GIVEN** under the hands of the Mayor/Warden and the Clerk of the

**Town of Lunenburg**  
*(Name of Unit)*

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Mayor/Warden

\_\_\_\_\_  
Clerk

**Subject:** 2024 Municipal Election  
**From:** Kayla Byrne, Municipal Clerk  
**Date:** March 12, 2024

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## **Recommendation**

That Council approve conducting a paperless election for the October 19, 2024 Municipal Election.

That Council approve using the List of Electors from Elections Nova Scotia as the Preliminary List of Electors for the 2024 Municipal Election.

That Council delegate its authority to appoint assistant returning officers to the Municipal Clerk to allow the clerk to appoint one or more assistant returning officers to assist the returning officer and act in their absence.

That Council delegate its authority to establish, modify, and amend the tariff of fees and expenses for the costs of the 2024 municipal election, as well as to outline a procedure for the submission and verification of accounts payable to the Municipal Clerk.

## **Alternatives**

- Direct staff to hold a traditional paper ballot election or a hybrid election.
- Should Council not approve a paperless election, it is recommended that Council delegate its authority to fix the date of the first advance poll to the returning officer.
- Direct staff to conduct an enumeration to prepare the Preliminary List of Electors.

## **Background**

The next Municipal Election is scheduled for Oct.19, 2024.

The Town of Lunenburg's (TOL) Municipal Clerk was appointed as TOL's Returning Officer before the 2023 Special Election. The Municipal Clerk will continue to serve as TOL's Returning Officer. Reappointment to this role is not required.

Nomination Day is September 10, 2024. Those looking to run in the election must file their nomination papers with the Returning Officer by 5 p.m. on this date. The Returning Officer may choose to accept nomination papers seven business days before Nomination Day. Advertising for the nomination period will start in the summer.

## **Discussion**

**Paperless Voting:** The [Town's Alternative Voting By-law](#) allows municipal elections to be held using methods other than traditional paper ballots, specifically through telephone and internet voting. This approach enables voters to cast their ballots online or via phone. A voting help desk is set up at Town Hall throughout the election period to support this paperless election system. This provides an option for voters who prefer to vote in person, using the facilities provided, instead of from their own devices at home. In the 2023 special election, approximately 30 individuals voted in person at Town Hall.

In the 2020 and 2023 municipal elections, the Town of Lunenburg's voters provided positive feedback on the paperless election. Feedback to staff indicated increased accessibility, with voters appreciating the benefits of improved physical access and the added convenience, time flexibility, and overall ease of voting.

A paperless election also requires fewer supplies (such as ballots, ballot boxes, voting stations, etc.) and fewer staff or hired workers to run advanced and election day polls.

The paperless 2020 municipal election saw increased voter participation over the previous two municipal elections. Voter participation for the 2020 election was 64.1% compared to 45.6% in 2016 (traditional election) and 58.8% in 2012 (traditional election). The paperless 2023 special election saw a voter participation of 59 %.

Should Council approve conducting a paperless election, staff will use the services of Intelivote, the same company used in TOL's 2023 special election and 2020 election. Per the [Purchasing Policy](#), staff secured three quotes for alternative voting services. Intelivote submitted the lowest quote (\$5,557.75), and staff has had a positive experience working with them during previous elections.

**Mobile polls:** Per TOL practice, mobile polls will be offered at Harbour View Haven and the Veteran's Unit of the Fishermen's Memorial Hospital. Ahead of the 2023 Special Election, Fishermen's Memorial Hospital staff declined the Town's offer, citing a limited number of eligible voters. Per the Municipal Elections Act (MEA), the Returning Officer may designate mobile polls at a hospital, a sanatorium, a home for the aged, a licensed nursing home or an institution for treating chronic diseases.

**List of Electors from Elections Nova Scotia:** Using the List of Electors from Elections Nova Scotia as the Preliminary List of Electors is common practice for TOL elections.

#### **Tariff of Fees and Election Expenses**

Per the MEA, Council is required to set a tariff of fees and expenses for the costs of the election in the Town. However, the act states Council may delegate its authority to the clerk or CAO. The items usually included in the tariff are stipends payable to enumerators, DROs, poll clerks, or other election workers assisting the returning officer. For example, for the 2020 election, the pay scale for a Deputy Returning Officer for Advance Polls was \$315, \$290 for an Advance Poll Clerk, \$205 for a greeter, etc.

Should Council approve staff's recommendations to conduct a paperless election and use the List of Electors from Elections Nova Scotia as the Preliminary List of Electors, the tariff of fees and election expenses will be minimal as we will not require enumerators, DROs, poll clerks, or other election



workers assisting the returning officer. Any appointed assistant returning officers will likely be staff and assume election responsibilities as a part of their daily responsibilities. Further, through the operating budget process, Council approves the overall budget amount for the election.

### **Relevant Legislation**

- [Municipal Elections Act](#)
- [TOL Alternative Voting By-law](#)

### **Financial**

The cost of the 2023 Special Election was \$7,507. The bulk of this cost was the alternative voting services followed by provincially required advertisements in the local newspaper. Should Council approve a paperless election, the 2024 Municipal Election is expected to cost about the same. Should Council choose a traditional or hybrid election process, the cost of a traditional election would likely be higher, while a hybrid election would be the most expensive option.

The total cost of the last traditional paper ballot election in 2016 was \$24,295. Of this amount, \$14,702 was allocated to hiring an external Returning Officer. It should be noted, however, that as of 2022, performing the Returning Officer's duties is included in the Municipal Clerk's responsibilities and, therefore, incurs no additional expense.

### **Communications**

Closer to the election, election information and information for potential candidates will be shared in the local newspaper, on the Town's website and the Town's social media pages.

**Subject:** Amendment: By-law to Repeal Certain By-laws – 1<sup>st</sup> reading  
**From:** Kayla Byrne, Municipal Clerk  
**Date:** March 12, 2024 – 1<sup>st</sup> reading  
April 9, 2024 – proposed 2<sup>nd</sup> reading & public hearing



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## Recommendation

That Council approve first reading of the Amended By-law to Repeal Certain By-laws as presented.

## Alternatives

- Approve first reading of the by-law with amendments, such as removing some by-laws or adding others.
- Not approve first reading of the amended by-law.

## Background

Staff are examining all Town of Lunenburg by-laws to confirm their relevance and compliance with current Town practices. This review of existing by-laws is ongoing, and the Council should anticipate future recommendations for repealing or amending by-laws.

To repeal by-laws, there are two options:

1. Repeal the by-law in a subsequent by-law that replaces it (“repeal & replace”).
2. Pass a by-law that specifically repeals the by-law or numerous by-laws you want to cancel.

The Town of Lunenburg has a specific bylaw, the [Bylaw to Repeal Certain Bylaws](#), designed to repeal numerous bylaws. To proceed with repealing the bylaws as suggested, Council has the option to modify this overarching bylaw by adding the names of the bylaws targeted for repeal. These bylaws will then be officially repealed following the approval of the second reading of the amended bylaw.

## Discussion

Staff have identified three by-laws that should be repealed:

[Skateboard and Similar Device By-law \(approved in 2003\)](#): The Town’s [Public Spaces By-law](#) regulates skateboards and similar devices in public places within the Town of Lunenburg. It is staff’s recommendation that a separate by-law is not required. Further, the Motor Vehicle Act regulates helmet use requirements for bicycles, scooters, skateboards, etc. This requirement does not need to be included in a separate Town by-law.

[A By-law Respecting Drains \(last amended in 1991\)](#): This is obsolete and does not reflect the Town’s current practices. Through the [Land-Use By-law](#), the [Subdivision By-law](#) and other operational processes, the Town ensures that all properties accessible to the public sewer system are adequately connected through operational procedures and processes, making this outdated by-law unnecessary.

[Prevention of Fire By-law \(last amended in 1984\)](#): This by-law, now considered outdated, primarily focuses on preventing fires within buildings and ensuring the correct management and storage of combustible and explosive materials, such as gunpowder. Such regulations are not typically within the purview of municipal laws. For instance, while National Resources Canada limits the quantity of powder that can be stored in a residence, this Town by-law permits storing a slightly larger amount than the federal regulations allow. The Town's existing [Burning By-law](#) addresses the type of fire safety regulations commonly enforced by municipalities, including rules on brush burning and fire pits.

### **Strategic Plan Relevance**

Undertake a policy, procedure and bylaw review to enable implementation of CCP.

### **Relevant Legislation**

Municipal Government Act

### **Financial**

There are no financial impacts related to approving this bylaw.

### **Communications**

As per requirements outlined in the MGA, following first reading, a notice of intent of this bylaw will be published in the LighthouseNow newspaper at least 14 days before Council considers a second and final reading.

### **Attachments**

- Draft Amended Bylaw to Repeal Certain Bylaws

## **TOWN OF LUNENBURG**

### **BYLAW TO REPEAL CERTAIN BYLAWS**

#### **1. TITLE**

This Bylaw may be cited as the “Bylaw to Repeal Certain Bylaws” or the “Repeal Bylaw.”

#### **2. ENACTMENT**

Be it enacted by the Council of the Town of Lunenburg under the authority of the Municipal Government Act of the Province of Nova Scotia, SNS 1998, c. 18, as amended from time to time, or successor legislation that the following Town of Lunenburg bylaws be repealed in their respective entirety:

Bylaw #63: Automatic Machines By-law

Bylaw #47: Council Expense By-law

Bylaw #37 Curfew By-law

Bylaw #10 Engineer By-law

Bylaw #17 Lock-up House By-law

Bylaw #7 Officers By-law

Bylaw #21 Penalties By-law

Bylaw #36 Sewer Charge By-law

Bylaw #12 Signature of Debentures By-law

Bylaw #13 Public Meeting By-law

Bylaw #14 Plebiscite By-law

Bylaw #9 Town Solicitor By-law

Bylaw #24 Town Property By-law

Bylaw #33 Zoning By-law Advertising By-law

Bylaw #1 Interpretation By-law

Bylaw #53 Town of Lunenburg Skateboard and Similar Device Bylaw

Bylaw #35 A Bylaw Respecting Drains

Bylaw #29 A Bylaw Respecting the Prevention of Fire

#### **3. PREVIOUSLY REPEALED BYLAWS**



**Bylaw to Repeal Certain Bylaws**

Adopted by Council: July 11, 2023

Town of Lunenburg Bylaw #42, a Bylaw to Repeal Certain By-laws, repealed the following bylaws:

- Ch. 11 - Assessor
- Ch. 20 - Closing of Shops
- Ch. 21 - By-laws for Barber Shops in the Town of Lunenburg
- Ch. 27 - Building By-law of the Town of Lunenburg
- Ch. 28 - Plumbing
- Ch. 31 - The Mobile Bome Parks By-law
- Ch. 32 - Trailers
- Ch. 33 - Automatic Machines
- Ch. 34 - Public Billiard Rooms and Bowling Alleys
- Ch. 36 - Chimney Sweeps

All previously repealed bylaws as noted in Section 3 remain repealed under this bylaw.

**4. REPEALS AND REPLACES**

This bylaw repeals and replaces the Town of Lunenburg’s Bylaw #42, a Bylaw to Repeal Certain By-laws.

**5. EFFECTIVE DATE**

This bylaw, Bylaw to Repeal Certain Bylaws, is effective on the date of approval and adoption below.

**TOWN OF LUNENBURG**  
**Clerk’s Annotation for Official Bylaw Book**

**Bylaw:** Bylaw to Repeal Certain Bylaws

**Date of first reading:** June 13, 2023

**Advertisement of notice of intent:** June 21, 2023

**Date of second reading:** July 11, 2023

**Advertisement of the bylaw approval:** July 19, 2023

**A certified copy of the bylaw was mailed to the Minister of Municipal Affairs:** July 20, 2023

This bylaw comes into effect on the day the bylaw approval was advertised unless otherwise stated in the bylaw.

I certify that this bylaw was adopted by Council and advertised as indicated above.

\_\_\_\_\_  
Municipal Clerk  
Date: July 20, 2023

**Subject:** Special Events Policy – Notice

**Prepared by:** Kayla Byrne, Municipal Clerk

**Date:** March 12, 2024 – policy / 1<sup>st</sup> reading to amend by-law  
April 9, 2024 – decision/ 2<sup>nd</sup> reading and public hearing  
to amend by-law



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## **Recommendation**

That Council give notice to approve the Special Events Policy as presented.

That Council give notice to repeal the Annual Town Parade Approval Procedure Policy.

That Council approve first reading of the amended Public Places By-law, By-law #55, as presented.

## **Alternatives**

- Direct staff to make amendments to the proposed Special Events Policy.
- Direct staff to further amend the Public Places By-law, By-law #55.
- Make no changes.

## **Background**

The regulations for special events are outlined in the [Public Places By-law](#). Under this by-law, individuals planning public events or temporary activities in public spaces must apply for a Special Events Permit. Applications are directed to Council if no similar event permit has been issued within the last five years. When a similar event has been conducted within the last five years, the Chief Administrative Officer (CAO) approves the Special Events Permit. The CAO can either issue the permit with previous terms or refer it to the Council for adjustments, noise exemptions, or at their discretion. Despite the by-law stating that the CAO can approve annual events, TOL practice has been to seek Council approval on each permit application, including ones that have minimal effect on the community, such as renting a green space for a small wedding.

## **Discussion**

Staff are proposing to remove the special events section from the Public Places By-law and that Council approve a new Special Events Policy. Unlike the current by-law, the proposed policy provides more in-depth regulations on restricted events, the refusal of an event, accessibility, special events signage, waste management, etc.

Further highlights from the proposed policy include:

- Approval structure: The proposed policy recommends that Community Development staff review and approve all permit applications. Council sets the high-level policy that dictates what is and is not allowed for special events and approves any in-kind support

and any noise by-law exemption requests.

- **Town Supported Community Events and Rates:** The proposed policy, in Appendix A, clearly sets out what community events the Town will support through in-kind services. The events in Appendix A are annual events that the Town has supported for years. The monetary amounts in Appendix A are based on the cost these in-kind services typically cost the Town each year. Community events not included in Appendix A or services beyond the monetary amounts set out in Appendix A will have to pay for any Town services or make a formal request to Council to have fees waived.
- **Special Events Definition:** This proposed policy clearly defines a special event, differentiating them from more straightforward rental agreements such as a facility or park rental with minimum impact on the community, such as a small event without road closures, music, signage, etc. For example, an event wholly contained within the Community Centre, like a craft fair, would only need a facility rental agreement, not a Special Events Permit.
- **Special Events Guide:** To assist organizers, a Special Events Guide will be developed as to accompany the policy, providing information on additional permits needed for food or alcohol, among other things.

Repealing the [Annual Town Parade Approval Procedure Policy](#): This policy has not been updated since 1993. It is outdated, referencing the Town of Lunenburg Police Chief for parade approvals. The proposed policy ensures the Director of Public Works approves all street closures associated with public events.

Amending the Public Places By-law: As noted above, the rules for Special Event Permits are currently within the Public Place By-law. Should Council decide to proceed with the proposed policy, this section would not be necessary. Additionally, in the future, as a part of the Town's policy and by-law review, staff recommend that this by-law be further reviewed and amended. Before the more comprehensive review, staff suggest additional edits, including removing references to "vending" or vending activities. Staff recommend that the logistics of vending be dealt with solely in the vending by-law to avoid possible contradictory clauses and confusion. The amended by-law also removes reference to the Municipal Streets and Sidewalks By-law because TOL has no such by-law.

### **Strategic Plan Relevance**

Undertake a policy, procedure and bylaw review.

### **Relevant Legislation**

Municipal Government Act – S. 47

### **Financial**

There is minimal financial impact associated with passing this policy. The Town Supported Community Events and Rates (Appendix A) are events the Town already supports annually. The

cost of Town services for events not outlined or beyond the scope outlined in Appendix A is the event organizer's responsibility.

**Communications**

Per the Municipal Government Act (MGA), new policies or policy amendments require seven days' notice before approval. Amendments to by-laws require a first and second reading at least 14 days apart and must be advertised in the local media. The Town uses Lighthouse Now for advertising.

**Attachments**

Proposed Special Events Policy

Proposed Amended Public Places By-law



## Special Events Policy

Date adopted by Council: **TBD**



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### 1. POLICY STATEMENT

The Town of Lunenburg aims to foster a dynamic and welcoming community by promoting and supporting special events that enhance the experiences of both residents and visitors.

### 2. PURPOSE

This policy and its accompanying administrative procedures provide a framework for effectively managing and approving special events and parades on Town-owned lands such as parks, green spaces and streets.

### 3. APPLICABILITY

This policy and its accompanying administrative procedures apply to all special events and parades, as defined in this policy, held on Town-owned lands such as parks, green spaces and streets.

### 4. SCOPE

*“Special Event”* means a sporting, cultural, business or another activity that occurs for a fixed duration beyond the scope of a Town-owned facility rental. Special events can also be a parade, march, run or any procession of people or vehicles moving through a public place, such as Town streets and sidewalks, for an event.

*“In-kind Town services”* refer to the non-monetary support and resources provided by the Town of Lunenburg to facilitate and enhance the execution of special events and parades.

Organizers must submit a Special Event Permit application for any event that meets one or more of the following criteria:

- a) Impact on public services or safety: Events that are likely to require town services, such as traffic control, public safety measures, waste management, or impact regular town operations.
- b) Large attendance: Events expecting an attendance of over 250 people during the event.

- c) Street or road closures: Any event that requires the closure of town streets or affects normal traffic flow.
- d) Special circumstances: The Town reserves the right to require a Special Event Permit for any event that, in the opinion of the Town, poses potential risks or has significant implications for the Town and/or its residents.

Unless deemed required due to a special circumstance as noted above, events held entirely in a town-owned facility and following the terms of a standard facility rental agreement do not require a Special Events Permit.

## **5. FEES AND TOWN SERVICES**

There is no application fee for a Special Event Permit.

Town services may include parking, traffic control, road closures, parking or meter bagging, electrical services and waste collection following the event. The Town may also supply picnic tables, staging, bleachers, and waste receptacles.

To support longstanding annual community events, Council will waive fees for requested in-kind Town services and possible facility rentals for certain events up to a maximum cost as outlined in the Town Supported Community Events and Rates (Appendix A). This policy and Appendix A do not include direct financial support to event organizers. In instances where in-kind service fees have been waived but the Town cannot fulfill the request due to the event's scale, staffing, or other logistical challenges, the Town reserves the right to outsource these services to a third-party organization at its discretion and within the approved amount as outlined in Appendix A or specified by a motion of Council. Additionally, if an event organizer requires services beyond those offered as in-kind by the Town, they are responsible for securing and financing these additional services.

Appendix A will be reviewed annually by Council. Amendments to the Town Supported Community Events and Rates (Appendix A) require a motion of Council but do not require an amendment to this policy.

Town Supported Community Events (Appendix A) organizers must still submit all relevant event permit applications, including a Special Events Permit application.

Council may consider requests to waive in-kind Town service fees for not-for-profit community events not included in the Town Supported Community Events and Rates (Appendix A).

If Council does not waive fees before an event, event organizers must pay for Town services and support, with costs determined by staff and provided to organizers after they submit their application.

## **6. RESTRICTED EVENTS/ACTIVITIES**

The Town appreciates and encourages a diverse range of events. However, due to potential risks to health and safety, the following activities are not permitted:

- Any activity that may cause damage to parks, roads, venues or any other Town-owned or maintained property.
- Any activity that involves undue risk.
- Any activity that violates Town of Lunenburg by-laws or other provincial or federal laws.
- The promotion of derogatory, prejudicial, harmful to or intolerant of any specific group or individual.
- Is otherwise deemed inappropriate by the Chief Administrative Officer (CAO).

## **7. REFUSAL OR CANCELLATION OF AN EVENT**

The Town may refuse or cancel a Special Event Permit if:

- The application does not comply with all regulations outlined in this policy and procedures or contravenes local, provincial, or federal regulations.
- The Town cannot provide the requested site(s) or services.
- There is not adequate traffic and parking control to ensure that streets are clear for the passage of emergency vehicles.
- It is expected that Town resources will be over-extended by the events and/or the parking and/or traffic associated with the event.
- The event organizer cannot provide an up-to-date Certificate of Insurance before the start of the event.

If an event is cancelled or postponed by the organizer, the organizer must cover any costs incurred by the Town. However, the CAO or delegate may consider refunds for cancellations due to weather or other unforeseen circumstances.

If the Town cancels an event, it will refund any fees the organizer may have paid to the Town before the event, provided that the event is not categorized as a restricted event under Section 6 of this policy or cancelled for failing to comply with this Policy and Procedures. This includes

submitting an up-to-date Certificate of Insurance before the event begins.

## **8. ACCESSIBILITY**

The Town encourages organizers to make every effort to create opportunities for a diverse range of individuals to attend and enjoy special events.

## **9. VENDING AT SPECIAL EVENTS**

Vending activities related to an approved Special Event Permit do not require a Town of Lunenburg Vending Permit.

## **10. ELECTRICAL REQUIREMENTS**

The Town may provide access to power where available. Approval by the CAO or delegate is required before connecting to a Town-owned power supply.

## **11. SPECIAL EVENTS SIGNAGE**

*“Special Events Signage”* means temporary signs erected on Town-owned lands to promote, give directions, or provide information on a special event(s).

All Special Events Signage must comply with the Town’s Land Use By-law and any other municipal by-law or policy that may regulate signage location, aesthetics, sizing, and other provisions related to signage.

The Town will remove any signage that the Traffic Authority believes may impede vehicular or pedestrian traffic.

## **12. ON-SITE MANAGEMENT**

The event organizer must always have a designated event manager present at the event site during the event, including set-up and tear-down.

The event manager must ensure the event starts and ends on time.

## **13. SECURITY AND CROWD CONTROL**

Depending on the complexity and scale of the event, organizers may be required to provide details of security measures for their event.

## **14. WASTE MANAGEMENT DURING AND AFTER EVENT**



Throughout the event, the organizers must regularly empty garbage, recycling and compost bins to prevent overflow and spillage.

Organizers are also responsible for the cleanup at the end of the event. If sites have not been returned to their original conditions, the event organizer will be billed by the Town for any necessary clean-up, repairs, damages, etc.

## **15. ZERO OR LOW WASTE EVENTS**

The Town encourages event organizers to consider zero-waste or low-waste initiatives when planning events.

## **16. SPECIAL EVENTS GUIDE**

A Special Events Guide will accompany this policy and procedures. The guide intends to help event organizers have relevant information on permits and required regulations for holding a special event within the Town of Lunenburg.

## **17. RESPONSIBILITIES**

### **Council:**

- Reviews and approves the Town Supported Community Events and Rates (Appendix A)
- Considers requests to waive fees associated with services and support for special events and parades.

### **The CAO or delegate:**

- Designates roles for staff to help administer this policy and the accompanying administrative procedures.

## **APPENDICES**

- Appendix A: Town-Supported Community Events and Rates

## ADMINISTRATIVE PROCEDURES

### Special Events and Parades Policy

Date approved by the CAO: **TBD**

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## 1. STAFF ROLES

### Director of Community Development:

- Approves or denies Special Event Permit applications. This authority may be delegated to the Recreation Manager or another designate when required.

### Recreation Manager or designate:

- Is the first point of contact for all special event inquiries and applications.
- Reviews all Special Event Permit applications.
- Provides support for all event applications.
- Serves as a liaison between the event organizer(s) and other Town staff.
- Reviews the Special Events Guide occasionally to ensure it is current.

### The Director of Public Works / Town Engineer or designate:

- Reviews Special Event Permits, approves street closures and provides town services.
- Reviews Special Event Signage.
- Coordinates street and sidewalk closures.
- Coordinates an inspection of locations following an event.

## 2. SPECIAL EVENTS APPLICATION PROCESS

Once a Special Events Permit application is approved, staff will outline the cost estimation of Town services and support.

## 3. INSURANCE REQUIREMENTS

To qualify for a Special Events Permit, the Town requires that all event organizers have the following minimum insurance coverage in place:

- \$5 million Commercial General Liability Insurance providing coverage against third-party claims for bodily injury, death, and property damage.
- For events with fireworks, pyrotechnics, or involving liquor sale/consumption, this limit increases to \$10 million, specifically noting these elements in the policy.

Required insurance policies must list the Town of Lunenburg, including its employees, officers, agents, and volunteers, as "Additional Insured" for liabilities related to the event's activities.

All required insurance policies must include:

- A cross liability clause
- A severability of interest clause
- Blanket Contractual Liability
- Primary and Non-Contributing Liability
- Non-Owned Auto Liability (if applicable)
- An additional insured endorsement naming the Town of Lunenburg (including its respective employees, officers, agents and volunteers) as an "Additional Insured" under the policy;
- A waiver of subrogation rights which the insurers may have against the Town of Lunenburg, its elected and appointed officers, agents, servants, and employees, whether the damage is caused by the act, omission or negligence of any of them.

The Applicant must provide the Town of Lunenburg with an up-to-date Certificate of Insurance before the start of the event.

#### **4. INVOICING FOR TOWN SERVICES**

Invoices for Town services will be issued after an event.

TOWN OF LUNENBURG

**Appendix A**

**Town-Supported Community Events and Rates**

Fees are reviewed annually

Last reviewed:



To support longstanding annual community events, Council will waive fees for requested in-kind Town services and facility rentals for these events up to a maximum cost as outlined in the following table:

<b>Annual Event</b>	<b>Cost of in-kind Town services</b>
Lunenburg Board of Trade StreetFest (summer)	\$2,400
Lunenburg Royal Canadian Legion Remembrance Day Event	\$1,000
Christmas Tree Lighting	\$500
Lunenburg Board of Trade & Fisheries Museum of the Atlantic Light Up Lunenburg Festival (winter)	\$2,400
Lunenburg Folk Harbour Festival	\$1,500



## **PUBLIC PLACES BY-LAW**

### **Title**

1. This By-Law is cited as the “Public Places By-Law.”
2. Nothing in this By-Law shall be construed as authorizing non-compliance with any other laws, regulations, by-laws, lawful orders or directives pursuant to any statute, regulation or statutory or regulatory authority respecting the use of particular public places or particular types of public places.

### **Definitions**

3. In this By-Law:

~~(1) “abutter” means the owner, lessee or occupier of any premises which abut a sidewalk;~~

(2) “crosswalk” means that portion of a roadway ordinarily included within the prolongation or connection of curb lines (or edges of a roadway) and property lines at intersections or any other portion of a roadway clearly indicated for pedestrian crossings by lines or other markings on the road surface;

~~(3) “mobile canteen” means a vehicle used for the display, storage, transportation or sale of food or beverages by a mobile vendor;~~

~~(4) “mobile vendor” means a person who vends from a mobile canteen or a stand;~~

(5) “public places” means

- (a) streets,
- (b) public parks and trails,
- (c) property owned by the Town of Lunenburg,
- (d) recreation facilities funded or partially funded by the Town of Lunenburg, and
- (e) places designated by Council resolution as a public place for purposes of this By-Law provided that such place is posted as a designated public place in accordance with this By-Law;

(6) “roadway” means that portion of a street between the curb lines or the travelled portion of a street designed for vehicular traffic and, except

where the context indicates otherwise, includes a crosswalk;

- (7) "rural areas" are as defined in the Town of Lunenburg's Land Use By-law.
- (8) "sidewalk" means that portion of a street between the curb line and the adjacent property line or any part of a street especially set aside for pedestrian travel and separated from the roadway;
- (9) "street" means a public street, highway, road, lane, sidewalk, thoroughfare, bridge, square and the curbs, gutters, culverts and retaining walls in connection therewith and, without restricting the generality of the foregoing, includes the full right-of-way width and includes streets not owned by the Town of Lunenburg;
- (10) "Town" means the Town of Lunenburg;
- ~~(11) "vending" means the sale, or offering for sale, of~~
  - ~~(a) food, beverages or other merchandise unless they are immediately delivered to a residence or shop by the person selling them; or~~
  - ~~(b) services, unless they are provided in a building; and includes vending by a mobile vendor.~~

#### **Designation of Public Places**

- 4. Upon application made by the owner of any property in the Town, Council may designate a property or portion of a property as a Public Place for purposes of this By-Law if the property or portion of a property is in, on or near a place that is open to the public.
- 5. The owner of a property or portion of a property designated by Council as a Public Place under section 4 shall keep posted at a prominent location thereon a sign bearing the words "This property has been designated a Public Place by the Town of Lunenburg for purposes of the Public Places By-Law" in letters at least 2.5 cm. in height in a contrasting colour to the background of the sign, and containing such other information concerning this By-Law as the ~~Manager/Clerk~~ Chief Administrative Officer may authorize.
- 6. At the request of the owner, Council shall revoke the designation of a property or portion of a property designated as a public place pursuant to section 4.
- 7. Council may, on its own initiative and in its own discretion, revoke a designation made pursuant to section 4.

## Interfering with Use and Enjoyment

8. Save as specifically authorized by law (including, the provisions of this By-law) no person shall interfere with the lawful use and enjoyment of a public place by other persons.
9. Without limiting the generality of section 8:
  - (1) no person shall light or have a fire in a public place;
  - (2) no person shall camp or tent in a public place;
  - (3) no person shall sleep in a public place after dark;
  - (4) no person shall skateboard, rollerblade, scooter or roller-skate in a public place except such places as may be posted or authorized by or on behalf of the Town or the owner as an authorized place in which to carry out such activity;
  - (5) no person shall bicycle in a public place except
    - (a) on a roadway in accordance with other applicable laws;
    - (b) in areas or upon trails posted by or on behalf of the Town or the owner as an authorized place in which to bicycle.
  - (6) no person shall bring into or possess in a public place any animal except:
    - (a) dogs kept under control by means of a harness or leash or otherwise complying with provisions in the Town's Dog By-Law;
    - (b) cats or other domestic pets kept under control by means of a harness or leash or carried in a cage;
    - (c) horses on trails or in parks posted by or on behalf of the Town or the owner as an authorized place in which to ride horses, provided however, that the horse is under the continuous physical restraint and control of a rider or handler;
    - (d) horses being used for law enforcement purposes by or under the direction of a peace officer;
    - (e) horses in rural areas on a street, provided however, that the horse is under the continuous physical restraint and control of a rider or handler;
    - (f) animals being transported in a vehicle; and
    - ~~(g) other animals pursuant to a Special Events Permit;~~

- (7) no person shall litter or deposit or leave waste in a public place except in a designated waste receptacle;
- (8) no person shall use motorized vehicles or apparatuses in a public place except:
  - (a) wheelchairs or scooters for disabled persons;
  - (b) motorized vehicles or apparatuses otherwise lawfully in use on a roadway, driveway or parking lot;
- (9) except in accordance with a ~~Street Disturbance Permit issued under the Municipal Streets and Sidewalks By-Law~~ or a Special Events Permit, no person shall obstruct the use by others of public places, including but not restricted to, causing or permitting an impediment to the traffic of pedestrians, strollers and wheelchairs on sidewalks, crosswalks or paths, and causing an impediment to vehicular traffic in roadways.
- (10) no person shall carry on public entertainment events, exhibitions, parades or circuses except as expressly authorized by or pursuant to a Special Events Permit.
- (11) no person shall deface, damage or destroy municipal property in a public place, and, in addition to any penalty upon a prosecution for contravention of this provision, the Town may recover the expense incurred in remediating the damage, together with costs and pre-judgment interest, by action in any court of competent jurisdiction.
- ~~(12) no person shall engage in vending in a public place except as expressly authorized by the Vending By-Law.~~

### **Signs and Posters**

10. Subject to the other provisions in this By-Law, persons may carry with them signs, posters and banners in a public place.
11. Except at a recreational facility to the extent expressly authorized by the manager of a recreational facility, or except as authorized in this By-Law ~~or in the Municipal Streets and Sidewalks By-Law~~, no person shall post, nail, place or attach any sign, poster, notice or advertisement to any tree, telephone, hydroelectric, cable telecommunication or other utility pole in a public place.

### **Special Events**

- ~~12. A person wishing to carry out a public entertainment event, exhibition, parade or~~



~~circus in a public place or any other activity of a temporary nature which might interfere with the lawful use and enjoyment of a public place by other persons may apply for a Special Events Permit.~~

~~13. Application for a Special Events Permit shall be made—~~

- ~~(1) to the Council, when a Special Events Permit has not been granted to the applicant or a predecessor organization by Council within the previous 5 years for an event of substantially the same nature;~~
- ~~(2) to the Manager/Clerk, when a Special Events Permit has been granted to the applicant or a predecessor organization by Council within the previous 5 years for an event of substantially the same nature.~~

~~14. Upon receipt of an application under section 14(2), the Manager/Clerk may—~~

- ~~(1) subject to subsection (2), issue a Special Events Permit on the same terms and conditions and for the same fee, if any, as Council set on the most recent occasion of its granting of such a Permit for such organization; or~~
- ~~(2) refer the application to Council:
  - ~~(a) when the applicant requests a variation in the terms and conditions and fee, if any, previously set by Council;~~
  - ~~(b) when a Noise By Law exemption is concurrently sought; or~~
  - ~~(c) when the Manager/Clerk, in his or her discretion, otherwise deems it appropriate.—~~~~

~~15. Upon hearing an application, Council may by resolution refuse to grant the Permit, or may grant the Permit applied for or any Permit of lesser effect. Any Permit so granted shall:~~

- ~~(1) specify the time period, the public places and the activities for which the Permit shall be effective;~~
- ~~(2) specify whether a Noise By Law exemption is being concurrently granted by Council and, if so, identify any related terms or conditions~~
- ~~(3) be confirmed in writing by the Manager/Clerk before becoming effective;~~
- ~~(4) include such terms and conditions as Council deems appropriate;~~
- ~~(5) be subject to the provision of an indemnity in favour of, and in form satisfactory to, the Town for the defence and indemnification of any claims arising out of or in relation to the proposed event and related activities; and—~~
- ~~(6) be subject to the payment of the Special Event fee, if any, set by Council~~

~~pursuant to section 18.~~

~~16. In deciding whether or not to grant a Permit under section 16 or in determining terms or conditions of the Permit, Council shall give consideration to:~~

- ~~(1) the social or economic benefit of the proposed event to the municipality;~~
- ~~(2) the volume, nature, duration and consistency of disturbance to the use and enjoyment of public places from the proposed event;~~
- ~~(3) the proximity and nature of abutting or adjacent land uses and the effect upon them of granting the Permit;~~
- ~~(4) whether the proposed event would also require the granting of an exemption from the Noise By Law, and, if so, whether it is appropriate to grant such an exemption having regard to the requirements in that By Law; and~~
- ~~(5) any other factor relevant to balancing the interests of the applicant, the Town and others in relation to the proposed event.~~

~~17. When granting a Special Events Permit, Council may set a fee of:~~

- ~~(1) when the event is carried on for profit or gain by or for an entity not registered with Revenue Canada as a charitable organization:
  - ~~(a) \$1.00 for each day of event activities for which a Permit is required;~~
  - ~~or~~
  - ~~(b) .10 ¢ per person per day expected to attend the event;~~~~
- ~~plus~~
- ~~(2) an amount estimated as required to defray any extraordinary, police, fire or clean up expenses of the Town associated with or arising from the event.~~

~~18. Notwithstanding sections 12-17 of this By Law, when an event for which a Special Events Permit is required would result in an obstruction of a street, the approval of the Traffic Authority and Town Engineer are required prior to issuance of a Special Events Permit.~~

## **Penalties**

19. Any person who contravenes any provision of this By-Law is punishable on summary conviction by a fine of not less than \$100 and not more than \$10,000 and, in default of payment to imprisonment for a term of not more than two months.

**MOTION ACTION LIST**

TITLE	REQUESTED DATE	COUNCIL MOTION OR DESCRIPTION	RESPONSIBLE	TARGET DATE	STATUS
Lawn and Park Naturalization Policy	Sept. 12, 2023	That staff draft a lawn and park naturalization policy to allow and encourage naturalization initiatives.	Municipal Clerk	Spring 2024	
Community Grants Policy Amendment	Sept. 26, 2023	Amend the Community Grants Program Policy to add criteria for Lunenburg students needing extra funds for provincial or national recreational or cultural activities, allocating \$2,000 from the Community Grants Fund exclusively for qualifying student applicants.	Director of Finance / Recreation Manager	Spring 2024	
Lunenburg RV Park and Campground Benefits	Sept. 26, 2023	CAO will seek detailed financial and community benefit reports from the Lunenburg Board of Trade about the Lunenburg RV Park and Campground.	CAO	To be completed after Economic Impact Study	
Blockhouse Hill	Jan. 23, 2024	Return to Council on March 26 to consider a decision to declare Blockhouse Hill as surplus land.  Return with all tax implications associated with the development	Director of CD Director of Finance	March 26, 2024	

		options presented by MacKay-Lyons Sweetapple Architects Ltd.			
Marketing Levy By-law	Feb. 27, 2024	That Council direct staff to bring forward a draft Marketing Levy By-law for first reading.	Director of CD	TBD	