



# AGENDA

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## Town of Lunenburg Council Meeting

Tuesday, January 28, 2020 at 5:15 p.m.

Lunenburg Town Hall, 2<sup>nd</sup> Floor, 120 Townsend Street

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1. Agenda - *motion to approve.*
2. January 7 and 14, 2020 Council meeting minutes - *motion to approve.*
3. Public Hearings and Presentations
  - a. Bluenose 100 Committee, Alan Creaser and Emily Sollows, request for \$5,000 grant, plus in-kind Town services contributions (time sensitive grant request due to additional funding deadlines).
4. Correspondence
  - a. West Nova Golf for Fishermen's letter of appreciation for Town grant;
  - b. Lunenburg Harbour Authority of Lunenburg letter of support for treated effluent outflow pipe extension and letter in opposition to Cermaq fish farming Provincial licensing potential;
  - c. CNSOPB update regarding BP's consolidated Exploration Licence;
  - d. Short term rental follow up letter from the NS Minister of Business; and
  - e. Lunenburg Waterfront Association Inc. letter supporting particular attention to Dillon Consulting Limited's Option, UV disinfection and the outfall extension suggestions.
5. Committee Meeting Minutes and Recommendations
  - a. South Shore Regional Library September 18 and November 20, 2019 minutes;
  - b. Joint Occupational Health and Safety Committee January 9, 2020;
  - c. Planning Advisory Committee January 13, 2020;
  - d. Comprehensive Community Plan Project Steering Team December 11, 2019 deferred recommendation to "Complete Project Lunenburg, then check Heritage Conservation District Plan and Bylaw for alignment" (deferred from January 14 Council meeting) and January 13, 2020;
  - e. General Government Committee January 16, 2020 – 2 x *notices of motion* by

*Deputy Mayor McGee and Councillor Mosher;*

- f. Heritage Advisory Committee November 18, 2019 – 2 x recommendations for PAC and January 20, 2020 – 1 x recommendation – *Councillor Mosher*, and
- g. Safe Communities Lunenburg County December 2019 and January 2020 monthly reports.

6. Unfinished Business

a. Corporate Services

- i. NSFM proposed property “CAP” assessment impact – *staff report and notice of NSFM Review Committee*; and
- ii. Notice of motion of proposed Complaints Process Policy – *Councillor Risser*.

b. Recreation

- i. Ice resurfer electric vs. propane option and potential funding sources (deferred from January 14 Council meeting) – *motion to consider*.

~ Recess ~

7. New Business

a. Corporate Services

- i. 2019/20 Budget variance to November 30, 2019 - *staff report*; and
- ii. Bluenose 100 Committee request for \$5,000 grant, plus in-kind Town services contributions – *motion to consider*.

b. Protective Services

- i. LDFD request to withdraw Joint Equipment and Building Fund bank account to purchase a defibrillator – *motion to consider*.

8. Motion to meet in camera – *consideration of Town land leases and sales, personnel matters and legal advice eligible for solicitor-client privilege (section 22 Municipal Government Act)*.

9. Consideration of any Council in camera meeting recommendations – *motion(s)*.

10. Adjournment – *motion to adjourn*.

*Agenda items awaiting staff reports, etc. for further consideration*

<u>Agenda Item</u>	<u>Department</u>	<u>Council Meeting Assigned</u>	<u>Status</u>
Proposed amendments to Hack and Trolley	Council and	May 28, 2019	Awaiting additional Bylaw housekeeping

Bylaw #56 and #65 Street Encroachment for Building Access Bylaw	Corporate Services		amendments before advertising second reading and public submissions
Falkland Street pedestrian access	Public Works	June 11, 2019	Staff report to be prepared
Tannery Road seawall proposed landscaping sketch revised plan with connecting walking path detail	Public Works	September 10, 2019	Public Works preparing a more detailed sketch and will confer with Coastal Action Foundation
Source Water Protection Plan update	Public Works and Engineering Consultant	November 26, 2019	Consultant's Plan updates will be completed by end of January 2020
2020 Recreation/LWMCC resident application advertisement for Council consideration	Corporate Services	December 10, 2019	Advertised for applications for consideration at February Council meeting
Council remuneration and succession planning	Corporate Services	December 10, 2019	Staff report being prepared following comparative remuneration information
Solar initiatives, LED street lights and water meters update	Corporate Services/Public Works	January 7 and 14, 2020	Staff reports to be prepared after Budget 2020/21 approved by Council
Tannery Road sidewalk project update	Public Works	January 7, 2020	PW preparing a Council report
Various draft 2020/21 budget additional information	Various Departments	January 7, 2020	Council request for additional supporting information will be included in the draft 2020/21 budget
WWTP upgrades preferred option CBCL response to "peer review"	Public Works	January 14, 2020	CBCL Engineering preparing a response for Council
"Share the Road" signage for cycling	Recreation	January 14, 2020	Staff report will be prepared about signage options

**TOWN COUNCIL MEETING MINUTES**

**TUESDAY, JANUARY 7, 2020 AT 1:00 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Mayor Rachel Bailey  
Deputy Mayor John McGee  
Councillor Ronnie Bachman (arrived 1:03 p.m.)  
Councillor Danny Croft  
Councillor Peter Mosher  
Councillor Matt Risser

**ALSO PRESENT:** Lisa Dagley, CPA, CGA, Finance Director  
Heather McCallum, Assistant Municipal Clerk  
Kathleen Rafuse, Accountant

**ABSENT:** Councillor Joseph Carnevale

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The Mayor called the meeting to order 1:00 p.m.

1. Agenda

Motion: moved by Councillor Risser, seconded by Councillor Croft to approve the agenda.  
Motion carried.

2. 2020/21 Budget - Council Strategic Budget Preparation and Reserves

The Finance Director reviewed her staff report (**Schedule "A"**), presentation, and documents.

Attachment A: Overview of Financial Capital Investment April 1, 2016-March 31, 2019

On a total capital investment of \$10,026,851, the Town of Lunenburg funded \$3,521,958 (35.13%) and other funding sources included Federal and Provincial grants of \$6,504,893 (64.87%).

Attachment B: Draft Capital Budget Funding Summary

The FD explained that these budgets are preliminary and are based on the best information available to date.

Council discussed all capital projects including the wastewater treatment system, which has been identified as Council's top budget priority for 2020/21.

Motion: moved by Councillor Bachman, seconded by Councillor Risser to request a staff report on the Tannery Road Sidewalk capital project, to include the current status with landowners and recommendations for moving the project ahead. Motion carried.

Council requested further information on the rationale for the recommendation to install a new sidewalk on Pelham Street between Knaut-Rhuland House and Prince Street.

Council requested further information on the rationale for the request for an additional truck for facilities maintenance.

Motion: moved by Councillor Croft, seconded by Councillor Bachman to request a Staff report listing all Public Works' vehicles and motorized equipment with current status, as well as a review of the Vehicle Replacement Policy report and possible replacements. Motion carried.

Council requested further information on the rationale for the request for a snow push blade for the backhoe and the concrete screed.

The FD noted that explanatory notes on line items are incorporated into later versions of the budget.

An optional tour with the Facilities Superintendent will be scheduled for members of Council who would like to see recommended repair sites first hand.

The FD noted that additional information will be coming to Council regarding the Water Utility's recommended repairs to the spillway at Dares Lake.

Motion: moved by Councillor Mosher, seconded by Councillor Croft to request a staff report outlining the scope of work for a project to install water meters in the community, including technology for reading meters and preliminary costs, for future information. Motion carried.

It was noted that water meter information is not required for the 2020/21 Budget, and the report will be completed for Council after the 2020/21 Budget process is completed.

Motion: moved by Councillor Mosher, seconded by Councillor Risser to request a staff report on a street light replacement plan including preliminary costing, per the Provincial mandate for all roadways in Nova Scotia to use LED streetlights by 2022. Motion carried.

In response to a Council question, the FD commented that an earlier staff report on the proposed splash pad included projected operating costs. This March 7, 2019 "Splash Pad Proposal: Staff's Feasibility Report" will be bundled with the December 5, 2019 "Splash Pad Project" staff report from December 5, 2019, which is on the agenda for the January 14, 2020 Council Meeting.

#### Attachment C: Debt Charges 2020/21

The FD explained that this chart is based on the projected debt to date.

When Council approves a direction regarding the WWTP, the Finance Department will then develop a financial plan for a capital depreciation reserve.

#### Attachment D: FCI scoring for the Town of Lunenburg

The FD explained that the scoring from the Province on our financial condition indicators is very good. (Note: There was a fuller presentation on our FCIs at the Audit Committee Meeting of November 19, 2019.)

Attachment E: Review of Operating and Capital Reserves for 2019/20 Fiscal Year

This presentation provided an overview of the Town's reserve funds to date.

In response to a question from Council, the FD explained that the Town's General Operating Fund is not budgeted to have a surplus at the year end. The FD also noted that there is Council discretion built into the Operating Reserve should priorities change and reserves need to be reallocated in any particular year.

Council discussed initiating a strategy to have certain types of capital items become debt-free, and a focus on reducing capital borrowing.

Motion: moved by Councillor Mosher, seconded by Councillor Risser to request a staff report on general reserve funds: what reserves could be established and the impact on the Town Budget and tax rates. Motion carried.

The FD reiterated that Council's questions and report requests will be reviewed with the applicable senior managers, and that responses to same will be provided at upcoming budget sessions. The Capital Budget will be reviewed on February 13, 2020 and the Operating Budget on February 19, 2020, and all senior managers have been asked to be in attendance at these meetings.

3. Adjournment

Motion: moved by Councillor Risser, seconded by Councillor Croft to adjourn the meeting. Motion carried.

The meeting was adjourned at 2:55 p.m.

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Heather McCallum, Assistant Municipal Clerk

**LUNENBURG TOWN COUNCIL MEETING MINUTES**

**TUESDAY, JANUARY 14, 2020 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Mayor Rachel Bailey  
Deputy Mayor John McGee  
Councillor Ronnie Bachman  
Councillor Danny Croft  
Councillor Peter Mosher  
Councillor Matt Risser

**ALSO PRESENT:** Paul Bracken, Facilities Superintendent  
Kelly Cunningham, Recreation Director  
Lisa Dagley, Finance Director  
Heather McCallum, Assistant Municipal Clerk  
Gary Mossman, Fire Hall Superintendent  
Bea Renton, Chief Administrative Officer  
Dawn Sutherland, Planning and Development Manager

**ABSENT:** Councillor Joseph Carnevale

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The Mayor called the meeting to order at 5:15 p.m.

1. Agenda

Motion: moved by Councillor Risser, seconded by Councillor Mosher to approve the agenda. Motion carried.

2. December 10, 17 and 19, 2019 Council meeting minutes

Motion: moved by Councillor Croft, seconded by Councillor Bachman to approve the December 10, 17 and 19, 2019 minutes. Motion carried.

3. Public Hearings and Presentations

- a. Presentation by Jan Hull, President, Lunenburg Art Gallery Society, respecting a supplementary 2019/20 Grant application for an Earl Bailly collection display

Ms. Hull presented the Lunenburg Art Gallery Society's grant application (**Schedule "A"**).

Council agreed to further consider the application under New Business later in the meeting.

4. Correspondence

- a. Department of Municipal Affairs and Housing “12 month notice letter” regarding proposed Police Act Regulation changes to extend the public complaint filing limitation period from six months to one year aligning with the RCMP Act

This item was received for information only as the Town does not operate its own Police Force and instead has an RCMP service contract.

5. Committee Meeting Minutes and Recommendations

- a. Comprehensive Community Plan Project Steering Team December 11, 2019 meeting minutes - recommendations

Council discussed the recommended motions. In response to a Council question, the Planning and Development manager explained that the final Project Lunenburg public engagement workshop is next week and then the focus will be on planning document writing, with drafts ready for Council in the Spring.

Motion: moved by Councillor Risser, seconded by Councillor Mosher that Council not accept any additional Municipal Planning Strategy amendments until the CCPSPT project is complete. Motion defeated. Mayor Bailey, Deputy Mayor McGee, Councillors Croft and Backman voted in the negative.

Motion: moved by Councillor Risser, seconded by Councillor Bachman adoption of option 2.5 in the staff report (Schedule “B”) as follows -

***Complete Project Lunenburg, then check Heritage Conservation District Plan and By-law for alignment.***

*Wait until Project Lunenburg is complete prior to adoption of the new Heritage Conservation Plan and By-law. The architectural control areas would have to remain in the new MPS and be removed via an amendment later. The proposed Heritage Conservation District Plan and By-law would be reviewed for alignment with the CCP. This could be carried out in house or by the consultant, who is most familiar with all of the background data and strategic directions. This would be a change in scope, which would have budget implications.*

Motion: moved by Councillor Risser, seconded by Councillor Bachman to defer consideration of this motion. Motion carried.

- b. Recreation/Lunenburg War Memorial Community Centre Committee December 11, 2019 – recommendations

Motion: moved by Councillor Bachman, seconded by Councillor Croft that a staff report be prepared about the potential installation of “Share the Road” signage for cycling safety as noted in the AT Strategic Plan. Motion carried.

Motion: moved by Councillor Bachman, seconded by Councillor Mosher that a letter of support be sent for “The Great Trail Loop” (Schedule “C”). Motion carried.

In response to a Council question, the Recreation Director confirmed that the current 30-year-old ice resurfacer is nearing the end of its life, with maintenance now a challenge. She noted that purchase of a new ice resurfacer has a lead time of six months to one year for its manufacture.

In response to a Council question, the Finance Director advised that a reserve fund from Arena fee increases is accumulating to be applied to the purchase of a replacement ice resurfacer. Additional funding sources will be pursued.

Motion: moved by Councillor Bachman, seconded by Councillor Croft that Town Council pre-approve a propane ice resurfacer purchase in fiscal 2020/21 estimated at \$125,000 plus HST to be funded through a fundraising campaign and the ice resurfacer reserve fund (Schedule “D”). Motion defeated. Deputy Mayor McGee, Councillors Croft and Mosher voted in the negative.

Council agreed by consensus that a new ice resurfacer is needed, but would like to further consider electric vs. propane and potential sources of funding.

- c. Lunenburg Harbour Health Advisory Group November 6, 2019 draft meeting notes

These minutes were received for information only.

## 6. Unfinished Business

### a. Corporate Services

- i. Proposed appointment of a Chair to the 2020 Waste Reduction Strategy Working Group and approval of draft Guidelines

Council discussed the staff report (Schedule “E”).

Motion: moved by Councillor Mosher, seconded by Councillor Risser the appointment of Mayor Bailey as the Council representative and Chair of the Waste Reduction Strategy Working Group. Motion carried.

Councillor Bachman offered to serve on the Group as well which Council agreed with.

In response to a Council question, staff advised that the Town’s solid waste management budget can accommodate reasonable document production costs and advertising that the Group may recommend to Council.

Motion: moved by Councillor Risser, seconded by Councillor Mosher approval of the Guidelines for the Waste Reduction Strategy Working Group which the Group may further refine (Schedule “E”). Motion carried.

Council requested that if the Guidelines are revised by the Group that they be shared with Council.

b. Public Works

i. Solar Summit 2019 conference

The Facilities Superintendent presented the staff report on the recent Solar Summit conference (Schedule “F”).

In response to a Council question, the Finance Director confirmed that the Town Electric Utility now has the ability to provide two-way metering for those who wish to have solar panels, and that the program has had many applications.

Council discussed several solar project initiatives for consideration in a staff report when the 2020/21 Budget process is complete.

7:01 p.m. – 7:16 p.m. – Council recessed.

ii. Dillon Consulting Engineering “peer review” report of CBCL Consulting Engineering’s Wastewater Treatment Plant process upgrade recommendations

Council discussed the findings of the Dillon Consulting Engineering report (Schedule “G”).

Motion: moved by Councillor Risser, seconded by Councillor Bachman that a staff report be prepared based on the CBCL Engineering response to the Dillon Engineering peer review of the CBCL wastewater treatment system report. The staff report should include: consultation with NS Environment and Halifax Water; suggestions for enforcement of the Sewer Discharge Bylaw; means to reduce salt water intrusion in the wastewater collection system; and Provincial funding opportunities for flood mitigation. Motion carried.

iii. Splash Pad alternative process for the issuance of a Request for Proposals for its design and construction at a pre-selected location – Council discussion deferred from December 10 staff report presentation

Council resumed discussion of the staff report (Schedule “H”), focusing on the potential splash pad location, funding, and operating costs.

In response to a Council question, the Recreation Director advised that the deadline for the Lunenburg Community Development Group to submit their application with Town assistance for provincial funding is February 3.

Councillor Risser reported that the Project Lunenburg consultants as requested by Council declined to offer an opinion on the splash pad location, as the decision is not a strategic one.

Motion: moved by Councillor Risser, seconded by Councillor Bachman to defer the splash pad location decision in order to solicit comment from Town Planning staff. Motion defeated. Deputy Mayor McGee, Councillors Croft and Mosher voted in the negative.

Motion: moved by Councillor Mosher, seconded by Councillor McGee to proceed with Option 1 in the staff report (Schedule "H") with a revision to the location selection – issue a request for proposals for the procurement of a splash pad with the Lunenburg War Memorial Community Centre grounds as the location for construction in 2020/21 pending funding from the Lunenburg Community Development Group. Motion carried. Mayor Bailey and Councillor Risser voted in the negative.

## 7. New Business

### a. Corporate Services

#### i. Lunenburg Art Gallery Society 2019/20 supplementary Grant application

Council discussed the Lunenburg Art Gallery Society's grant application for construction of an Earl Bailly art display. The FD noted that there is \$1,373 remaining in the 2019/20 grants budget.

Motion: moved by Councillor Risser, seconded by Councillor Mosher to approve the Lunenburg Art Gallery Society's supplementary grant application for an Earl Bailly art display (Schedule "A") in the amount of \$1,000. Motion carried.

#### ii. Draft Complaints Process Policy

The CAO presented the staff report and draft Policy (Schedule "I").

Council agreed that the draft Policy be amended to provide Council with a copy of any formal complaints filed under the Policy for information.

Councillor Risser will give notice of motion of the proposed adoption of the revised Policy at the January 28 Council meeting.

Council agreed to proceed to agenda item #7.c.i. next.

### c. Fire Department

#### i. Lunenburg and District Fire Department request for Council and Districts 1 and 2 Fire Commission approval to donate surplus firefighting turn out gear

Council discussed the recommendation from the Fire Chief (**Schedule "J"**) to donate the turn out gear the Department no longer requires.

**Motion:** moved by Councillor Croft, seconded by Deputy Mayor McGee to approve the Lunenburg and District Fire Department's request to donate surplus firefighting turn out gear to other fire departments (Schedule "J") on an as-is, where-is basis. **Motion carried.**

The Fire Chief is to confirm with the Commission that they are in agreement with this as well before offering the turn out gear to other Departments. And further, he is to report to Council the results of the donation offer to the Protective Services Committee.

- ii. Letter from the Municipality of the District of Barrington to all NS Municipalities requesting support for their application to the Provincial Department of Education and Early Childhood Development

It was noted that the Fire Chief supports this request (**Schedule "K"**) as it would be beneficial to the LDFD Junior Firefighter membership with youth age 12-19 years.

**Motion:** moved by Deputy Mayor McGee, seconded by Councillor Croft that a letter of support be sent for Barrington's proposal to the Provincial Department of Education and Early Childhood Development to provide a personal development credit to students who join a volunteer fire department and complete the required training (Schedule "K"). **Motion carried.**

b. Public Works

- ii. Region 6 Solid Waste Resource Management Committee draft 2020/21 budget approval request

Council discussed the Region 6 2020/21 draft budget, which includes a \$139.35/7.5% increase from 2019/20 for the Town of Lunenburg, for a total 2020/21 expenditure of \$1,997.35 (**Schedule "L"**).

**Motion:** moved by Councillor Risser, seconded by Councillor Bachman to approve the 2020/21 Region 6 Inter-Municipal Committee Budget in the amount of \$833,272 with Town of Lunenburg municipal billing portion of \$1,997.35 (Schedule "L"). **Motion carried.**

- iii. Additional Pump Station Capital Upgrade Requirement for Fiscal 2019/20

The staff report (**Schedule "M"**) was reviewed by Council.

**Motion:** moved by Councillor Risser, seconded by Councillor Mosher to approve an increase of \$21,000 including net HST to the 2019/20 repairs to pumps in lift stations capital budget, for a total budget of \$55,000 including net HST in fiscal 2019/20 and that the funding for the entire capital project will be from sewer reserves. **Motion carried.**

iv. November 2019 Water and Wastewater Plants treatment test results

The staff report was provided for information (Schedule "N"). Council asked that Public Works staff include in the report chart the reason for any test result variances.

8. Adjournment

Motion: moved by Councillor Risser, seconded by Councillor Bachman to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:24 p.m.

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Bea Renton, CAO and  
Heather McCallum, Assistant Municipal Clerk



Dear Mayor Bailey and Councillors,

The Bluenose 100 committee is seeking funding from Heritage Canada under the Building Communities Through Arts and Heritage - Community Anniversaries grant. In order to apply for this funding, we need to show demonstrated support from our municipal government in the form of cash and/or in-kind support. This grant will allow us to receive up to \$200,000 to engage the community of Lunenburg as well as local artists, artisans and heritage performers in celebrating Bluenose's centennial.

We are requesting from the Town of Lunenburg \$5,000 plus in-kind contributions for our events, including but not limited to: waste collection, public transportation, police, bleachers, risers, street pole banners and barricades.

We are in the planning stages for these events, and will go into further detail at the meeting on January 28th. We are planning a launch weekend event as well as a schooner festival in the town of Lunenburg, as well as a province-wide tour of Bluenose II and the mobile exhibit. Bluenose II will be in Lunenburg 80 of 125 days in the 2021 season, and will have 60 days of harbour tours. Bluenose II will have 100 days of harbour tours to celebrate 100 years, each sail with a themed story of Bluenose.

The Bluenose 100 committee is asking community partners like the Town of Lunenburg, Lunenburg Board of Trade, Lunenburg Art Society, LAMP, Folk Harbour Festival, Lunenburg Lit Fest, Dory Rowing Association, Boxwood, Lunenburg Doc Fest, Lunenburg School of the Arts to participate in celebrating Bluenose 100 in our community, and to help us share the story of Bluenose.

We look forward to sharing our plans in more detail with the Town of Lunenburg on January 28th.

Kind Regards,

Alan Creaser, Chair  
Emily Sollows, Member  
**Bluenose 100 Committee**



**West Nova Fuels**



**West Nova Propane**

**WEST NOVA GOLF FOR FISHERMEN'S  
THANKS FOR THE SUPPORT**

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2019 was a noteworthy year for the West Nova Golf for Fishermen's Charity Golf Tournament. Not only was it the 20<sup>th</sup> year for the event but for the third year in-a-row the total raised topped the \$30,000 mark coming in at over \$32,000. This brings our 20-year total to \$410,000. All of the money raised goes to the Fishermen's Memorial Hospital through the Hospital Auxiliary. The event was held at the Bluenose Golf Course on September 28, 2018.

None of the aforementioned fund raising totals could have been achieved of course without the generous support of sponsors such as yourself. We are naturally hoping that your support will continue going forward and we will be contacting you in the spring regarding the 2020 tournament. Until then we wish you all the best.

Sincerely

Nick Francis  
Co-Chair

Hubert Francis  
Co-Chair

*West Nova Golf for Fishermen's  
PO Box 1417, Lunenburg, NS B0J 2C0*



## HARBOUR AUTHORITY OF LUNENBURG

32 Bluenose Dr, P.O. BOX 1649, Lunenburg, N.S. B0J 2C0

January 10, 2020

TO: The Honorable Mayor Bailey and Town Councillors of Lunenburg

RE: Extension of the Outflow pipe and impending deadlines

As President of the Harbour Authority of Lunenburg I would like to thank the Mayor, Council and staff for the time and effort they have spent acquiring information, investigating and discussing options in an effort to ensure the correct route is taken with regards to the outflow pipe extension and the Wastewater treatment plant. The Harbour Authority of Lunenburg understands that as a group you have incurred many challenges over the last few years with regards to this very complex situation. Now, once again, you are challenged with shortened timeframes to make decisions that will reflect the best interest of the Town for now and the future.

With that said, we felt that the Dillon Consulting peer review report was very thorough, and we are certain it will become a valued resource while making your decisions.

For the Harbour Authority of Lunenburg and other citizens of the Town it aligns with our previous opinions that the extension of the outflow pipe must be one of the highest priorities for the Town. As previously noted by the Harbour Authority of Lunenburg members, citizens of the Town and in Dillon report, this is supported by the current conditions at the Fishermen's wharf (a working waterfront)- not an ideal location for an outflow pipe especially where it is above the water mark, an easily observed and scrutinized area by the public and media, and the inability for the Town to completely resolve or prevent future occasional performance upsets of the treatment plant. Of course, this is not to downplay the other recommendations made through the report regarding the Wastewater treatment system and both should ultimately complement each other.

On behalf of the Harbour Authority of Lunenburg, I ask that you do reflect in your decisions the **high priority** of the extension of the outflow pipe away from the Fishermen's wharf as soon as possible.

We encourage you to work diligently to make the upcoming deadlines for funding for predesign and stay on track with this endeavor.

The time has come to make Lunenburg's harbour a focal point to begin the clean up and repair of our Wastewater facilities and infrastructure. Something we can all say the Town worked collectively and extremely hard towards for the sake of its' citizens, heritage (working waterfront) and UNESCO status which puts us in the limelight of the World.

Respectfully

Donna Knickle

President, Harbour Authority of Lunenburg



## HARBOUR AUTHORITY OF LUNENBURG

32 Bluenose Dr, P.O. BOX 1649, Lunenburg, N.S. B0J 2C0

January 10, 2020

To: The Honorable Mayor Bailey and Town Councillors of Lunenburg

Re: **Open Pen Fish Farming**

Recently, I attended a Town of Lunenburg council meeting where there was a presentation done by a team from CERMAQ, a Japanese owned Salmon Farming Business. To my shock the Province had already issued a lease encompassing areas from St Margaret's Bay to Digby of which this company could investigate these areas for use for open pen fish farming. Lunenburg Bay is included in this area.

The Fishermen of the Lunenburg area are quite concerned. They reflect the opinions of other fishing areas within this provincial lease. The lobster industry in Lunenburg Bay and beyond is a very lucrative industry. It's effect on our local economy should not be taken lightly. It is the Fishermen's understanding that the impact of open pen fish farming should seriously be investigated and stopped before it occurs in our lucrative fishing grounds and pristine waters.

Historically, evidence around open pen fish farming hasn't been good. Of course, we also encourage everyone to be as educated on this topic as possible by attending information sessions in the area.

Items that we would like you to consider are:

- the impact to our local fisheries(lobster, clams, mackerel and others) – we pride our selves on our fishing heritage – our lucrative fishing area will be closed down to our fishers – our fishers, for the most part are inshore or within a 3-4 hour radius of our shores but most fish right on our shores – the same area that the pens may encompass – what is the impact on the lobster population;
- open pen fish farms pollute coastal waters and beaches with untreated waste; – (will we continue to have access to our beaches and water and what will that look like);
- open pen salmon farms can deplete wild fish populations;
- open pen fish farms become breeding grounds for illnesses for fish and other marine species; antibiotics and pesticides are used to combat some of this but what is the impact to the marine environment
- unforeseen release of these enclosed fish into our waters could threaten the lives of our wild salmon
- crop failure which is expensive to taxpayers
- and the list goes on....

Other areas in the Canada, United States and the world have made deadlines for ending open pen fish farms over the next few years and PM Trudeau had noted during the election 2019 that a responsible plan to transition from open pen salmon farming in coastal waters to closed containment systems on land will occur by 2025.

We ask the Town Council to join with the local fishers and other community groups to say **NO TO OPEN PEN FISH FARMING**.

Make your voice heard at the Provincial level – together we must stand to stop this interruption to our Fisheries.

Respectfully

Donna Knickle, President Harbour Authority of Lunenburg

## Ann Covey

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**Subject:** 4 Coun Jan 28 CNSOPB update: BP Canada's Consolidated Exploration Licence

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**From:** Stacy ORourke [<mailto:sorourke@cnsopb.ns.ca>]

**Sent:** January-15-20 10:19 AM

**To:** Stacy ORourke <[sorourke@cnsopb.ns.ca](mailto:sorourke@cnsopb.ns.ca)>

**Subject:** Update: BP Canada's Consolidated Exploration Licence

**Please see below for an update on BP Canada Consolidated Exploration Licence (EL) 2434R:**

BP Canada Energy Group ULC (BP Canada) has notified the CNSOPB that it will forfeit its \$1 million drilling deposit paid in 2019 and pay a further drilling deposit of \$2 million to extend Period 1 for an additional year.

This additional extension period will expire on January 14, 2021.

**What does this mean moving forward?**

If BP Canada decides to drill another well during this Period 1 extension, it will need to apply to the CNSOPB for authorization. Should we receive an application, we will post it on our website: <https://www.cnsopb.ns.ca/offshore-activity/current-applications>

If BP Canada does not drill a well by January 14, 2021, it will need to select one of the following as outlined in the terms and conditions of the consolidated EL:

- Forfeit the 2020-2021 drilling deposit (\$2 million) and pay a further drilling deposit (\$3 million) to extend Period 1 for an additional year.
- Forfeit the drilling deposit and surrender 50 per cent of the remaining lands. The EL would then move into Period 2.
- Allow the EL to expire on January 15, 2021.

At any time, an EL holder can submit a partial or full surrender of lands.

Further updates will be provided as they become available.

**Additional Information:**

[2019 Update on BP Canada Consolidated Exploration Licence](#)

[Notice of Fundamental Decision](#)

[Notice of Consolidated Licences](#)

[Four Things You Should Know about Authorizations](#)

Stacy O'Rourke

Director, Communications

Canada-Nova Scotia Offshore Petroleum Board

1791 Barrington Street

8th Floor TD Centre

Halifax, NS B3J 3K9

Cell (902) 410.6402  
Reception (902) 422-5588  
Fax (902) 422-1799  
Twitter @CNSOPB

[sorourke@cnsopb.ns.ca](mailto:sorourke@cnsopb.ns.ca)

<http://www.cnsopb.ns.ca>



**Business**  
**Office of the Minister**

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PO Box 2311, Halifax, Nova Scotia, Canada B3J 3C8 • Telephone 902 424-5790 Fax 902 424-0514 • [novascotia.ca](http://novascotia.ca)

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Log #2780

JAN 9 2020

Mayor Rachel Bailey  
Mayor  
Town of Lunenburg  
Email c/o: [KJardine@explorelunenburg.ca](mailto:KJardine@explorelunenburg.ca)

Dear Mayor Bailey:

Thank you for your follow-up dated December 4<sup>th</sup> regarding Provincial regulations of short-term accommodations in Nova Scotia. I have shared the two recent South Shore Housing Collation (SSHC) reports with my team. They include valuable insights into some of the housing issues affecting the town of Lunenburg.

I appreciate you sharing your concerns and please continue to share resources such as the SSHC reports in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Geoff MacLellan".

Geoff MacLellan

Cc: Minister Chuck Porter  
[dmamin@novascotia.ca](mailto:dmamin@novascotia.ca)

**Kelly Jardine**

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**Importance:** High

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**From:** Sandy Marshall [<mailto:sandy.marshall1@eastlink.ca>]

**Sent:** January 13, 2020 9:21 PM

**To:** Rachel Bailey <[RBailey@explorelunenburg.ca](mailto:RBailey@explorelunenburg.ca)>; Danny Croft <[DCroft@explorelunenburg.ca](mailto:DCroft@explorelunenburg.ca)>; Peter Mosher <[PMosher@explorelunenburg.ca](mailto:PMosher@explorelunenburg.ca)>; John McGee <[JMcGee@explorelunenburg.ca](mailto:JMcGee@explorelunenburg.ca)>; Ronnie Bachman <[RBachman@explorelunenburg.ca](mailto:RBachman@explorelunenburg.ca)>; Joseph Carnevale <[JCarnevale@explorelunenburg.ca](mailto:JCarnevale@explorelunenburg.ca)>; Matt Risser <[MRisser@explorelunenburg.ca](mailto:MRisser@explorelunenburg.ca)>

**Cc:** Bea Renton <[brenton@explorelunenburg.ca](mailto:brenton@explorelunenburg.ca)>

**Subject:** Dillon Consulting Limited - Wastewater Treatment Plant Report

Dear Mayor and Council:

Please find attached a letter from the Lunenburg Waterfront Association Inc board concerning the Dillon Consulting Limited - Wastewater Treatment Plant Report.

We recommend it be give careful consideration in your deliberations on meeting Provincial regulatory effluent requirements.

Respectfully

W. A. Sandy Marshall

Chair, LWAI Board of Directors

 **LUNENBURG WATERFRONT ASSOCIATION INC.** 

13 January 2020

Your Worship Mayor Rachel Bailey  
And Members of Town Council,  
Town of Lunenburg  
P.O. Box 129,  
Lunenburg, NS B0J 2C0

Reference: Dillon Consulting Limited - Wastewater Treatment Plant Report - peer review

Dear Mayor & Council

At the LWAI Board meeting today we discussed the Dillon report that had been presented to Council Dec 17. We commend Council for undertaking this valuable review.

The assessment is clear and to the point. The more modest and technically reliable approach recommended in Option 4 deserves particular attention. As do the recommendations concerning UV disinfection and the outfall extension.

We urge Council to give the report careful consideration in your deliberations on meeting Provincial regulatory effluent requirements.

Respectfully yours;

*Signed - Sandy*

W. A. Sandy Marshall  
Chair, LWAI Board of Directors

SOUTH SHORE REGIONAL LIBRARY BOARD GENERAL MEETING, MARGARET HENNIGAR PUBLIC LIBRARY September 18, 2019

*The South Shore Regional Library Board administers South Shore Public Libraries.  
South Shore Public Libraries celebrate reading, discovering, learning and sharing.*

Present: Mr. Patrick Hirtle, Chair  
Dr. David Brattson  
Councillor Tina Connors  
Councillor Brian Fralic  
Ms. Marie Hogan Loker  
Councillor Eric Hustvedt  
Mr. Bill Kowalski  
Mr. David Luther  
Councillor Michael Graves  
Mr. Tom Sheppard  
Ms. Christina Pottie, Staff  
Mr. Jeff Mercer, Staff  
Mr. Troy Myers, Secretary/Treasurer  
Ms. Lynn Robart, Recorder

Regrets from: Ms. Cindy Bruhm, Ms. Sara Lochhead, Mr. Mark Taylor, and Ms. Wilma Stewart-White

Motion: "THAT the South Shore Regional Library Board accepts the General Board minutes of June 17, 2019."

FRALIC/Connors All in favour. Motion carried.

LBANS REPORT – no report

STAFF ASSOCIATION REPRESENTATIVE – no report

LUNENBURG LIT FESTIVAL, SEPT 26-28, 2019

Lunenburg Lit Festival brochures were circulated. Christina highlighted the events happening during the upcoming Festival.

MOBILE COMMITTEE REPORT

The Mobile Committee made up of Tom Sheppard (Chair), Tina Connors, and Eric Hustvedt met with Mobile Staff (Charity Fraser, Dave White, Crystal Madill, Sharon Hiltz and Karen Cook) to discuss their vision for a new mobile.

Discussion followed. Tom Sheppard will relay the Board's discussion to the staff. Draft plans will be distributed to the Board.

Tina Connors excused herself from the meeting.

NSLA/LBANS 2019 CONFERENCE, OCTOBER 18-20, 2019

The plans for the upcoming conference are being finalized. We have ninety confirmed registrants and twelve vendors/exhibitors.

### INDIGENOUS COLLECTION

Over the summer we had a position that reviewed our Indigenous collection and policies. After research and consultation with local First Nations we have decided to identify Indigenous collections materials with a special spine label. Christina circulated sample library materials with the appropriate spine label.

### ONE CARD ALLIANCE

Troy reported that eight of the nine Nova Scotia library boards are moving forward with a One Card project. Halifax Regional has opted out. This new venture will decrease barriers to access for all rural areas. There will be unified policies. There will be one catalogue and it will be a cloud-based service. SSPL will be able to keep autonomy.

### 1<sup>ST</sup> QUARTER SPENDING REPORT

1st Quarter Spending Report was circulated to the Board. Troy reported that it is the first quarter report and it takes until the end of the second quarter before a true picture of how the finances are going.

Eric's position (Librarian) has not been posted, so there is some room to maneuver.

Motion: "THAT the South Shore Regional Library Board accepts the 1<sup>st</sup> Quarter 2019-2020 Spending Report as circulated."

SHEPPARD/Hogan Loker All in favour. Motion carried.

### DATE, TIME AND PLACE OF NEXT MEETING

The next General Meeting Wednesday, November 20, 2019 6:00 at the Margaret Hennigar Public Library.

### ADJOURNMENT

Brain Fralic moved the meeting adjourned.

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Patrick Hirtle, Chair

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Troy Myers, Secretary/Treasurer

SOUTH SHORE REGIONAL LIBRARY BOARD GENERAL MEETING, MARGARET HENNIGAR PUBLIC LIBRARY  
November 20, 2019

*The South Shore Regional Library Board administers South Shore Public Libraries.  
South Shore Public Libraries celebrate reading, discovering, learning and sharing.*

Present: Mr. Patrick Hirtle, Chair  
Ms. Cindy Bruhm, Vice chair  
Dr. David Brattston  
Councillor Eric Hustvedt  
Mr. Bill Kowalski  
Ms. Sara Lochhead  
Mr. Tom Sheppard  
Ms. Christina Pottie, Staff  
Mr. Jeff Mercer, Staff  
Mr. Troy Myers, Secretary/Treasurer  
Ms. Lynn Robart, Recorder

Regrets from: Councillor Tina Connors, Councillor Brian Fralic, Ms. Marie Hogan Loker  
Councillor Michael Graves, Mr. David Luther and Ms. Wilma Stewart-White and Mr. Mark Taylor.

Chair Patrick Hirtle welcomed back Councillor Eric Hustvedt after being reappointed to the Library Board and congratulated him on his position as Deputy Mayor.

One correction: that the September Board meeting was held at the Lunenburg Library not in Bridgewater.

Motion: "THAT the South Shore Regional Library Board accept the minutes  
of the September 18, 2019 General meeting with one correction."  
SHEPPARD/Hustvedt All in favour. Motion carried.

LBANS REPORT – see attached

Sara reported that LBANS has met twice since our last Board Meeting; once at the Conference and this past Saturday, November 16<sup>th</sup>.

Sara distributed the 1999 Version of the LBANS Strategic Report (see attached). It will be an item on the agenda for the January meeting to discuss whether it is relevant to the time or maybe just needs to be tweaked.

One Card Alliance update – Sara reported than an excellent presentation at the conference was delivered by Tiffany Bartlett, Chief Librarian Colchester East-Hants Public Library and Eric Stackhouse, Chief Librarian Pictou-Antigonish Regional Library expecting a launch 2021.

Some discussion ensued regarding the joint policies and what stage of completion they are in. Jeff Mercer reported that discussions and meetings are ongoing.

STAFF ASSOCIATION REPRESENTATIVE – no report

LUNENBURG LIT FESTIVAL

Christina circulated the Lunenburg Lit Festival wrap up report to the Board. Sara added that she really enjoyed the Pitch the Publisher event.

Attendance numbers have averaged from 220 to 290 with a dramatic increase to 389 this year.

NSLA/LBANS CONFERENCE OCTOBER 2019 WRAP-UP

Christina circulated a wrap up report for the NSLA/LBANS 2019 Conference to the Board.

Sara, on behalf of the LBANS, thanked Christina, Troy and the SSPL Team for a job well done.

VEHICLE REPORT, April – June 2019

The 1<sup>st</sup> Quarter Vehicle Report was circulated with the Board agenda. It was noted that the maintenance on the mobile was creeping up there.

BUY-A-BOOK CAMPAIGN

Christina Pottie gave the dates for the annual 'Buy-a-book' Campaign which runs from November 26-December 31, 2019.

2<sup>ND</sup> QUARTER SPENDING REPORT 2019-2020

Second quarter Spending Report was circulated to the Board. Troy reported there were not many variances. The collection budget is where it should be. Staff have been carrying out a weeding project as directed by NSPL in preparation for the One Card Alliance project.

Motion: "THAT the South Shore Regional Library Board accepts the 2ndQuarter 2019-2020 Spending Report as circulated."

LOCHHEAD/Bruhm All in favour. Motion carried.

NEW MOBILE

Troy requested a motion from the Board for staff to move forward on the acquisition of a new mobile. The approximate cost of the project is \$500,000.

Motion: "THAT the Board grant SSPL Staff move forward with the acquisition of a new mobile."

SHEPPARD/Hustvedt All favour. Motion carried.

DECEMBER 24 & 31, 2019

Motion: "THAT all library outlets will be closed on December 24 & 31, 2019."

SHEPPARD/Bruhm All in favour. Motion carried.

Christina Pottie, on behalf of the Staff Association, thanked the Board for the extra days off over Christmas.

ONE CARD ALLIANCE - Memorandum of understanding (please find attached) – tabled until January Board Meeting.

DATE, TIME AND PLACE OF NEXT MEETING

The next General Meeting, Wednesday, January 15, 2020 at the Margaret Hennigar Public Library.

ADJOURNMENT

Sara Lochhead moved the meeting adjourned.

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Patrick Hirtle, Chair

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Troy Myers, Secretary/Treasurer

## **LBANS REPORT TO SSRL BOARD, NOVEMBER 20/19**

LBANS met in Truro on Saturday Nov. 16/19.

**Funding:** At the NSLA/LBANS conference, Minister Glavine confirmed that public libraries would receive an increase in funding from the Province starting in the 2020/21 fiscal year (April to March) and the municipalities' increased contribution would start in the 21/22 fiscal year. This was re-confirmed at our November 16 meeting by the Provincial Librarian Lynn Somers. She also mentioned that the new Deputy Minister for CCH and the new Exec. Director for Libraries, Archives and Museums see LBANS and CORL as key stakeholders in their working there have been positive meetings with both those groups. They expect both CORL and LBANS to be aligned and speak with one voice for libraries in Nova Scotia.

**A question for all the Boards is: how can we make the communications between CCH, the Boards and in particular the municipalities better for the next round of funding discussions coming in five years time. This time communications with the municipalities was problematic. What are your thoughts?**

**Grade 4 Library Card Update:** There is not much movement on this initiative within the regions due to workload issues. What if anything has SSRL done on this? We have good relationships with many of the schools.

**One Card Update:** There was an excellent session on this project at the Conference and the Chair of CORL reported again at LBANS on its status. Many of the policies that will govern the One Card system have been finalized after much discussion. The roll out is expected to be launched in 2021. There is a blog about the progress of the project and the address for the blog will be distributed to all boards because updates to all the boards have been inconsistent and not all are up to date oaths project.

**I request that the One Card Project become a permanent item on our agenda so that we can receive regular updates on this important project.**

**Strategic Plan for LBANS:** At the October AGM and again at the November meeting, it was stated that LBANS would be conducting a strategic planning session during the coming year. There is an existing plan, approved in 1999 which could have been written yesterday. It is, in many respects, very current. I will distribute it at this meeting and ask our Chair for time on the next agenda to review and discuss it. I ask you in particular to review the highlighted areas and I will be glad to take your feedback to the next LBANS meeting on January 25/20.

## Library Boards Association of Nova Scotia Strategic Plan

### Mission:

Protect, preserve, promote, and support quality public library service in Nova Scotia.

We will strive to achieve our mission by fulfilling these objectives:

- promote quality library service
- provide a forum for the exchange of ideas
- promote the development of co-operation among all Regional Library Boards within Nova Scotia
- provide a vehicle for the effective representation of the public library system
- advocate for the public library system with all departments, agencies and institutions that impact on public libraries in the province

Following the 1998 LBANS Conference, the Executive recognized the need for a Strategic Plan to guide it into the next millennium. Background work produced a proposed four-stage process:

1. Assessment - where we are
2. Strategic Plan Development - where we want to be
3. Consultation - input from Regional Library Boards
4. Working the Plan - the process timeline

This Plan was finalized and adopted at the April 1999 Annual General Meeting. The LBANS Executive views it as an important document charting a course for the next two years - we are Working the Plan.

### **STRATEGIC DIRECTIONS**

#### *I. Develop and carry out a public library advocacy program*

1. Participate in the Provincial Library's production and distribution of the public library promotional video.
2. Investigate taking part via a booth and/or work-shops in the Nova Scotia School Board Association Annual Conference.
3. Encourage Regional Libraries to use the media to promote services and programs, in part by preparing a list of present and possible examples of media programs to be shared with all Regions.
4. Continue to encourage Regional Library Boards to inform and seek support from their MLAs, MPs, and Senators. The LBANS Executive will devote time at one of its meetings to sharing the present activities and issues affecting Regional Boards.
5. Continue to encourage regions to remain involved in community programs and events, such as floats in parades, farmer's markets, summer reading programs, etc.
6. Encourage Regions to produce guides, booklets, newsletters for their patrons and the general public.
7. Publish a newsletter for Board members and municipal councillors.

8. For use of all Boards, gather information on existing partnerships between Regional Libraries and other organizations such as health boards, school boards, universities, economic development organizations, and companies.
9. Develop an LBANS Web page and see whether it can be hosted by the Provincial Library server.
10. Develop a speaker's bureau available to local and provincial groups.
11. Promote the Library Advocacy Now program, ensuring that at least one workshop is offered yearly.
12. Continue to take part in the Provincial Library Marketing/PR Committee.
13. Offer to participate in Provincial Library initiatives, such as funding formula and core services.
14. Support expansion of Friends of the Library by providing Regional Boards with CLTA information on Friends groups' creation and by circulating information on Friends successes in Nova Scotia.
15. Start a resource file on including young people in the library. One area to be investigated would be Junior Friends.
16. Encourage school boards to publicize Regional Libraries' services to school children, especially in areas where mobile branches visit schools.
17. Prepare a fact sheet on public library service and distribute it to elected officials as well as the general public.
18. Conduct a study on effective method(s) of communicating with library users and the general public.

*II. Increase relationships with municipal councils.*

1. Identify methods of encouraging municipal decision-makers to visit the public libraries.
2. Encourage library CEOs and Board chairs to meet with all of their municipal councils in 2000 and to keep an ongoing relationship with them.
3. Develop an orientation package for newly elected municipal councillors outlining libraries' positive role and showing the benefits of municipal support for libraries.
4. Prepare backgrounders similar to those provided by the CLTA on issues faced by Nova Scotia Regional Libraries.
5. Develop a questionnaire for those seeking elected office.
6. Encourage Library Boards to make reports on board meetings available to all councillors. Encourage Board members to appear in person at council meetings, especially if the meeting is being televised or covered by the media.
7. Participate via a display and/or provide handouts at the Union of Nova Scotia Municipalities Annual Conference.
8. Identify a method of encouraging municipal councils to appoint their representatives to Library Boards for terms longer than one year.
9. Write a letter to all municipal councils thanking them for their role in the success of public libraries.
10. Continue to lobby for universal participation.

*III. Take an active part in the discussion regarding the revision of the Public Library Act.*

1. Conduct a study of public library governance, looking for an equitable method for the composition of the Regional Library Boards without compromising municipal council representation.
2. Bring together the Chairs and Chiefs Committee to study the possibility of regionalization of services and/or boards in light of the core services program.
3. Take an active part in evaluating board services in relation to the Core Services document: provide a workshop, collect present goals and to share the information, ask urban and rural library to boards to share their experiences on the creation on their strategic plans.
4. Conduct a study of present Regional Library Board composition.

IV. *Continue to monitor progress in meeting the standards for Core Services and the adequacy of the funding formula.*

1. Offer to become involved in the Provincial Library evaluation process of how Boards are coping with Core Services in light of the current funding formula.
2. Lobby the provincial government for capital funding by creating a brief history of the capital funding processes, a policy statement on capital funding, an outline of the distribution process, and a selection of success stories involving capital funding in times of no formal provincial capital fund.

- V. *Study LBANS's structure, function, and governance.*
1. Continue its research and consultation leading to the establishment of a permanent site and direction for an LBANS secretariat.
  2. Carry out a strategic plan with the Executive responsible for monitoring progress.
  3. Update and circulate the LBANS Trustee Handbook and distribute to trustees and chief librarians.
  4. Solicit regional librarians' ideas for trustee and staff training. Ideas affecting staff will be forwarded to the Executive of Nova Scotia Library Association by the LBANS President.
  5. Research current practices Regional Library Board practices in hiring and evaluating their chief librarians.

**The Library Boards Association of Nova Scotia** is made up of the trustees of the nine Regional Library Boards in Nova Scotia, about ninety people. It was formed in 1976 as part of the Nova Scotia Library Association, but in 1983 it became a separate organization seeking to support the best possible library service for the people of Nova Scotia.

Each April, LBANS has an annual general meeting to discuss the past year, chart the course for the coming year, and to elect the LBANS Executive that governs the association for the year. The nine Executive members represent the nine regional boards.

([Onelibrarycardalliance.blogspot.com](http://Onelibrarycardalliance.blogspot.com) is where you can watch the progress of the project. All comments about strategic plan, communication issues about funding or any other feedback should be sent to Sara.)

AMONG:

**Pictou-Antigonish Regional Library Board**, a body corporate operating under the name of Pictou-Antigonish Regional Library pursuant to Section 11 of the Libraries Act of Nova Scotia (hereinafter called "PARL");

OF THE FIRST PART

and

**South Shore Regional Library Board**, a body corporate operating under the name of South Shore Public Libraries pursuant to Section 11 of the Libraries Act of Nova Scotia (hereafter called "SSPL"); and

**Cumberland Regional Library Board**, a body corporate operating under the name of Cumberland Public Libraries pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "CPL");

and

**Annapolis Valley Regional Library Board**, a body corporate operating under the name of Annapolis Valley Regional Library pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "AVRV"); and

**Cape Breton Regional Library Board**, a body corporate operating under the name of Cape Breton Regional Library pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "CBRL"); and

**Colchester-East Hants Regional Library Board**, a body corporate operating under the name of Colchester-East Hants Public Libraries pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "CEHL");

and

**Eastern Counties Regional Library Board**, a body corporate operating under the name of Eastern Counties Regional Library pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "ECRL");

and

**Western Counties Regional Library Board**, a body corporate operating under the name of Western Counties Regional Library pursuant to Section 11 of the Libraries Act of Nova Scotia ("hereafter called "WCRL");

OF THE SECOND PART

**WHEREAS** all the parties have come to an understanding and have committed that PARL shall subscribe to a license from SirsiDynix (the "Vendor") for a server hosting service and an integrated library system

Software as a Service ("Symphony") to be shared by all parties under this MOU;

**WHEREAS** all the parties have come to an understanding and have committed that PARL shall subscribe to a license from BiblioCommons for a discovery layer Service ("BiblioCore") to be shared by all parties under this MOU;

**AND WHEREAS** the Closing Date of the purchase is the date when PARL executes the Master Agreement between the Vendor and all the other parties attached as Schedule "A" and Schedule

**AND WHEREAS** the parties intend to avail themselves the use of the license and for Symphony to be fully integrated into the day-to-day operations of the parties by the 1<sup>st</sup> day of June, 2021;

**AND WHEREAS** the parties have agreed to divide the implementation cost and annual subscription cost of Symphony among each party (the "Payable Amount") according to the formulae attached as Schedule "B";

**NOW THEREFORE** in consideration of the mutual covenants in this MOU, the parties agree as follows:

### **1. Access and Use of Symphony**

1.1 All parties shall share in the use of the license and shall be subject to the Master Agreement between PARL and the Vendor and any other agreements between PARL and the Vendor pertaining to Symphony.

### **2. Parties' Payable Amount**

2.1 The Payable Amount of each party shall be the amount calculated according to the tables attached as Schedule "C" shall become payable to PARL within 30 days after the beginning of the fiscal year.

2.2 Where the Vendor imposes a discount or premium on the annual subscription cost of Symphony in any given year, a proportional discount or premium shall be reflected in each party's Payable Amount under 2.1.

of5

### **3. Access and Use of BiblioCore**

3.1 All parties shall share in the use of the license and shall be subject to the Master Agreement between PARL and BiblioCommons and any other agreements between PARL and BiblioCommons pertaining to BiblioCore.

### **4. Parties' Payable Amount**

4.1 The Payable Amount of each party shall be the amount calculated according to the tables attached as Schedule "D" and shall become payable to PARL on the Closing Date and on the same date of each subsequent year.

4.2 Where BiblioCommons imposes a discount or premium on the annual subscription cost of BiblioCore in any given year, a proportional discount or premium shall be reflected in each party's Payable Amount under 4.1.

### **5. Term**

5.1 This agreement shall remain in effect indefinitely unless terminated.

### **6. Termination of MOU**

6.1 Any individual party may terminate this MOU at any time for any reason following thirty (30) days written notice to PARL.

6.2 Notwithstanding 6.1, all parties agree to remain bound to this MOU for a period of five years after the Closing Date and any individual party may not terminate the MOU during this period.

6.3 Notwithstanding 6.2, any individual party may terminate the MOU within a period of five years after the Closing Date. The individual party shall remain obligated to remit to PARL their Payable Amount in accordance to 2.1, 2.2, 4.1, and 4.2.

## **7. Liability**

7.1 PARL shall not be liable for any damage or loss attributable in any way to the performance of any act under this MOU.

7.2 The other parties shall at all times indemnify and save harmless PARL, its officers, employees or agents, from and against all claims, demands, losses, costs, debts, damages, actions, suits or other proceedings by whomsoever made, sustained, brought or prosecuted, or from anything done or omitted by the Alliance, in any manner based upon, occasioned by or attributable to the execution of this MOU, unless such claims, etc., result from the negligence of any officer, employee or agent of PARL while acting within the scope of his or her duty or employment.

## **8. Costs of Ongoing Use**

8.1 All costs associated with the ongoing use of Symphony and BiblioCore shall be at each individual party's expense. Each party shall be responsible for all equipment, labour, and fees necessary for their respective use of Symphony and BiblioCore.

**9. Assignment**

9.1 Parties may not assign and transfer their status, rights, and obligations under this MOU.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**SIGNED, SEALED & DELIVERED**  
in the presence of:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

) **PICTOU-ANTIGONISH REGIONAL**  
) **LIBRARY BOARD**

)  
)  
) \_\_\_\_\_  
) Board Chair

)  
) \_\_\_\_\_  
) Chief Librarian

) **SOUTH SHORE REGIONAL LIBRARY**  
) **BOARD**

)  
) \_\_\_\_\_  
) Board Chair

)  
) \_\_\_\_\_  
) Chief Librarian

) **CUMBERLAND REGIONAL LIBRARY**  
) **BOARD**

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) Board Chair

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) \_\_\_\_\_  
) Chief Librarian

) **ANNAPOLIS VALLEY REGIONAL**  
) **LIBRARY BOARD**

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) Board Chair

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) \_\_\_\_\_  
) Chief Librarian

) **CAPE BRETON REGIONAL LIBRARY**  
) **BOARD**

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) \_\_\_\_\_  
) Board Chair

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Chief Librarian  
) **COLCHESTER-EAST HANTS REGIONAL**  
) **LIBRARY BOARD**  
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) Board Chair  
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Chief Librarian  
) **EASTERN COUNTIES REGIONAL**  
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) Board Chair  
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Chief Librarian  
) **WESTERN COUNTIES REGIONAL**  
) **LIBRARY BOARD**  
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) Board Chair  
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Chief Librarian

**JOINT OCCUPATIONAL HEALTH AND SAFETY COMMITTEE MEETING MINUTES**

**THURSDAY, JANUARY 9, 2020 AT 11:00 A.M.**

**(LUNENBURG TOWN HALL)**

**PRESENT:** Paul Bracken, Facilities Superintendent/Safety Officer, Public Works (Co-Chair)  
 Bobby Cleveland, Facilities Attendant, Recreation (Co-Chair)  
 Cali Beck, Finance Officer/Electric Utility Coordinator, Corporate Services  
 Gary Mossman, Fire Hall Superintendent, Fire Department  
 Taylor Rombaut, Water Resource Operator, Public Works

**ALSO PRESENT:** Kelly Cunningham, Recreation Director  
 Heather McCallum, Assistant Municipal Clerk, Corporate Services

**ABSENT:** Trevor Lohnes, Operator, Public Works

The Co-Chair, Paul Bracken, called the meeting to order at 11:06 a.m. He noted that the Public Works general representative was unavailable today due to snow removal work.

1. Agenda

The agenda was approved by consensus, with the addition of an “Other business” item before adjournment.

2. November 7, 2019 Joint Occupational Health and Safety Committee meeting minutes

The November 7, 2019 meeting minutes were approved by consensus.

3. Unfinished Business

a. Outstanding items chart from November 7, 2019 meeting minutes

<b>Outstanding Items Nov 7 Meeting</b>	<b>Update</b>
<u>Water and Wastewater Treatment</u> ➤ H2S Training	Approved for WWTP Operators and Public Works staff; to take place in Lunenburg. <b>The Co-Chair will confirm the date.</b>
<u>Recreation</u> ➤ Public safety concern re: dismantled surplus bleachers stored outside.	Recreation is coordinating with BMI Ltd. (Bridgewater) for them to take the bleachers as scrap metal for recycling. Last conversation was Dec 23. <b>The RD will re-initiate.</b>

b. Construction Safety Nova Scotia “Safety Culture” staff survey

The Co-Chair reported that a draft report of CSNS’s staff survey was completed just before Christmas and is being circulated to managers for first review, then will come to the JOHSC. *The Co-Chair will update at the next Committee meeting for potential action items.*

4. New Business

a. Department bi-monthly safety inspections

The Co-Chair has received the reports for this period, and there were no follow-up items noted.

b. Incident reports

There have been no incidents or action items required since the previous JOHSC meeting. The Co-Chair reported in the event that there are incidents, they will be shared in summary form, as there are privacy implications with names and medical records. *He has access to the reports and will prepare a sample overview for the next Committee meeting for discussion.*

c. Safety and wellness training schedule

- Lunch and Learn – Fitness Goals/Healthy Habits – February 5, 2020
- Leadership for Safety Excellence – \*Update: February 26 & March 3, 2020
- H2S training course for WWTP operators and Public Works staff – Date TBA
- Review of Safety Training Record – the Co-Chair, as Safety Officer, noted that safety training records are posted on departmental boards; it is one of his tasks to send reminders when training needs to be renewed.

d. Other business

- i. Water and Wastewater: Taylor reported that as previously noted, H2S levels had been spiking recently in the Wastewater Treatment Plant. Staff found that the Biofilter system ventilation line was flooded. WWTP Operators pumped out the line which appears to have temporarily solved the problem, and they will continue to monitor and follow up with the contractor to resolve. Staff keep their personal detectors on at all times and the stationary detector can be read remotely from the office.
- ii. Public Works: Smoking in vehicles was noted as a problem, which is prohibited under Administrative Policy #12 “Smoke Free Workplace” (*Schedule “A”*). *Staff have asked that the policy be reiterated by managers with staff (\*Update: this has since been done).*

- e. Next Committee meeting date - *Thursday, March 5, 2020 at 11:00 a.m. at Lunenburg Town Hall*

5. Adjournment

The meeting was adjourned at 11:24 a.m.

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Heather McCallum, Asst. Municipal Clerk

#12. TOWN OF LUNENBURG ADMINISTRATIVE POLICY:  
**TOWN OF LUNENBURG SAFE WORK PROCEDURE:**  
**SMOKE FREE WORKPLACE**

**TITLE**

1. This Policy shall be known as the "Smoke Free Workplace Safe Work Procedure."

**PURPOSE**

2. To protect and enhance our indoor air quality and to contribute to the health and well-being of all employees, all Town of Lunenburg ("Town") workplaces shall be smoke free effective immediately. This is in conformance with the Provincial Smoke-free Places Act.

**PROCEDURE**

3. Smoking is prohibited in all enclosed Town work areas including buildings, common work areas, conference and meeting rooms, private offices, hallways, lunchrooms, stairs, washrooms, Town vehicles and equipment, and all other enclosed facilities.
4.
  - (1) The decision whether to provide designated smoking areas outside Town buildings will be determined by the relevant Town Department Head and CAO.
  - (2) Any designated smoking area must be located at least four (4) metres from the entrance of a Town building entrance, intake for a Town building ventilation system, or an open window of a Town building in compliance with Provincial legislation.
  - (3) All smoking materials used at a designated smoking area, including cigarette butts and matches, must be extinguished and properly disposed of by the smoker(s).

**PLANNING ADVISORY COMMITTEE PUBLIC INFORMATION MEETING MINUTES**

**MONDAY, JANUARY 13, 2020 AT 4:30 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Councillor John McGee, Chair  
Councillor Matt Risser  
Will Brooks  
Peter Goforth  
Susan Sanford

**ALSO PRESENT:** Heather McCallum, Assistant Municipal Clerk  
Dawn Sutherland, Planning/Development Manager

**ABSENT:** Councillor Danny Croft  
Derek Kinsmen

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The Chair called the special Public Information Meeting to order at 4:30 p.m. There were at least 50 members of the public in attendance.

1. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

2. Opening of the Public Information Meeting

The Chair, Deputy Mayor McGee, explained that a public information meeting provides members of the public with an opportunity to learn about a proposal and make their views known to the Planning Advisory Committee. A public information meeting is required under the Town of Lunenburg's Public Participation Program.

In terms of process: after the public information meeting is held, the PAC will defer further discussion until their next regular Committee Meeting in February. The PAC will then make a recommendation to Council. The public will have another opportunity for input should Council forward the proposal to a public hearing. After a public hearing, Council will make the final decision.

3. Review of General Rules of Conduct

The Chair outlined a few general rules of conduct that are to be observed so that everyone who wishes to speak can do so in an open and respectful environment.

#### 4. Public Information Meeting

The Planning and Development Manager (PDM) explained that the applications before the PAC are requests to remove properties from the Architectural Control Area of the Map 2 Future Land Use Map under the Municipal Planning Strategy. The Architectural Control Areas are not currently part of the Heritage Conservation District Map, but are being considered as additions to the revised Heritage Conservation District Plan and Bylaw.

a. Amero request to remove Lot A1 from the Architectural Control Area along Dufferin Street

i. Presentation by Town Planner Dawn Sutherland

The PDM reviewed her report “Public Information Meeting Report (Amero)”, and the Amero application package (Schedule “A”).

ii. Opportunity for presentation by Joe Amero

Joe Amero presented a letter and email from Stephanie deVries, View Point Realty, itemizing inquiries and/or offers to purchase the property which were discontinued (Schedule “B”). Mr. Amero says the discontinuations were due to the architectural control designation.

iii. Written submissions

There were no written submissions.

iv. Public input (oral submissions)

The following oral submissions were presented by members of the public, in summary:

- Mary Knickle, Broad Street: Ms. Knickle presented on behalf of herself and a few neighbours (Glassman, Morash) who are opposed to the Amero application. Neighbours are concerned that if the architectural control designation is lifted it could lead to development that is in conflict with the surrounding built heritage and erode the edges of protected areas of the Town. Ms. Knickle also stated that there is a serious water drainage issue on the property which the neighbours believe may be a larger contributor to the failure of the property to sell.
- Oliver Osmond, Buenavista Court: Mr. Osmond spoke as a representative of the Heritage Advisory Committee. As the issue arose at the HAC public participation meetings in October, it was discussed at the HAC meeting of November 18, 2019. The HAC had a reluctance to accept that certain lots can be picked away from the architectural control areas, and the HAC sessions showed a public interest in expanding rather than shrinking the areas. The HAC passed a motion to advise the PAC that this application be denied.

- Alistair McNeill, Dufferin Street: Mr. McNeill, who lives next door to the subject property, commented that there are water drainage problems on the side of the street where the Amero lot is located. He would like to see drainage going into the Tupper Street sewer for the area, the lot developed, and new homeowners in place.
  - Mr. Amero, the applicant, responded that his application is not about the condition of the property regarding water drainage, it is about lifting what he considers an inappropriate heritage designation on the vacant property.
  - Barry Olivella, Townsend Street: The Town is in the process of considering an expansion of the Heritage Conservation District. In his opinion exemptions should not be granted while considering expanding control. The New Town is a mix of older and newer homes, and the mix should not prevent architectural control.
  - Kathy Kirby, Dufferin Street: Asked for clarification that the lot is entirely in the architectural control area and not half and half. Mr. Osmond responded that the lot is entirely in the control area. *The PDM stated that the Town will confirm this.*
- b. ABCO Industries Inc. request to remove 6 properties from the Architectural Control Area along Tannery Road

i. Presentation by Town Planner Dawn Sutherland

The PDM reviewed her report “Public Information Meeting Report (ABCO)”, and the ABCO Industries Inc. application package (Schedule “C”).

ii. Opportunity for presentation by ABCO Industries Inc.

Jason Huskilson, co-owner of ABCO Industries Inc., recapped the letter that accompanied his application (Schedule “C”). Their application is because ABCO is looking to expand their manufacturing footprint beyond the 25% currently allowed in the architectural control area and the ability to use modern materials in cladding. ABCO needs flexibility and timely approvals for manufacturing expansion. He noted that the application is unrelated to harbour infill or any other potential venture.

iii. Written submissions

The PDM presented three written submissions received from the public about the application from Christopher Berg, Pamela Bendell, and Sheila Gallagher (Schedule “D”).

iv. Public input (oral submissions)

The following oral submissions were presented by members of the public, in summary:

- Barry Olivella, Townsend Street: Mr. Olivella commented that the houses located on the ABCO property need protection, and that if exemptions are granted then Council may lose the ability to judge the effects of building applications and control development.
- Ann Bromley, Tannery Road: Ms. Bromley is in favour of having a thriving manufacturing industry in the Town and does not believe it needs to be either/or. She suggested that ABCO share their development plans for the public to comment on whether or not there should be an exemption. Having architectural control should not preclude exemptions, particularly in the Marine Industrial zone. The Town should support ABCO's expansion plans while protecting Camp Norway.
- Heather Towndrow, Tannery Road: Ms. Towndrow lives across the road from ABCO, and is a former employee of Stelia. She commented that a manufacturer cannot bid on a project unless they are able to accommodate it immediately, and believes it is unrealistic for a manufacturer to be able to show detailed plans at this stage. She supports the property removal from the architectural control area, as she does not believe it is appropriate for an industrial site. Camp Norway should be preserved, but ABCO should be allowed to expand their operations.
- Sandy Marshall, Dufferin Street: Mr. Marshall is speaking both from the perspective of a retired employee of RPS in Mahone Bay (which was ABCO Plastics at one time) and as Chair of the Lunenburg Waterfront Association. The LWAI wants a working waterfront. He believes it is impossible to run a manufacturing plant when owners cannot expand beyond 25% of their own property, and have to go through a lengthy public process. Camp Norway is near and dear to the hearts of many in Lunenburg so must be protected. A working waterfront is relevant to the history of this Town and keeps us authentic; not just sailing ships and traditional crafts, but modern industry that can provide jobs and give young people a chance to learn skills. Other industries located in Town are not subject to such restrictions, which is unfair. There needs to be compromise but to keep ABCO in the architectural control area is not the answer.
- Oliver Osmond, Buenavista Court: Mr. Osmond again spoke as a representative of the Heritage Advisory Committee, following the topic having been raised at the HAC's October public participation meetings. He reports that the HAC struggled more with their discussion of this application for many of the reasons that Mr. Marshall articulated. The HAC recommend that this application also be refused but to include the proviso that metal cladding be allowed in the Marine Industrial zone, which would enable ABCO to do what they need to do in a manner that will fit into their existing buildings and overall waterfront. HAC realized to alter the

proposed revised Heritage Conservation District Map would prolong the entire review process and suggested that changes could be added later.

- Mr. Huskison, on behalf of the applicant, commented that there is no discussion or thought of tearing down the houses on their property, although they are looking at divesting them. Camp Norway is at the front of the ABCO main office, and there are no plans to make changes. They do need the ability to have metal cladding for welding, etc. The HAC adjusting the rules is a good step, but ABCO does not have time wait for if and when those rules are approved.
- Martin Ruiz Salvatore, Montague Street: Mr. Ruiz Salvatore has no objection to ABCO expanding. He is concerned that the public is unclear on what development is planned for their property, especially as permits and drawings have yet to be done. If ABCO would share plans with the public, the rumour mill would stop and people would be less concerned.

In response to a question from the Committee, the PDM confirmed that even if the ABCO property was not subject to architectural control area restrictions, zoning under the Land Use Bylaw is still in place, and any development would still be required to meet height and other requirements and would be subject to the permitting process. Removal from the architectural control area does not mean the property is free from planning and development control.

Oral submissions continued from the public, in summary:

- Tom McFall, Fox Street: Mr. McFall has been attending Project Lunenburg sessions and is concerned that part of the apparent urgency on the part of ABCO may be seeking an opportunity to get out of the planning process. There are rumors about islands, infill, condos, a brew pub, manufacturing, and demolition. The public is uneasy since they don't know what is being planned and are concerned that one business could affect the overall character of the Town.
- Chris Berg, Tannery Road: Mr. Berg lives across the street from the two heritage houses on the ABCO property and grew up in one of them, #49. He is not against industry in the Town, but was concerned that the houses may be demolished and wrote letters about that. The Town needs to take a balanced approach, in that it can't be stuck in history and needs jobs to survive, but needs to remember its roots.
- Graham Gerhardt, President of ABCO: Mr. Gerhardt has worked at ABCO for over 30 years. Their projects are getting larger, and they need to expand and change. They have a budget for the expansion and are in the planning stages now. Their first priority is materials storage as they are still storing outside. The world is their competition now, and 90% of their business is exports. They can't be competitive if they can't expand, and he asked for support for ABCO to grow their business.

- Rosalie Osmond, Buenavista Court: Ms. Osmond commented that if she were going to expand a business and wanted it to be around another 70 years, she would be concerned about their current location being underwater due to rising sea levels.

5. Next Meeting Dates – Monday, February 10, 2020

Committee discussion and recommendation to Council.

6. Adjournment - motion.

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 6:35 p.m.

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Heather McCallum  
Assistant Municipal Clerk

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Document No:  
 Meeting: January 13, 2020  
 Circulate To: PAC, BR, DS, HM  
 File: PAC

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**MEMORANDUM**

**TO: PLANNING ADVISORY COMMITTEE**

**FROM: DAWN SUTHERLAND, DEVELOPMENT/PLANNING MANAGER**

**DATE: JANUARY 6, 2020**

**RE: PUBLIC INFORMATION MEETING REPORT (Amero)  
 Proposed amendments to the Municipal Planning Strategy's Map 2  
 Future Land Use Map to remove Lot A1 (PID 60642741) from the  
 Architectural Control Area along Dufferin Street.  
 (Amero application)**

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<b>Applicant</b>	Joseph Amero & Eldona Amero
<b>Land Owner</b>	Joseph Amero & Eldona Amero
<b>Proposal</b>	Application for MPS map amendments to remove Lot A1, PID 60642741 from the architectural control area along Dufferin Street
<b>Lot Area</b>	10641.0 sq. ft
<b>Designation</b>	Residential
<b>Zone</b>	Residential (R)
<b>Surrounding uses</b>	residential
<b>Architectural Controls</b>	Yes
<b>Heritage</b>	-NOT within the Heritage Conservation District -NOT a designated heritage property (municipal, provincial, federal)

**1. Purpose of a Public Information Meeting**

A public information meeting provides members of the public with an opportunity to learn about an application and make their views known to the Planning Advisory Committee (PAC). No decisions have been made. This public information meeting report provides background information on the application only.

A public information meeting is required under the Town of Lunenburg's Public Participation Program.

In terms of process, after the public information meeting is held, PAC will make a recommendation to Council. The public will have another opportunity for input should

Council forward the proposal to a public hearing. After the public hearing, Council will make the final decision. Detailed information on the process is contained in Section 3 below.

## 2. **A. Application**

Joseph and Eldona Amero, have submitted an application to amend the Municipal Planning Strategy's Map 2 Future Land Use Map to remove Lot A1, PID 60642741 from the architectural control area along Dufferin Street. Mr. Amero appeared before Council on 27 August 2019 to seek permission to apply. Council invited Mr. Amero to apply and referred the matter to the Planning Advisory Committee. The application form and accompanying documentation are attached as Schedule A.

Mr. Amero has related that he has had Lot A1 for sale for a number of years and believes that the architectural control area restrictions have hindered its sale. He wishes to be removed from the architectural control area and be subject only to the Residential (R) Zone provisions.

## **B. Property Information**

The subject property is in the Residential designation and Residential (R) Zone. Part 5 Residential (R) Zone of the Land Use By-law sets out the permitted developments and additional zoning information. It is attached as Schedule B. The surrounding uses are all residential. The lot is currently vacant.

The lot was originally part of the property next door at 95 Dufferin Street. The Ameros severed the parent property in 2005 to create Lot A1 (subject property) and Lot A2, which contains the home at 95 Dufferin. 95 Dufferin Street is no longer owned by the Ameros.

The property slopes from a higher elevation at Dufferin Street to a lower elevation at the rear. The rear of the property was found to be quite wet during the site visit on 16 October 2019. The property to the north at 107 Dufferin Street is at a higher elevation as fill was brought in at the time of construction. Drainage from

this property has been a concern from some adjoining neighbours. Figure 1 shows the change in grade from the rear of the lot to the front of the lot abutting Dufferin Street.



FIGURE 1

## **C. Architectural Control Area**

This lot is on the south west boundary of the Architectural Control Area. It had been part of the parent lot when this boundary was defined. The property to the north of Lot A1 at 107 Dufferin Street is not within the boundary. The property directly across the street at 102 Dufferin Street is within the boundary. While the Georgian style home at 95 Dufferin, beside Lot A1 at the corner of Dufferin and Tupper Streets, was built sometime after 1946, the homes that are across Dufferin Street at 90 Dufferin

Street (1888-1890), 96 Dufferin Street (1891-1893) and 102 Dufferin Street (1910) are much older. Please refer to Schedule C for a map showing the Amero lot, Lot A1, in Architectural Control Area on Dufferin Street.

Part 10 Architectural Heritage in the Municipal Planning Strategy contains the policies that enable the architectural control areas. Please refer to Schedule D. Regulation is through the Land Use By-law. Please refer to Schedule E for Part 26G Architectural Control Area of the Land Use By-law. Simply, if the design meets the criteria set out in Part 26G, then Development Officer issues a Development Permit. There are requirements for new main buildings and additions to be similar to those pre-1940 buildings within 300 ft. There are restrictions on size of additions and such things as cladding, roof shape, style. Mr. Amero wishes his property to be removed from these restrictions. He has related that assessment on Lot A1 has decreased from when it was first created. This appears to be the case as shown by the assessment history from Viewpoint.ca (Schedule F).

Policy 10.6 in the Municipal Planning Strategy sets out that Council can consider the future expansion of the Heritage Conservation District to include areas of architectural control. The Heritage Conservation District Plan and By-law are currently under review by the Heritage Advisory Committee. The draft includes the Falkland Street/Dufferin Street Architectural Control Area becoming part of an expanded Heritage Conservation District. Mr. Amero has also related that pending sales have been lost when buyers become aware of the restrictions in the Architectural Control Area. He has asked that Lot A1 be removed from the Architectural Control Area and does not wish to be included in a new Heritage Conservation District.

**3. Process**

Planning processes are legislated under the *Municipal Government Act* and are subject to Town of Lunenburg Public Participation Program as well. There are statutory requirements for notification of members of the public as well as Town policies in place in order for the public to become informed of proposed changes to our planning documents and to provide an opportunity for meaningful engagement. Changes to policies are to be given careful consideration by Council and those affected are to be given an opportunity to have their voices heard.

Below is a flow chart of the process for a Municipal Planning Strategy Amendment:

1. Applicant wishes to make a planning application and makes a request to apply	
2. Council hears the request. If willing to consider/learn more, Council will invite the applicant to apply. Referral to the Planning Advisory Committee (PAC).	<ul style="list-style-type: none"> <li>-Applicant submits application.</li> <li>-PAC schedules a Public Information Meeting (PIM), applicant notified</li> <li>-Approved advert sent to paper</li> <li>-PIM letter mailed to assessed owners within 30 m, notice posted in Town Hall,</li> <li>-Applicant notified</li> </ul>

	-PIM advert published (did this twice as it was advertised in December)
<b>3. PAC holds PIM</b>	-PAC learns about application -Public learns about application and asks questions -no decisions at this time
4. PAC meeting, recommendation to Council	-Staff report with analysis -PAC may ask for additional information or changes -PAC makes a recommendation to Council
5. Council – First Reading and sets a Public Hearing date	-Approved advert sent to paper -Notice of Intent and PH date to appear 14 days before public hearing, applicant notified, abutting municipality notified -PH letter mailed to assessed owners within 30 m First advert, Second advert
6. Council - Public Hearing	Public input – make presentation, email, letter
7. Council – Second Reading (decision made)	-Negative: refuse - no appeal - ends -Positive: approve, then 4 certified copies to Province along with all supporting documentation
8. If positive (Approved by Council) Province reviews	30 days
9. Province Approval required – 60 days , approve with or with amendments or refuse OR Approval not required	
10. Notice in newspaper setting out that MPS amendment is in effect	Effective date of amendment is upon publication in paper. (NO APPEAL TO UARB)

#### 4. Next Steps

The next meeting of the Planning Advisory Committee (PAC) is scheduled for Monday, 10 February 2020. There will be a staff report containing an analysis and a copy of the PIM meeting minutes will be attached. PAC may make a recommendation to Council at that time or may ask for additional information or changes. If a recommendation is made, the application will proceed to Council for First Reading.

**5. Appendices**

Schedule A, application form and accompanying letter

Schedule B, Part 5 Residential (R) Zone

Schedule C, Map showing Amero lot, Lot A1, in Architectural Control Area on Dufferin Street

Schedule D, Part 10 Architectural Heritage in the Municipal Planning Strategy

Schedule E, LUB Part 26G Architectural Control Area

Schedule F, Assessment History from Viewpoint.ca

Schedule A - Application form and letter

Town of Lunenburg Planning Application for a  
Municipal Planning Strategy Amendment

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

APPLICANT INFORMATION	REGISTERED OWNER OF PROPERTY
Name Joseph Amero and Eldona Amero	Name Joseph Amero and Eldona Amero
Company Name N/A	Company Name N/A
Mailing Address	Mailing Address
Email	Email
Phone	Phone
Cell	Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application .

PROPERTY INFORMATION	APPLICATION CHECKLIST
Civic Address Lot A1, Dufferin Street	X Copy of Deed
PIO# 60642741	X Survey Plan or Equivalent
Present Use of Property VACANT	X A Letter Explaining the Proposal
Proposed Use of Property SALE FOR RESIDENTIAL USE	<b>N/A</b> Application and Advertising Fees \$945.15 (\$245.15 + \$700.00) <i>FEES WAIVED BY MOTION OF COUNCIL 27 AUGUST 2019</i>

EXPLANATION OF PROPOSAL AND SIGNATURE

A short explanation of your proposal (please include a detailed letter with a full explanation)

*Please see the letter included - Y Amero*

Date: *Aug 29, 2019*

By submitting this application I affirm that the facts set forth are true and complete.

Date received:

RECEIVED

£/dor,c.\_ flrnp-o

Name (printed): 30<5epk A-mH/ro Signat ure:.....£.J""-C.....;.....;.....

OFFICE USE ONLY: Type of Application: MPS, Map Amendment

AUG 30 20 19

Joseph Amero  
34 Archibald St.  
Lunenburg ,NS  
PO Box 1893  
B0J 2C0  
August 29, 2019

Mayor Bailey and Members of Town Council  
Town Hall  
Lunenburg,NS

Request to Remove Land Use By-Law Heritage Designation:

We are requesting the removal of our Lot PIO #600 554 49 from the Land Use By-Law Heritage Designation for the following reasons:

1. Many people have been asking me why this lot is so designated as it is far removed from the Heritage area of Old Town. My answer is always, "I am not sure because when you look at where it is located ,it does not make sense. Furthermore ,I spoke to Michael Zinck , Funeral Director and owner of Sweeny' s Funeral Home. He told me that in his attempt to build his new Funeral Home there ,the question of a Heritage site was never brought up.

When we lived in 95 Dufferin St. we never considered it to be a Heritage House nor that it was located on a Heritage designated Lot. It was not in the description of sale nor ever mentioned to us by the real estate agent. It was an older Georgian but of modern design and a very beautiful one at that. So we purchased it.

The only time the question of this block being a Heritage site was when we tried to sell it.

2. We have lost many potential buyers as a result of this designation :e.g.

Families with children, retirees, working people and others who wanted to relocate to our beautiful town. Potential buyers have walked away scratching their heads after finding out from Mr. Arthur MacDonald that the lot was a Heritage Designated site and being told what kind of house they

could build by Mrs.Dawn Sutherland.This has caused us considerable frustration as well as to the potential buyers.

Many of these potential buyers had taken great care to draw up sketches and plans for their new home not to mention time and expense only to have their dreams squashed.

I would draw your attention to the attached email ,especially the last comment on that page.

"They certainly should change the by-law(s) with the loss of \$60000 to roughly\$80000 in tax revenues yearly.definitely ! No one except for a rich individual with a taste for old traditional housing in a newer developed area with newer **looking houses would ever want to purchase and build on it with the guidelines in place.**"

The town would also benefit from this change in that it would have a new revenue stream and be seen as providing for additional housing which we all agree is needed.

Also new residents have the potential of being assets to the Town's culture and population growth.

3. This area in question creates a delineation halfway through this residential block which has a mix of older and newer homes which does not bear any correlation to a Heritage area.This lot is vacant and the home next to it is of modern construction. A house of Heritage construction would be out of place and appear as an anomaly.

5. We are ardent fans of heritage preservation as we live in a late 1800's house .We feel that our request is reasonable under the circumstances.

Thank you.

Joseph and Eldona Amero

From: **Stephanie deVries** stephanie@viewpoint.ca @  
Subject: Buyers Comments re Arhicitucally Protected Area  
Date : May 22, 2019at6:41 PM  
To: Joseph Amero eamero@eastlink.ca

Hi Joseph and Eldona

Well that was was short lived-sorry. Please find the buyers comments below re his meeting with the Town today.

° Good afternoon Stephanie & David,

I've just completed a meeting with Mrs. Dawn Sutherland the Town Development/Planning Manager, Mr. Lee Fougere the Town Engineer had to attend another meeting and Mr. Arthur MacDonald the Town Heritage Manager is away from his office until May 27th.

Mrs, Sutherland and I discussed the architectural design guidelines of the Old Town Heritage bylaws, a small portion of which I've attached, along with application for the property in question to be removal from the Heritage designation by town council.

I was advised by Mrs, Sutherland that the home I proposed for placement on the property would not fit in with the present heritage guidelines and that application for the property to be removed from the heritage designation by council could take up to 6 months, without guarantees, along with the fact it could still be appealed by surrounding homeowners/residents even if it was granted.

I presented my case of lost tax revenue to the town over the 10 or more years it has been unoccupied, ranging from \$60,000 to \$80,000 and continuing due to the lot's restricted width and architectural guidelines but this didn't make a difference.

Given these circumstances I must withdraw my purchase proposal citing excessive expenditures required to meet the prssent design restrictions and it's unpalatable end result.

Please contact me should you have any further questions or concerns.

Sincerely,  
(Attachment)

They certainly should change the bylaws with the loss of \$6000 to roughly \$8000 in tax revenues yearly, definitely ! No one except a for rich individual with a taste for old traditional housing in a newer developed area with newer looking houses would ever want to purchase and build on it with the guidelines in !

Stephanie deVries  
View Point Realty  
Cell 902-521-1575  
Fax 888-761-9052  
<http://www.viewpoint.ca>

\_\_\_\_\_

00259

THIS INDENTURE made this 2<sup>nd</sup> day of April, A.D., 19 '17

BETWEEN:

DANIEL ZWICKER and JUDITH ANN ZWICKER, spouses, both of Lunenburg, in the County of Lunenburg and Province of Nova Scotia;

being the owner of the lands described in Schedule "A" herein.

(hereinafter called the "Grantor")

OF THE ONE PART

- and -

JOSEPH AMERO and ELDONA AMERO, husband and wife, both of Cambridge, in the Province of Ontario as JOINT TENANTS and not as Tenants-in-Common;

(hereinafter called the "Grantee")

OF THE OTHER PART

WITNESSETH THAT in consideration of One Dollar and other good and valuable consideration:

THE GRANTOR hereby conveys to the GRANTEE the lands described in Schedule "A" to this Warranty Deed as JOINT TENANTS and not as Tenants-in-Common and hereby consents to this disposition, pursuant to the Matrimonial Property Act of Nova Scotia.

THE GRANTOR covenants with the Grantee that the Grantee shall have quiet enjoyment of the lands, that the Grantor has a good title in fee simple to the lands and the right to convey them as hereby conveyed, that they are free from encumbrances and that the Grantor will procure such further assurances as may be reasonably required.

IN THIS DEED the singular includes the plural and the masculine includes the feminine and neuter genders, with the intent that this Deed shall be read with all appropriate changes of number and gender required of the context.

IN WITNESS WHEREOF the Grantors have signed and sealed this indenture on the day and year first above written.

SIGNED, SEALED AND DELIVERED )

in the presence of - )
[Signature] )
\_\_\_\_\_ )
\_\_\_\_\_ )

[Signature] )
DANIEL ZWICKER )
[Signature] )
JUDITH ANN ZWICKER )

LUNEBERG COUNTY REGISTRY OF DEEDS 7/ 51-26  
I certify that this document is a true and correct copy of the original as recorded in the Registry of Deeds.  
w/13 registered as shown here. 06 01/19 <j LL:J/A  
Joan Plunkon Registrar MM DD YYYY W

AFFIDAVIT OF SPOUSAL STATUS

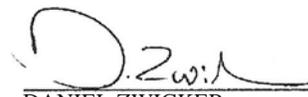
CANADA  
PROVINCE OF NOVA SCOTIA  
COUNTY OF LUNENBURG

We, Daniel Zwicker and Judith Ann Zwicker, both of Lunenburg, in the County of Lunenburg and Province of Nova Scotia make oath and say as follows:

1. THAT We are the Grantors in the foregoing Warranty Deed and are of the full age of nineteen (19) years.
2. THAT We are now, and intend to be at the date of closing residents of Canada within the meaning of the Income Tax Act (Canada).
3. THAT for the purposes of this our Affidavit, "spouse" means either of a man or a woman who:
  - (i) are married to each other;
  - (ii) are married to each other by a marriage that is voidable and has not been annulled by a declaration of nullity; or
  - (iii) have gone through a form of marriage with each other, in good faith, that is void and are cohabitating or have cohabited within the preceding year.
4. THAT we are the spouses of each other and we have no other spouses as defined herein.

SWORN TO (severally) at Lunenburg, in the County of Lunenburg, Province of Nova Scotia, this 1 day of July, 1999, A.D.

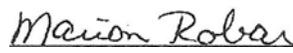
  
\_\_\_\_\_  
A \_\_\_\_\_ OF THE SUPREME COURT OF NOVA SCOTIA

  
\_\_\_\_\_  
DANIEL ZWICKER  
9-11-99 11:00 AM 11-11-99  
\_\_\_\_\_  
JUDITH ANN ZWICKER

AFFIDAVIT OF EXECUTION

PROVINCE OF NOVA SCOTIA  
COUNTY OF LUNENBURG

ON this 1 day of July, 1999 before me, the subscriber personally came and appeared Daniel Zwicker, a subscribing witness to the foregoing indenture, who having been by me duly sworn, made oath and said that DANIEL ZWICKER and JUDITH ANN ZWICKER, two of the parties thereto, signed, sealed and delivered the same in his presence.

  
\_\_\_\_\_  
A \_\_\_\_\_ OF THE SUPREME COURT OF NOVA SCOTIA

**MARION R. ROBAR**  
A Commissioner of the  
Supreme Court of Nova Scotia

SCHEDULE "A"

All those lands and premises conveyed in a Trustee's Deed dated the 7 ' day of May, 1984 from Patrick A. Burke and Mary Ann Burke, Executors and Trustees under the last Will and Testament of Jean B. Burke, to Daniel Zwicker and Judith Ann Zwicker recorded in Bridgewater Registry of Deeds Office on the 8<sup>th</sup> day of May; 1984 in Book 342 at Page 204 and therein more particularly described as follows:

"ALL those certain lots of land situate, **lying end** being in the Town of Lunenburg and bounded as follows:

BEGINNING **et** an iron bolt at the Northwest intersection of Tupper and Dufferin Streets;

THENCE in e Westerly direction along said **Dufferin** Street One Hundred and Seventy (170') feet to a stake;

THENCE in a Southwardly direction One Hundred and Eighty (180') feet to a stake;

THENCE in an Eastwardly direction One Hundred and Seventy (170') feet to a stake on the bounds of Tupper Street, aforesaid;

THENCE along said Tupper Street Northwardly One Hundred and Sixty-seven (167') feet to the place of beginning and being lots Number 1, 2, and 6 in Block One according to a plan of division of School lands made by S.E. Mardi, P.L.S. and dated November 15th, 1926.

BEING AND INTENDED TO BE the same lots of land as conveyed by the Board of Management of School Lands to William T. Powers by deed dated the 19th day of February, 1937 and recorded at the Registry of Deeds Office, Bridgewater, N.S. in Book 10J at Page 49 under No. 77.

For further reference to title see:

1. Last Will and testament of William T. Powers dated the 11st day of August, 1955 duly admitted to Probate at the Probate Court for the County of Lunenburg on the 31st day of October, 1955 and recorded at the Registry of Deeds Office, Bridgewater, N.S. in Book 120 at Page 408.

2, Last Will and testament of Jean Bernice Burke duly admitted to Probate at the Probate Court for the County of Lunenburg on the 11th day of August, 1982. "

9B..

*Hmz*



PART 5 RESIDENTIAL (R) ZONE

5.1 Permitted Developments

(a) Developments Permitted

existing commercial uses as follow:

<b>Civic Address</b>	<b>Use</b>
60 Dufferin Street	part-time upholstery business in accessory building
195 Green Street	retail florist

existing multi-unit dwellings as follow:

<b>Civic Address</b>	<b>Number of Units</b>
37 Blockhouse Hill Road	15
30-36 Broad Street	8
138-146 Centennial Avenue	5
119 Cornwallis Street	15
23 James Road	14
41 James Road	14
28 Sawpit Road	12
36 Sawpit Road	12

existing visitor-oriented commercial uses as follow:

<b>Civic Address</b>	<b>Use</b>
18 Lower Street	(1) use of 528 square feet of the basement level floor of the dwelling for the creation, painting and retail sale of wooden toys
	(2) use of 450 square feet of the property for outdoor sales and display
	(3) use of two signs, each a maximum of 5 square feet in area
34 Linden Avenue	(1) use of 518 square feet of the ground floor of the dwelling for the retail sale of quilts, quilt-related craft and art goods, and handmade hooked rugs
	(2) use of 100 square feet of the property for outdoor sales and display
	(3) use of three signs: <ul style="list-style-type: none"> <li>• one 25 square foot quilt hung on the dwelling</li> <li>• one 13.6 square foot ground sign; and</li> <li>• one 3.5 square foot flat fixed wall sign</li> </ul>

guest houses up to 3 units subject to Section 3.1  
 parking lots associated with uses permitted in the Residential (R) Zone  
 single-unit dwelling  
 two-unit dwellings

- (b) Developments Permitted by Development Agreement
- (i) institutional developments in accordance with Municipal Planning Strategy policy 5.5
  - (ii) multi-unit dwellings in accordance with Municipal Planning Strategy policy 5.9
  - (iii) expansion of existing multi-unit dwellings listed above in accordance with Municipal Planning Strategy policy 5.9
  - (iv) guest houses over 3 units in accordance with Municipal Planning Strategy policy 5.10
  - (v) Dining Rooms in conjunction with guest houses in accordance with Municipal Planning Strategy Policy 5.10A.

## 5.2 Residential (R) Zone Standards

Minimum Front Yard	6 metres (20 feet)
Minimum Rear Yard	6 metres (20 feet)
Minimum Side Yard	2.4 metres (8 feet)
Minimum Side Yard on Side with Common Wall	0 metres (0 feet)
Minimum Flankage Yard	6 metres (20 feet)
Maximum Height of Buildings	10.5 metres (35 feet)
Minimum Lot Area	558 square metres (6000 square feet)
Minimum Lot Frontage	18.2 metres (60 feet)

## 5.3 Attached Dwellings on Separate Lots

Where two lots are created for the development of an attached two-unit dwelling to be located on the common lot line, the total area, added together, of both lots must be 558 square metres (6000 square feet) and the total frontage of both lots must be 18.2 metres (60 feet) and each lot must have a minimum frontage of 20 feet.

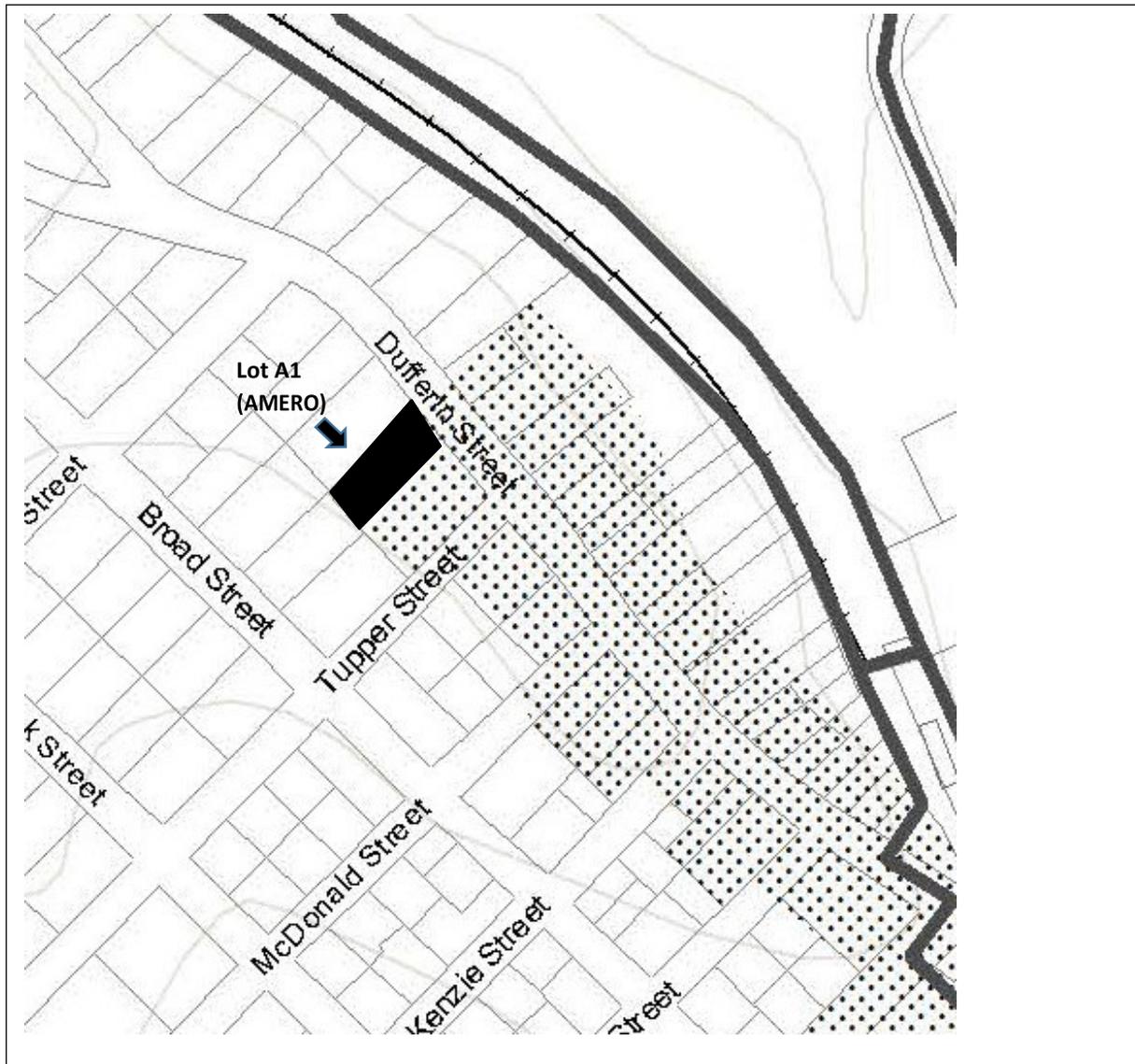
## 5.4 Special Requirements: Existing Visitor-Oriented Commercial Uses in the Residential (R) Zone

In the Residential (R) Zone visitor-oriented commercial uses listed in the zone may:

- (a) continue the use;
- (b) expand the building for residential purposes in accordance with the requirements of the Residential (R) Zone;
- (c) replace the building;
- (d) move the use to a different location within the building, provided that
  - (i) there is no increase in the size of the use beyond that listed in the

- Residential (R) Zone;
- (ii) there is no increase in the area of outdoor display and sales beyond that listed in the Residential (R) Zone;
  - (iii) there is no change in the type of item available for retail sale from those items listed in the Residential (R) Zone; and
  - (iv) all other activity related to the business use, such as parking, is in accordance with the requirements of Section 5.1 of the Land Use By-law.

**Schedule C – Map showing Amero lot, Lot A1, in Architectural Control Area on Dufferin Street**



## 10.0 ARCHITECTURAL HERITAGE

### BACKGROUND

Lunenburg has a distinct heritage rooted in the Germanic origins of its first settlers, its unique architectural character, and its historical association with the growth of the Atlantic fishery and the bygone age of sail. This strong heritage is recognized as an important element of community life, important not only to residents of the Town but to the growing tourism industry as well. The term "heritage" encompasses many things, from vernacular forms of speech, to local food, traditional skills, crafts, and means of livelihood, and the historic built environment. Most aspects of Lunenburg's heritage are protected, preserved, and promoted through the activities of the Fisheries Museum of the Atlantic, the South Shore Genealogical Society, the German Canadian Cultural Society of Lunenburg, the Lunenburg Heritage Society and the Lunenburg Academy Foundation, the latter two organizations focusing particularly on the preservation of historic buildings.

The Town's architectural character is perceived as being a particularly important component of its heritage and Town Council has taken a number of initiatives to conserve, maintain, and improve that character. Involvement in the Provincial Main street Program from 1979 to 1994, in cooperation with the downtown merchants, facilitated both public and private sector improvements to the built environment in the designated downtown Business Improvement District. Although the Main street Program no longer exists, the Town will continue to seek similar programs to assist the business community.

In 1981, the Heritage Property By-law was adopted under the Heritage Property Act, enabling Council to designate historic buildings, streetscapes, and areas in the Town and to control any substantial alteration to them. Implementation of the By-law began in 1982 when research was undertaken to document the historic and architectural character of the Town. This research culminated, in February 1984, in the publishing of an inventory of historic buildings, which laid the groundwork for subsequent designations of Municipal Heritage Properties under the Heritage Property By-law. Additional information collected in 1992 and subsequent years will be used to update the Heritage Inventory when funds become available.

In 1991, Lunenburg received the distinction of having Old Town designated as a National Historic District.

In 1994, with the assistance of the Provincial Department of Housing and Municipal Affairs and a consultant, a background study was undertaken on the possible establishment of the Old Town as a heritage conservation district under the Heritage Property Act, with the district consisting of the National Historic District plus adjacent historic areas. A working group of

residents assisted in the preparation of a draft conservation plan and bylaw that included policies restricting demolition of historic (pre-1940) buildings and design guidelines for new buildings, alterations to existing buildings, and signs, fences, and utility structures. The establishment of the heritage conservation district was also intended to qualify property owners for conservation assistance programs available from the provincial government.

A series of opinion surveys, public meetings, workshops, and media presentations on the proposed district were subsequently conducted. Establishment of the district was significantly delayed, however, by the need for certain prior amendments to the Heritage Property Act and the Provincial Regulations for Heritage Conservation Districts, and by uncertainties about funding for a Heritage Officer to administer the conservation plan and bylaw. These amendments and funding uncertainties were not fully settled until late 1999, and the establishment of the heritage conservation district and the adoption of the conservation plan and bylaw remained on hold for the intervening years.

In 1995, the Old Town was designated as a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (U.N.E.S.C.O.).

In 1996, following the Five-Year Review, limited architectural controls were introduced into the municipal planning strategy and land use bylaw. Three architectural control areas were established, one encompassing the Old Town National Historic District / World Heritage Site, another in the Dufferin Street and Falkland Street area, and a third in the Tannery Road area. Within these areas, architectural controls regulated the design of new main buildings and alterations to pre-1920 main buildings.

In 1997, with assistance from the Federal and Provincial Governments, the Town commissioned a Strategic Plan for conservation and management of the Town as a World Heritage Site. The resulting Lunenburg World Heritage Community Strategy, adopted by Council in 1998, identified numerous initiatives relating to cultural preservation and economic development. It also affirmed the need for the establishment of a heritage conservation district, comprehensive architectural controls, and financial incentives. Implementation of the strategy began in 1999 with the creation of a new Heritage Project Manager position within the Town staff, whose responsibilities include administration of the heritage conservation district plan and bylaw.

In early 2000, following formal notification of all affected property owners, the heritage conservation district was established and the conservation plan and bylaw were adopted by Council, along with concurrent amendments to the architectural control policies of this Municipal Planning Strategy.

## ARCHITECTURAL CONTROL

Council recognizes the potential social and economic benefits of preserving the heritage of Lunenburg and is committed to its protection. The designation of the Old Town as a National Historic District and World Heritage Site also imposes upon Council significant responsibility for its protection and management as a cultural resource of national and international importance. At the same time, Council recognizes that the Town is a living community, not a museum, and that architectural change must be accommodated.

In order to ensure the protection of Lunenburg's built heritage, Council has adopted a three-fold approach to architectural control:

- Voluntary designation of individual Municipal Heritage Properties under the Heritage Property Bylaw.
- Establishment of architectural control areas in the Dufferin Street, Falkland Street, and Tannery Road areas, with limited architectural controls implemented through the Land Use Bylaw. These architectural controls will continue the regulatory approach originally adopted in 1996 with the exception that the cut-off date for architectural reference will be changed from 1920 to 1940. Within the architectural control areas, architectural controls will apply only to new main buildings and alteration of pre-1940 main buildings.
- Establishment of a heritage conservation district comprised of the Old Town National Historic District & World Heritage Site and adjacent historic areas, with architectural controls implemented through the policies and design guidelines of the conservation plan and bylaw. Architectural controls in the heritage conservation district will apply to demolition of any pre-1940 building; the design of new buildings, including outbuildings; the alteration of any existing building, regardless of age; the design of fences and signs, and the placement and screening of utility structures.

Council will also consider the future possibility of extending the heritage conservation district to include the Dufferin Street, Falkland Street, and Tannery Road architectural control areas and other historic parts of the Town by future amendment of the conservation plan and bylaw and this municipal planning strategy.

## POLICIES

It shall be the policy of Council to:

### Registered Heritage Properties

- 10.1 regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

### Architectural Control Area Designation

- 10.2 designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

### Architectural Control Area Provisions

- 10.3 incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:
- (a) new buildings; and
  - (b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

### Heritage Conservation District

- 10.4 designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

### Heritage Conservation District Plan and Bylaw

- 10.5 regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

**Future Expansion of Heritage Conservation District**

- 10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

**General Policies**

- 10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main street Program.
- 10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.
- 10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

## Schedule E- LUB Part 26G Architectural Control Area

## PART 26G ARCHITECTURAL CONTROL AREA

## 26G.1 New Main Buildings

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

## 26G.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3 (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
- (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
- (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

## 26G.4 Renovations and Replacements

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations

set out in Section 26G.1.

## Schedule F - Assessment History from Viewpoint.ca

Source: Viewpoint.ca, accessed 30 August 2019



YEAR	ASSESSED AT	% +/-
2008	\$55,000	0.0%
2009	\$59,400	8.0%
2010	\$62,400	5.1%
2011	\$55,000	-11.9%
2012	\$38,500	-30.0%
2013	\$38,500	0.0%
2014	\$38,500	0.0%
2015	\$38,500	0.0%
2016	\$38,500	0.0%
2017	\$38,500	0.0%
2018	\$38,500	0.0%
2019	\$38,500	0.0%

Jan. 13, 2020

Good Evening Your Worship, Chair and Members of the Planning Advisory Committee

My name is Joe Amero. This is my wife Eldona Amero.

We are year-round long-term residents of Lunenburg and live in an historic home on Archibald Street.

Tonight, we are asking that you exempt from the Architectural Control Area our undeveloped lot A-1 located on Dufferin Street. We make this request for two reasons. First, these restrictions have and continue to prevent us from selling our property causing us an undue hardship. Second, because the purpose of the restrictions is not served by burdening our realty in this way.

Dawn Sutherland, Development/Planning Manager, correctly noted in her Memorandum that "Mr. Amero has related that he has had lot A 1 for sale for a number of years and believes that the architectural control area restrictions have hindered its sale. He wishes to be removed from the architectural control area and be subject only to the Residential (R) Zone provisions."

During the Heritage Advisory Committee on [Nov.18,2019, a council member asked to examine proof of the truth of my assertion that the restrictions have hindered the property's sale. Fortunately, Stephanie DeVries of Viewpoint Realty has been kind enough to provide us with the requested information by way of e-mail and I brought copies for each of you. Ms. DeVries stated as follows:

Read E-Mail

Therefore, in keeping with Heritage Conservation District Policy 3.2.2, the continuing inclusion of the property within the district places an undue and unreasonable hardship upon the property owners - us.

As you know, in deciding whether to exempt Lot A1, Heritage Conservation District Policy 3.2.2, also requires consideration of the architectural character, landscape character, historical association, scenic quality or other characteristics of the property or area in terms of its value as part of the Heritage Conservation District is no longer apparent and relevant and its removal does not adversely affect the cohesiveness of the District or adversely affects the architectural built environment of the District or its setting."

Staff has indicated many of the reasons why this consideration weighs in favour of granting our application. Specifically noted in the report on page 2 is the following:

The subject property is a vacant lot on the fringe of the Area as well as on the fringe of the proposed Heritage Conservation District and not in the middle. The movement of the boundary line to exclude the subject property should not affect the integrity of the Area or the proposed District as a whole. Also, the home built on 107 Dufferin Street built in 2003 is a modern contemporary home and is located directly to the west of the subject lands. In light of the above, Council may determine that the exclusion of the subject lands will not have a significant impact on the cohesiveness of the Architectural Control Area and approve the request. Such a decision in the staff's opinion, could also be supported in light of the proposed Policy 3.2.2 intent.

Staff goes on to say in its discussion of the financial impact of the decision, essentially that there is no financial harm to the Town in granting this application. Specifically, on page 3 the report states "As the property is not part of the Old Town UNESCO World Heritage Site its removal from the Architectural Control Area of the Municipal Planning Strategy and by default, its removal from the proposed Heritage Conservation District will not, in the staff's opinion, have a significant impact on the UNESCO designation and, as of a result not have a significant impact on the local economy or the local cultural attributes of Lunenburg.

We totally agree with these observations made by Staff.

Yet for reasons not altogether clear, Staff ultimately stated that granting of the application would be a dangerous precedent. With this conclusion, we respectfully disagree and ask that you grant our application because the facts of this situation when considered in light of Heritage Conservation District Policy 3.2.2, we believe weigh in our favour should you find that Lot A1 was intended to be included in the district at all.

Again, thank you for your time and for your consideration of our application. We love this town and its historical character and appreciate your efforts to protect and preserve it. And, I can assure you that we would not be before you at all if we felt that that by making this application we were in anyway eroding the heritage value of this community.

**From:** Stephanie deVries stephanie@viewpoint.ca  
**Subject:** Lot A 1 Dufferin Street Activity  
**Date:** January 10, 2020 at 3:01 PM  
**To:** Joseph Amero eamero@eastlink.ca



Dear Joseph and Eldona

How are you? For privacy reasons I am not able to forward you the clients emails but I can provide to you the dates I was contacted regarding your property where either by emails and/or conversations on the phone once the issue re architecturally protected was brought up and the restrictions were discussed the interested quickly came to a halt. I have also noted below when offers came into play and were terminated for that reason as well. I plan on joining you Monday Jan 13th at 4:30 as you requested should I be of assistance.

Lot A1 Dufferin Street, Lunenburg Activity Report

March 2018 Offer, breach of contract due to the architecturally protected designation

June 6th, 2018  
June 21, 2018  
Oct 2, 2018  
Feb 3, 2019  
March 4, 2019  
April 20, 2019  
May 5th, 2019  
May 22, 2019  
May 30th, 2019  
May 31st, 2019  
June 16, 2019  
June 18th, 2019  
June 25th, 2019  
June 26th, 2019  
July 8th, 2019  
Sept 23, 2019  
Oct 11, 2019  
Dec 11th, 2019 Offer  
Dec 20th, 2019

Stephanie

Stephanie deVries  
View Point Realty  
Cell 902-521-1575  
Fax 888-761-9052  
<http://www.viewpoint.ca>

Document No:  
Meeting: January 13, 2020  
Circulate To: PAC, BR, DS, HM  
File: PAC

**MEMORANDUM**

**TO: PLANNING ADVISORY COMMITTEE**

**FROM: DAWN SUTHERLAND, DEVELOPMENT/PLANNING MANAGER**

**DATE: JANUARY 6, 2020**

**RE: PUBLIC INFORMATION MEETING REPORT (ABCO)  
Proposed amendments to the Municipal Planning Strategy's Map 2  
Future Land Use Map to remove 6 properties (PIDs 60053188, 60053196,  
60053204, 60053212, 60386018, 606072839) from the Architectural  
Control Area along Tannery Road.  
(ABCO Industries Inc. application)**

<b>Applicant</b>	ABCO Industrial Holdings Limited, Jason Huskilson
<b>Land Owner</b>	ABCO Industrial Holdings Limited
<b>Proposal</b>	Application for MPS map amendments to remove 6 properties from the architectural control area along Tannery Road
<b>Lot Area</b>	Combined: ≈7.3748 acres/321 247 sq ft./ 29 844.8229 sq. metres
<b>Designation</b>	Industrial
<b>Zone</b>	Marine Industrial (MI)
<b>Surrounding uses</b>	residential, marine industrial, institutional
<b>Architectural Controls</b>	Yes
<b>Heritage</b>	-NOT within the Heritage Conservation District -NOT a designated heritage property (municipal, provincial, federal) -Location of Camp Norway Monument

**1. Purpose of a Public Information Meeting**

A public information meeting provides members of the public with an opportunity to learn about an application and make their views known to the Planning Advisory Committee (PAC). No decisions have been made. This public information meeting report provides background information on the application only.

A public information meeting is required under the Town of Lunenburg's Public Participation Program.

In terms of process, after the public information meeting is held, PAC will make a recommendation to Council. The public will have another opportunity for input should Council forward the proposal to a public hearing. After the public hearing, Council will make the final decision. Detailed information on the process is contained in Section 3 below.

## 2. A. Application

Jason Huskilson, on behalf of ABCO Industries Inc., has submitted his application to amend the Municipal Planning Strategy's Map 2 Future Land Use Map to remove 6 properties (PIDs 60053188, 60053196, 60053204, 60053212, 60386018, 606072839) from the Architectural Control Area along Tannery Road. Mr. Huskilson appeared before Council on 22 October 2019 to seek permission to apply. Council invited Mr. Huskilson to apply and referred the matter to the Planning Advisory Committee. The application form and accompanying letter are attached as Schedule A.



FIGURE 1

This application is for the removal of 6 properties from the architectural control area along Tannery Road only. This application does not contain any request related to acquisition of the sea bed or allowance for mixed residential/commercial development.

## B. Property Information

The six (6) properties shown in Figure 1 are the subject of this application. These properties are in the Industrial designation and Marine Industrial (MI) Zone. A map showing the lot lines of the subject and surrounding properties is attached as Schedule B. Part 16 Marine Industrial (MI) Zone of the Land Use By-law sets out the permitted developments and additional zoning information. It is attached as Schedule C.

Please note that the views and view planes are not protected. Design and use are currently regulated by the Land Use By-law.

These lots are within the Architectural Control Area along Tannery Road. An excerpt from the Municipal Planning Strategy, Map 2, Future Land Use showing the Architectural Control Area along Tannery Road is attached as Schedule D. Please note that Little Island (AKA Burns Island) is not part of this application as it is not within the Architectural Control Area. The island is within the Marine Industrial (MI) Zone.

The lots are located off Tannery Road and are on the south west side of Lunenburg Harbour. The lots are relatively flat and, with the exception of Lot 09-1, PID 60672839 (#6 on the mapping), abut the shore. All are accessed off of Tannery Road.

The uses on the lots vary. The Camp Norway monument is located on Lot A, PID 60053188 (#1 on mapping). Briefly, Norwegian sailors were housed at Camp Norway after the Nazis invaded Norway during World War II. The camp was primarily a Royal Norwegian Navy training depot for over 1000 seamen and whalers who were being taken into the navy. The barracks were constructed and opened in November of 1940, with the first sailors arriving in 1941. The barracks now house ABCO Industries at 81 Tannery Road. Camp Norway is an important part of the history of the South Shore.

The ABCO Industries Inc. lands had been used for traditional fishing industries. In an undated post card, Figure 2 shows a fish shack and fish drying. The building at 81 Tannery Road has undergone a number of additions and internal modifications since ABCO was first founded in 1947. The current uses are considered marine industrial and industrial in nature as design and fabrication work occurs on site including purpose built aluminum boats. There are approximately 60 fulltime employees. Manufacturing plays an important role in the local economy.

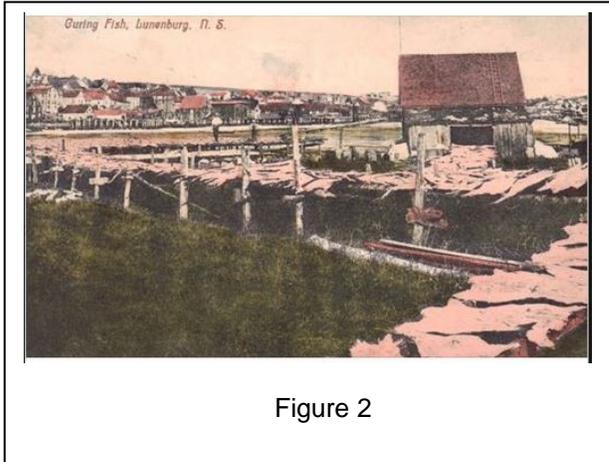


Figure 2

There are two residential properties (houses) at 57 and 61 Tannery Road. 57 Tannery Road is a rental property while 61 Tannery Road is currently used for ABCO storage. Three lots are currently vacant (#1, 5, 6 on mapping) with the exception of the Camp Norway monument on #1.

The abutting properties and those across Tannery Road (south) are residential.

### **C. Architectural Control Area**

The Architectural Control Areas are shown on the Municipal Planning Strategy's Map 2 Future Land Use Map. There are two areas: Falkland/Dufferin Streets and Tannery Road. "Old Town" was originally an architectural control area before becoming a Heritage Conservation District. If a property is in one of these areas, then it is subject to the architectural controls that are contained with the Land Use By-law.

Part 10 Architectural Heritage in the Municipal Planning Strategy contains the policies that enable the architectural control areas. Please refer to Schedule E. Regulation is through the Land Use By-law. Please refer to Schedule F for Part 26G Architectural Control Area of the Land Use By-law. Simply, if the design meets the criteria set out in Part 26G, then Development Officer issues a Development Permit. There are requirements for new main buildings and additions to be similar to those pre-1940 buildings within 300 ft. There are restrictions on size of additions and such things as cladding, roof shape, style. ABCO Industries Inc. wishes to be removed from these restrictions. They wish to have the flexibility to expand their operation as needed (perhaps in excess of the 25% of the ground floor area found in LUB Part 26.G.3) and

be subject only to the standards of the Marine Industrial (MI) Zone. They would like the ability to use more modern cladding as well. Flexibility and timely permitting are concerns.

Policy 10.6 in the Municipal Planning Strategy sets out that Council can consider the future expansion of the Heritage Conservation District to include areas of architectural control. The Heritage Conservation District Plan and By-law are currently under review by the Heritage Advisory Committee. The draft includes the Tannery Road Architectural Control Area becoming part of an expanded Heritage Conservation District. ABCO Industries Inc. wishes to be removed from the Tannery Road Architectural Control Area and does not wish to be included in a new Heritage Conservation District.

### 3. Process

Planning processes are legislated under the *Municipal Government Act* and are subject to Town of Lunenburg Public Participation Program as well. There are statutory requirements for notification of members of the public as well as Town policies in place in order for the public to become informed of proposed changes to our planning documents and to provide an opportunity for meaningful engagement. Changes to policies are to be given careful consideration by Council and those affected are to be given an opportunity to have their voices heard.

Below is a flow chart of the process for a Municipal Planning Strategy Amendment:

1. Applicant wishes to make a planning application and makes a request to apply	
2. Council hears the request. If willing to consider/learn more, Council will invite the applicant to apply. Referral to the Planning Advisory Committee (PAC).	-Applicant submits application. -PAC schedules a Public Information Meeting (PIM), applicant notified -Approved advert sent to paper -PIM letter mailed to assessed owners within 30 m, notice posted in Town Hall, -Applicant notified -PIM advert published (did this twice as it was advertised in December)
<b>3. PAC holds PIM</b>	-PAC learns about application -Public learns about application and asks questions -no decisions at this time
4. PAC meeting, recommendation to Council	-Staff report with analysis -PAC may ask for additional information or changes -PAC makes a recommendation to Council
5. Council – First Reading and sets a Public Hearing date	-Approved advert sent to paper

	-Notice of Intent and PH date to appear 14 days before public hearing, applicant notified, abutting municipality notified -PH letter mailed to assessed owners within 30 m First advert, Second advert
6. Council - Public Hearing	Public input – make presentation, email, letter
7. Council – Second Reading (decision made)	-Negative: refuse - no appeal - ends -Positive: approve, then 4 certified copies to Province along with all supporting documentation
8. If positive (Approved by Council) Province reviews	30 days
9. Province Approval required – 60 days , approve with or with amendments or refuse OR Approval not required	
10. Notice in newspaper setting out that MPS amendment is in effect	Effective date of amendment is upon publication in paper. (NO APPEAL TO UARB)

#### 4. Next Steps

The next meeting of the Planning Advisory Committee (PAC) is scheduled for Monday, 10 February 2020. There will be a staff report containing an analysis and a copy of the PIM meeting minutes will be attached. PAC may make a recommendation to Council at that time or may ask for additional information or changes. If a recommendation is made, the application will proceed to Council for First Reading.

#### 5. Appendices

Schedule A, application form and accompanying letter  
 Schedule B, A map showing the lot lines of the subject and surrounding properties  
 Schedule C, Part 16 Marine Industrial (MI) Zone of the Land Use By-law  
 Schedule D, Municipal Planning Strategy, Map 2, Future Land Use showing the Architectural Control Area along Tannery Road  
 Schedule E, Part 10 Architectural Heritage in the Municipal Planning Strategy  
 Schedule F, LUB Part 26G Architectural Control Area

**Town of Lunenburg Planning Application for a  
Municipal Planning Strategy Amendment**

PLEASE NOTE THAT ALL INFORMATION PROVIDED IS PUBLIC INFORMATION

**APPLICANT INFORMATION**

Name <b>Jason Huskilson</b>
Company Name <b>ABCO Industries Inc.</b>
Mailing Address <b>81 Tannery Road, Lunenburg, NS, B0J 2C0</b>
Email <b>jason@abco.ca</b>
Phone -
Cell

**REGISTERED OWNER OF PROPERTY**

Name <b>3-H ABCO Holdings Inc.</b>
Company Name <b>ABCO Industries Inc.</b>
Mailing Address <b>81 Tannery Road, Lunenburg, NS, B0J 2C0</b>
Email <b>jason@abco.ca</b>
Phone <b>{902} 634-8821</b>
Cell

PLEASE NOTE: If you are not the registered owner of the property, include a letter of authorization from the owner with your application .

**PROPERTY INFORMATION**

Civic Address <b>81 Tannery Road, Lunenburg, NS, B0J 2C0</b>
PID# <b>60386000 60053188 60053196* 60053204** 60053212** 60386018 60672839</b>
Present Use of Property <b>Manufacturing* Residential** Empty</b>
Proposed Use of Property <b>Allowable uses under the Marine Industrial Zoning</b>

**APPLICATION CHECKLIST**

- [2] Copy of Deed
- [2] Survey Plan or Equivalent
- [2] A Letter Explaining the Proposal
- [2] Application and Advertising Fees  
\$945.15 (\$245.15 + \$700.00)

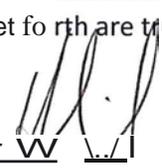
**EXPLANATION OF PROPOSAL AND SIGNATURE**

A short explanation of your proposal (please include a detailed letter with a full explanation)

**A significant expansion of the manufacturing foot print of ABCO Industries Inc. This increased space will house new machinery and facilitate work space for new hires.**

By submitting this application I affirm that the facts set forth are true and complete .

Name (printed) : x:llitksl /s./h

  
Signature W

Date: Oct 25, 2019

**OFFICE USE ONLY:** Type of Application:

Date received:

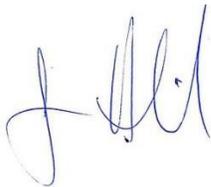
To Whom it may concern,

ABCO Industries Inc. is a world class supplier of manufactured metal products. Since 1947, ABCO has built a customer base that spans the globe. This customer base, coupled with new investment from the New Ownership, puts ABCO in a position to grow if we had an adequately sized facility. This is impossible with the current rules and by-laws which is why we are asking to be removed from the Architectural Control zone. This will give ABCO Industries the freedom to grow. Our current foot print has been pushed to the limit in recent years and we are looking to make a change.

ABCO is looking to expand the existing floor space up to, and possibly beyond, 100% of the current foot print. ABCO would like to build new infrastructure that may include detached structures or additions to the existing building. Any new additions could be of similar shape and colour of the existing structure which Lunenburg has been accustomed to seeing for over 50 years. We feel that this expansion will be a welcome part of the working waterfront of Lunenburg and we look forward to continued community investment.

The Marine Industrial zoning would give ABCO the architectural freedom to manage our growth. Removal from the Architectural Control Zone will facilitate the transition to being limited only by the Marine Industrial controls. We appreciate the consideration thus far, and we look forward to continuing our growth within the Town of Lunenburg.

Regards,

A handwritten signature in blue ink, appearing to read 'J. Huskison', with a stylized flourish at the end.

Jason Huskison

Director ABCO Industries

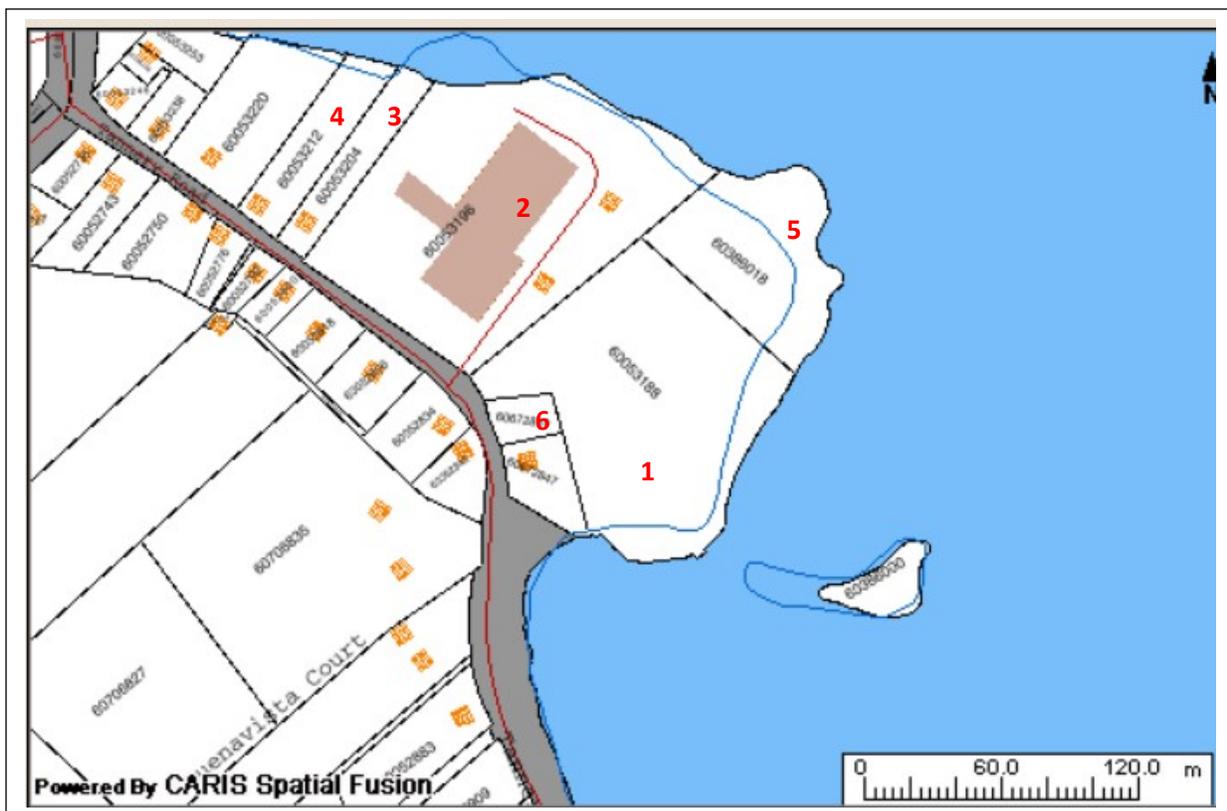
Oct 25, 2019

Schedule B – A map showing the lot lines of the subject and surround properties

Property online Map showing ABCO Industries Holdings Limited properties that are within the Architectural Control Area on Tannery Road

7 October 2019

	PID	OWNER	PROPERTY ADDRESS/AREA
1	60053188	ABCO Industries Holdings Limited	Lot A, Tannery Road (2.37 acres)
2	60053196	ABCO Industries Holdings Limited	81 Tannery Road (3.28 acres)
3	60053204	ABCO Industries Holdings Limited	61 Tannery Road (19375 sq ft) residential
4	60053212	ABCO Industries Holdings Limited	57 Tannery Road(19845 sq ft) residential
5	60386018	ABCO Industries Holdings Limited	Lot 2, Tannery Road (29900 sq ft)
6	60672839	ABCO Industries Holdings Limited	Lot 09-1 (6013 sq ft)



PART16 **MARINE INDUSTRIAL (MI) ZONE**

**16.1 Permitted Developments**

Developments Permitted

any use permitted in the Industrial (I) Zone  
 any use permitted in the General Commercial (GC) Zone, **with the exception of residential uses**

dry cleaning or laundry establishments or depots  
 funeral homes  
 medical clinics  
 places of entertainment, recreation and assembly  
 boatyards, including boat storage  
 existing residential uses as follow:

<b>Civic Address</b>	<b>Owner</b>
29 Falkland Street	Cynthia and Adam Dial
49 Falkland Street	Lunenburg Foundry & Engineering
175 Montague Street	Adams and Knick.le
43 Tannery Street	Clarence Dauphinee
49 Tannery Road	ABCO
57 Tannery Road	ABCO
61 Tannery Road	ABCO

fish uses, including fish processing  
 marinas, including boat rentals and charters, fuel sales, and pump-out facilities  
 marine railways  
 manne uses  
 marine-related commercial uses  
 parking lots  
 parks  
 public uses and buildings  
 sale of fish and other seafood  
 shipbuilding and repair  
 ship chandlery and provisioning  
 storage buildings for commercial fishing gear  
 wharves and docks  
 wholesale fish establishments  
 outdoor yacht and boat sales and displays, including yachting and boating merchandise

**16.2 Developments Permitted by Development Agreement**

- (i) industrial development which may create land use conflicts in accordance with Municipal Planning Strategy policy 8.7
- (ii) Places of entertainment, recreation or assembly in accordance with Municipal Planning Policy 8.7A.

**16.3 Marine Industrial (MI) Zone Standards**

Minimum Front Yard	nil
Minimum Side Yard	nil
Minimum Rear Yard	nil
Maximum Height of	13.5 metres (45 feet)
Minimum Lot Area	37 square metres (400 square feet)
Minimum Frontage	nil

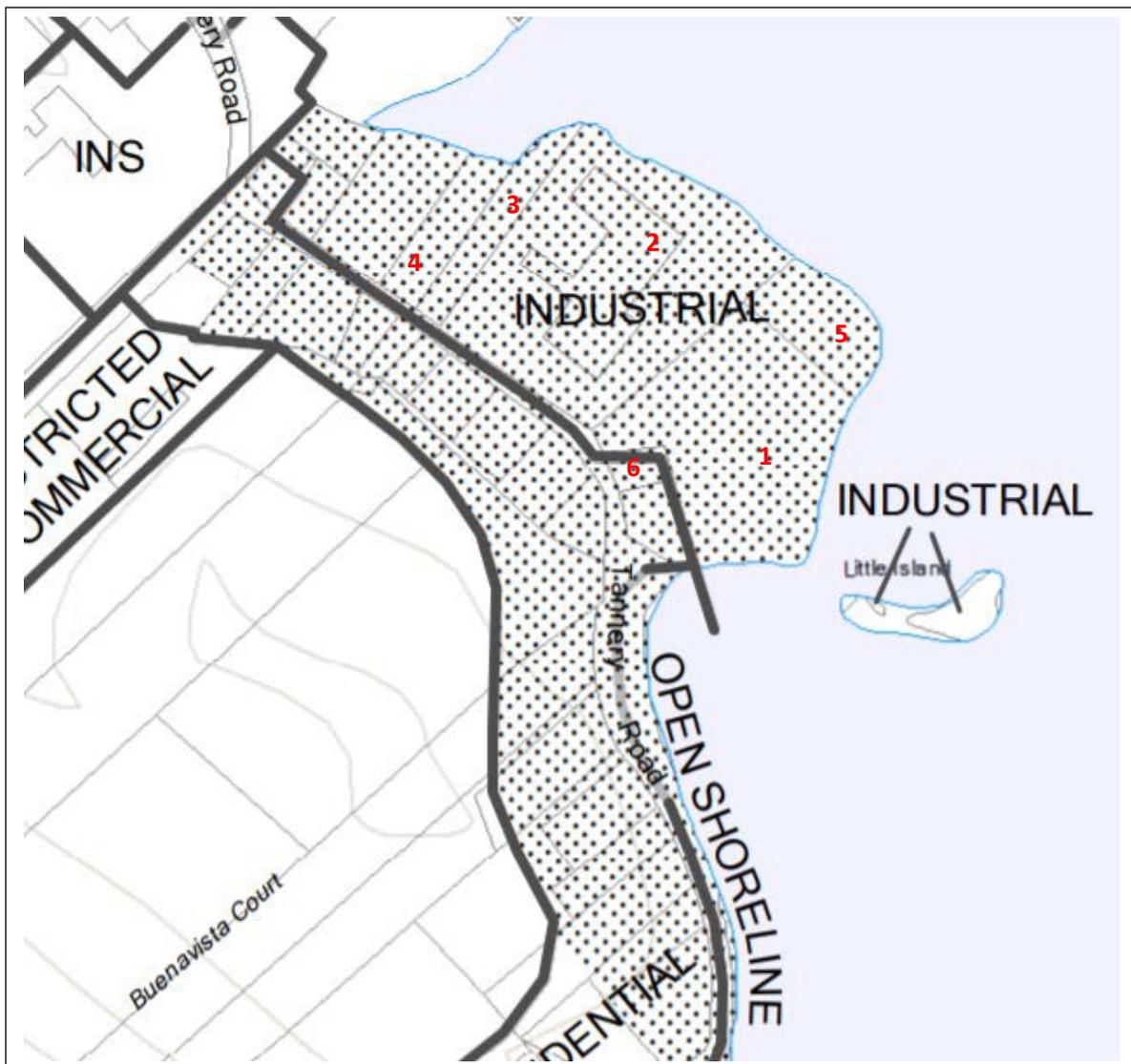
- 16.4 Notwithstanding section 16.3, a boathouse may be erected on a lot that is at least 37 square metres (400 square feet).

**Schedule D – Municipal Planning Strategy, Map 2, Future Land Use showing the Architectural Control Area along Tannery Road**

Property online search of “ABCO” shown on excerpt from Town of Lunenburg, Municipal Planning Strategy, Map 2, Future Land Use, showing Architectural Control Area along Tannery Road with lands owned by ABCO Industries Holdings Limited numbered in red

7 October 2019

	PID	OWNER	PROPERTY ADDRESS/AREA
1	60053188	ABCO Industries Holdings Limited	Lot A, Tannery Road (2.37 acres)
2	60053196	ABCO Industries Holdings Limited	81 Tannery Road (3.28 acres)
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6	60672839	ABCO Industries Holdings Limited	Lot 09-1 (6013 sq ft)



## 10.0 ARCHITECTURAL HERITAGE

### BACKGROUND

Lunenburg has a distinct heritage rooted in the Germanic origins of its first settlers, its unique architectural character, and its historical association with the growth of the Atlantic fishery and the bygone age of sail. This strong heritage is recognized as an important element of community life, important not only to residents of the Town but to the growing tourism industry as well. The term "heritage" encompasses many things, from vernacular forms of speech, to local food, traditional skills, crafts, and means of livelihood, and the historic built environment. Most aspects of Lunenburg's heritage are protected, preserved, and promoted through the activities of the Fisheries Museum of the Atlantic, the South Shore Genealogical Society, the German Canadian Cultural Society of Lunenburg, the Lunenburg Heritage Society and the Lunenburg Academy Foundation, the latter two organizations focusing particularly on the preservation of historic buildings.

The Town's architectural character is perceived as being a particularly important component of its heritage and Town Council has taken a number of initiatives to conserve, maintain, and improve that character. Involvement in the Provincial Main street Program from 1979 to 1994, in cooperation with the downtown merchants, facilitated both public and private sector improvements to the built environment in the designated downtown Business Improvement District. Although the Main street Program no longer exists, the Town will continue to seek similar programs to assist the business community.

In 1981, the Heritage Property By-law was adopted under the Heritage Property Act, enabling Council to designate historic buildings, streetscapes, and areas in the Town and to control any substantial alteration to them. Implementation of the By-law began in 1982 when research was undertaken to document the historic and architectural character of the Town. This research culminated, in February 1984, in the publishing of an inventory of historic buildings, which laid the groundwork for subsequent designations of Municipal Heritage Properties under the Heritage Property By-law. Additional information collected in 1992 and subsequent years will be used to update the Heritage Inventory when funds become available.

In 1991, Lunenburg received the distinction of having Old Town designated as a National Historic District.

In 1994, with the assistance of the Provincial Department of Housing and Municipal Affairs and a consultant, a background study was undertaken on the possible establishment of the Old Town as a heritage conservation district under the Heritage Property Act, with the district consisting of the National Historic District plus adjacent historic areas. A working group of

residents assisted in the preparation of a draft conservation plan and bylaw that included policies restricting demolition of historic (pre-1940) buildings and design guidelines for new buildings, alterations to existing buildings, and signs, fences, and utility structures. The establishment of the heritage conservation district was also intended to qualify property owners for conservation assistance programs available from the provincial government.

A series of opinion surveys, public meetings, workshops, and media presentations on the proposed district were subsequently conducted. Establishment of the district was significantly delayed, however, by the need for certain prior amendments to the Heritage Property Act and the Provincial Regulations for Heritage Conservation Districts, and by uncertainties about funding for a Heritage Officer to administer the conservation plan and bylaw. These amendments and funding uncertainties were not fully settled until late 1999, and the establishment of the heritage conservation district and the adoption of the conservation plan and bylaw remained on hold for the intervening years.

In 1995, the Old Town was designated as a World Heritage Site by the United Nations Educational, Scientific and Cultural Organization (U.N.E.S.C.O.).

In 1996, following the Five-Year Review, limited architectural controls were introduced into the municipal planning strategy and land use bylaw. Three architectural control areas were established, one encompassing the Old Town National Historic District / World Heritage Site, another in the Dufferin Street and Falkland Street area, and a third in the Tannery Road area. Within these areas, architectural controls regulated the design of new main buildings and alterations to pre-1920 main buildings.

In 1997, with assistance from the Federal and Provincial Governments, the Town commissioned a Strategic Plan for conservation and management of the Town as a World Heritage Site. The resulting Lunenburg World Heritage Community Strategy, adopted by Council in 1998, identified numerous initiatives relating to cultural preservation and economic development. It also affirmed the need for the establishment of a heritage conservation district, comprehensive architectural controls, and financial incentives. Implementation of the strategy began in 1999 with the creation of a new Heritage Project Manager position within the Town staff, whose responsibilities include administration of the heritage conservation district plan and bylaw.

In early 2000, following formal notification of all affected property owners, the heritage conservation district was established and the conservation plan and bylaw were adopted by Council, along with concurrent amendments to the architectural control policies of this Municipal Planning Strategy.

## ARCHITECTURAL CONTROL

Council recognizes the potential social and economic benefits of preserving the heritage of Lunenburg and is committed to its protection. The designation of the Old Town as a National Historic District and World Heritage Site also imposes upon Council significant responsibility for its protection and management as a cultural resource of national and international importance. At the same time, Council recognizes that the Town is a living community, not a museum, and that architectural change must be accommodated.

In order to ensure the protection of Lunenburg's built heritage, Council has adopted a three-fold approach to architectural control:

- Voluntary designation of individual Municipal Heritage Properties under the Heritage Property Bylaw.
- Establishment of architectural control areas in the Dufferin Street, Falkland Street, and Tannery Road areas, with limited architectural controls implemented through the Land Use Bylaw. These architectural controls will continue the regulatory approach originally adopted in 1996 with the exception that the cut-off date for architectural reference will be changed from 1920 to 1940. Within the architectural control areas, architectural controls will apply only to new main buildings and alteration of pre-1940 main buildings.
- Establishment of a heritage conservation district comprised of the Old Town National Historic District & World Heritage Site and adjacent historic areas, with architectural controls implemented through the policies and design guidelines of the conservation plan and bylaw. Architectural controls in the heritage conservation district will apply to demolition of any pre-1940 building; the design of new buildings, including outbuildings; the alteration of any existing building, regardless of age; the design of fences and signs, and the placement and screening of utility structures.

Council will also consider the future possibility of extending the heritage conservation district to include the Dufferin Street, Falkland Street, and Tannery Road architectural control areas and other historic parts of the Town by future amendment of the conservation plan and bylaw and this municipal planning strategy.

## **POLICIES**

It shall be the policy of Council to:

### **Registered Heritage Properties**

- 10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

### **Architectural Control Area Designation**

- 10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

### **Architectural Control Area Provisions**

- 10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:
- (a) new buildings; and
  - (b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

### **Heritage Conservation District**

- 10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

### **Heritage Conservation District Plan and Bylaw**

- 10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

**Future Expansion of Heritage Conservation District**

- 10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

**General Policies**

- 10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main street Program.
- 10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.
- 10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

## Schedule F- LUB Part 26G Architectural Control Area

## PART 26G ARCHITECTURAL CONTROL AREA

## 26G.1 New Main Buildings

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

## 26G.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3 (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
- (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
- (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

## 26G.4 Renovations and Replacements

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations

set out in Section 26G.1.

**Public Information Meeting for ABCO Industries Inc. to remove 6 properties from the Architectural Control Area along Tannery Road**

**Correspondence:**

1. Christopher Berg, dated 7 January 2020, with attached letter dated 21 August 2019
2. Pamela Bendell, dated 12 January 2020
3. Sheila Gallagher, dated 13 January 2020

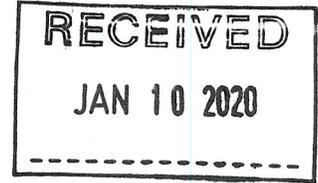
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11:30 am 13 Jan 20

4. Virginia Stephen, dated 15 January 2020

Her Worship Mayor Rachel Bailey and Town Council  
310 Cumberland Street,  
Lunenburg, NS  
BOJ 2C0

7 January, 2020.



**Subject: Atlantic Bridge Company (ABCO) Request to Remove Six Buildings from Being Included in Lunenburg Heritage District and Advisory Board Bi Laws**

Dear Mayor Bailey:

Approximately three months ago I sent a letter to you in regard to the concerns that I had for the possible demolition of the residence located at 60 Tannery Road as part of the ABCO plans to further develop their property in terms of increasing manufacturing capability and expansion. To this I wish to add my concern for a second building, currently a tenement, located at 57 Tannery Road. These two structures represent two of the six buildings owned by ABCO on Tannery Road for which said company is seeking a provision for not being included under the bi laws and regulations proposed by the Lunenburg Heritage Advisory Board.

My concern for the structure at 57 Tannery Road has to do with the historic significance associated with it and the fact that this building is perhaps the second oldest residence on Tannery Road.

Not many people alive today realize that the above house was owned by Elias Walters and originally stood on the lot currently occupied by 49 Tannery Road. It was built c. 1870 and, in 1894, the structure was moved to its current location so as to make room for the building of the current three story structure at 49 Tannery Road. The house at 57 Tannery Road is of old design and has pole beam roof supports and represents a piece of pre Empire style design.

In addition, the house at 57 Tannery Road is the birthplace of Captain Angus Walters and at one time, three if not four of the houses on that side of the street were owned by the Walters family. This information was relayed to me by Mrs. Beulah Thurlow (nee. Walters) who was born there as well.

**Subject: Atlantic Bridge Company (ABCO) Request to Remove Six Buildings from Being Included in Lunenburg Heritage District and Advisory Board Bi Laws (continued)**

This house, along with the residence at <sup>61</sup> ~~60~~ Tannery Road, serve to preserve the "street view" of Tannery Road prior to continuing along the shore further down the road. This is a point not overlooked by the many bus tour operators and tourists when they visit Lunenburg.

These residences also act as a passive barrier to the ABCO manufacturing site; providing a well balanced transition from residential to business areas on the street.

Lastly, both houses have provided rental accommodation for families on our road over many years. As you know, Lunenburg has a rental housing problem and for what ever reason, the house at 60 Tannery Road has not been offered for rent since the end of June, 2019. The loss of the homes would further aggravate the housing situation in Lunenburg.

With this letter, I ask that the house at 57 Tannery Road along with the house at 60 Tannery Road be afforded the protection offered by being included in the Lunenburg Heritage District. Both of these properties have deep lots extending down to the shore and that any expansion plans for the business owned by ABCO be considered on lands behind the houses near the shore and should not include plans for the destruction or extreme alteration of these houses. I ask that Town Council work with ABCO to develop a "win – win" result for their business expansion and to ensure that these two buildings grace our road and town for many years to come.

Respectfully submitted,



Christopher Berg

58 Tannery Rd.,

Lunenburg, NS

Attachment: 1. Correspondence dated 21 August 2019. regarding  
"Proposal to Demolish Residence at 61 Tannery  
Road, Lunenburg, NS."

Attachment 1 - Correspondence - 21 August 2019 - C. Berg.

August 21, 2019

Her Worship, Rachael Bailey and Town Councillors

Town of Lunenburg

119 Cumberland Street, P.O. Box 129

Lunenburg, NS B0J 2C0

**SUBJECT: Proposal to Demolish Residence at 61 Tannery Road, Lunenburg, NS.**

Your Worship and Town Councillors All:

Over the past month, there have been reports of a plan by the Atlantic Bridge Company (ABCO) to demolish the residence at 61 Tannery Road, Lunenburg, NS. This plan was revealed to a resident of Tannery Road by an employee at the company. From what I understand, the purpose of this demolition is to increase parking space for employees at ABCO in conjunction with planned expansion of business at their production facility in the near future. Please refer to the information packet on your website for the March 26, 2019 Town Council Meeting re. ABCO proposal for facility expansion and development of the adjacent land on the harbour shoreline.

My concern with the destruction of this building is that it will alter the charm and beauty of Tannery Road. The structure was built prior to 1930 and is of the Arts and Crafts or Craftsman style. The property on which the house is located extends all the way to the shoreline. I believe the structure to be sound with only the typical interior plaster cracking for its age.

While the house is not within the boundaries of the Lunenburg UNESCO site, it is my understanding that Tannery Road falls within the jurisdiction of review and assessment by the Town of Lunenburg Heritage Advisory Committee. Any alteration to buildings, constructed prior to 1940, require review and approval by the committee prior to allowing extensive alteration to, or demolition of a building.

In the event that the structure is proposed for demolition, I would like to put forward the possibility that the land behind 61 Tannery Road be considered for the expanded parking; allowing the house to remain with and the street scape not negatively impacted. In addition, there is currently a fifteen-foot-wide grassed in boulevard at the front of ABCO property on Tannery Road. Expansion of the front parking lot up to the planned sidewalk would also help reduce parking issues at ABCO.

Attachment I:- Correspondence -21 August 2019 - C. Berg.

**SUBJECT: Proposal to Demolish Residence at 61 Tannery Road, Lunenburg, NS. (continued)**

With this letter, I ask whether or not a submission has been made by ABCO to demolish said residence. If there is a submission to demolish the house at 61 Tannery Road, I also ask that the Town of Lunenburg please carefully consider any such request because the demolition will have a negative impact on the street view as it provides a separation of industry from the local neighbourhood. The physical loss of this house would also result in one less house to provide a home for a family in Lunenburg.

All said, I am one who supports the expansion of industry and employment within our town and I realize that ABCO owns the house in question. However, we need to actively investigate a win – win option for all and I hope that my suggestions will be some use in this matter. Losing a house to demolition seems such a terrible waste.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher W. Berg". The signature is written in a cursive style with a long horizontal stroke at the end.

Christopher W. Berg

58 Tannery Road,

Lunenburg, NS

PIM 2. Pamela Bendell, dated 12 January 2020 (owner of 160 Tannery Road)

**From:** [Pamela](#)  
**To:** [Dawn Sutherland](#)  
**Cc:** [Bea Renton](#)  
**Subject:** Town of Lunenburg Public Information Meeting Monday January 13/20  
**Date:** January-12-20 7:07:18 PM

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Hello Dawn

We currently own a property at 160 Tannery Rd and have since 2012.

We live in Pickering Ontario and like so many others, are unable to attend the meeting.

Is it at all possible and or do you have the technology to allow me to watch Jason's presentation?

I spoke at the town hall meeting on May 28th in opposition of any harbour development.

I find this disconcerting that anyone would want to be removed from the Architectural Control Area. One of the reasons we purchased our property was because of the towns heritage values.

I look forward to your reply.

Thank you

Pamela Bendell  
416-564-4269

**From:** [Sheila Gallagher](#)  
**To:** [Dawn Sutherland](#)  
**Cc:** [RBailey@explorelunenburg.c](mailto:RBailey@explorelunenburg.ca)  
**Subject:** Comments  
**Date:** January-13-20 12:13:47 AM

---

Hi Dawn,

I'm not certain of the process to have my comments and questions included during the public participation meeting held by the Planning Advisory Council on Jan. 13th. Could you please ensure this letter is presented during this meeting? Thanks for your assistance.

Sheila

To the Planning Advisory Council, I ask you to reject ABCO's request to be removed from the Architectural Control Area.

My reasons include:

1. The purpose of an Architectural Control Area is to ensure any new development is built with consideration to the character of the town. Based on ABCO's concept proposal sent to Council in March 2019, clearly ABCO has little regard for Lunenburg's heritage or how their development would impact the town or its waterfront. If ABCO is genuinely interested in developing their properties to reflect the town's values, I would think they would use the guidelines of the Architectural Control Area as a basis for their development rather than try to remove their properties from it.
2. The Heritage Committee has made a recommendation to the Planning Advisory Council to refuse ABCO's request to remove 6 properties from the Architectural Control Area. Let's take their advice.
3. Lunenburg's UNESCO designation would most certainly be at risk if ABCO or any other entity is able to do what they wish without regard for the heritage of the Town. Three UNESCO sites have already been delisted due to improper Town management. Some of the reasons for certain danger include, serious deterioration of town planning; serious deterioration of the natural environment; significant loss of historical authenticity and important loss of cultural significance. Tourism and government funding are two reasons why this designation is so important to Lunenburg's economy. Ottawa and the province provide funding to upgrade the waterfront and significant heritage buildings. Would Ottawa be as generous if the Town lost its UNESCO designation?

I have several questions:

If ABCO is removed from the Architectural Control Area:

1. Would this allow ABCO the right to remove buildings without heritage restrictions?
2. Would new construction be exempt from using materials and architectural design that is not in character with the Town?
3. If ABCO is granted an exemption would other entities be able to apply for exemptions and operate with the same degree of freedom?

Thank you for your consideration. I trust the committee will make a decision that is best for Lunenburg.

Sheila Gallagher  
144 Tannery Rd.  
Sent from my iPad

**From:** [Virginia Stephen](#)  
**To:** [Dawn Sutherland](#)  
**Subject:** Removal from Architecture Control area applications  
**Date:** January-16-20 3:51:43 PM

---

Dear Dawn Sutherland and Members of the Planning Advisory Committee

It was with great interest that I observed the recent public information meeting of the PAC regarding a lot on Dufferin Street and the ABCO lands.

I won't weigh in on what I think the resolutions should be. I have my wished result but there are many backstories to the issues and not a lot of clarity.

My concern is one of process. We heard at the meeting that ABCO wants to be removed from the Architectural Control area so that they can expand their business. And now we find that another business is going to be on part of the land. Without seeing a fairly detailed plan for what will be going on the site it should be impossible for the town to lift the Architectural Control designation. I have served on the municipal design committee elsewhere which reviewed and made recommendations about every proposed development. Development proponents had to meet with and work with staff, who would identify potential zoning and bylaw issues and require a plan with drawings. The complete proposal with drawings, specs and proposed solutions to issues identified by staff came to the design committee for review, discussion and recommendations. Part of those recommendations would include whether or not to grant any exemptions that the developer/owner requests in order to fulfill their plan. Exemptions to bylaws and designations could be made for a specific case and not in perpetuity. These recommendations were part of the package that council and the bylaw review committee would use to make a final ruling and approval for the project. Granting a wholesale change of a designation or bylaw before having a specific plan presented is putting the cart before the horse. By the way, the design committee looked at everything from architecture, landscape architecture, land use, impact on the area, streetscape, heritage, and public art (the municipality had a 1% for art policy) in the proposal.

It was a lot of work for the proponents (and the committee!) but the outcome was that following this process led to good decisions and a smoother path to reaching the goals of the developer/landowner, the municipal plan and land use strategies and policies, the heritage plan, and the overall vision for the city. Failure to comply lead to a longer, more fractious and convoluted adventure that often lead to the proponent being denied approval.

With respect

Virginia Stephen  
58 Prince Street

[vstephen.pearse@gmail.com](mailto:vstephen.pearse@gmail.com)  
[www.virginiastephenart.com](http://www.virginiastephenart.com)

*A member of Arts Consultants Canada, committed "to advance and promote ethical, excellent and effective consulting in Canada's Arts and Culture sector."*

Most of the things that are interesting, important, and human are the result of

creativity.

- *Mihaly Csikszentmihalyi*

**Comprehensive Community Plan**  
**Project Steering Team Meeting**  
**Wednesday, December 11, 2019**  
**Recommendations**

1. That it be recommended to Council that Council not accept any additional Municipal Planning Strategy amendments until the CCPSPT project is complete.
2. To recommend to Council to adopt option 2.5:

***2.5. Complete Project Lunenburg, then check Heritage Conservation District Plan and By-law for alignment.***

*Wait until Project Lunenburg is complete prior to adoption of the new Heritage Conservation Plan and By-law. The architectural control areas would have to remain in the new MPS and be removed via an amendment later. The proposed Heritage Conservation District Plan and By-law would be reviewed for alignment with the CCP. This could be carried out in house or by the consultant, who is most familiar with all of the background data and strategic directions. This would be a change in scope, which would have budget implications.*

## MEETING NOTES

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### Comprehensive Community Plan

### Project Steering Team Meeting

Wednesday, December 11, 2019 at 3:00 p.m.

Lunenburg Town Hall, 2<sup>nd</sup> Floor, 120 Cumberland  
Street

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#### **PRESENT:**

##### **Voting members of the Steering Team:**

Councillor Matt Risser, Chair  
Deputy Mayor John McGee  
Councillor Peter Mosher  
Peter Goforth, Qualified Expert (arrived at 4:21 p.m.)  
Cheryl Lamerson, Citizen Representative  
Bill Rice, Citizen Representative  
Gerry Rolfsen, Qualified Expert  
Susan Sanford, Qualified Expert

##### **Non-voting, ex-officio members:**

Dawn Sutherland, Planning and Development Manager (PDM), CCP Project Manager  
Mayor Rachel Bailey  
Terry Drisdelle, Senior Planner, Develop Nova Scotia

**ALSO PRESENT:** Erica Brook, UPLAND Planning and Design Studio  
Bea Renton, Chief Administrative Officer

**REGRETS:** Norma Schiefer, Development Officer, Municipality of the District of  
Lunenburg  
Arthur MacDonald, Heritage Manager  
Ian Tillard, Consulting Engineer

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The Chair called the meeting to order at 3:01 pm.

#### 1. Agenda

**Motion: moved and seconded that the agenda be approved as amended to include 4.f. Discussion on new MPS applications and special projects that come before Council. Motion carried.**

## 2. Review of notes from previous meetings

Motion: moved and seconded that the minutes of October 9, 2019 be approved as circulated with an additional notation about communication with stakeholders. Motion carried.

## 3. Unfinished Business

### a. UPLAND's upcoming Stakeholder engagement activities

Ms. Brook advised that the stakeholder meetings are in process and are going well. She recently met with the Lunenburg Waterfront Association and will be meeting with the Lunenburg Heritage Society in the near future.

### b. Discussion on Metrics (Prioritization) updated "Prioritization Framework" document (if necessary)

Nothing further to report at this time. It was agreed to remove this item from the next meeting agenda.

## 4. New Business

### a. Review of Progress Report

The PDM reviewed the November Progress Report and the financial costs to date (Schedule "A").

### b. Update on Town engagement activities

It was agreed to remove this item from the next meeting agenda as Town Staff carry out the same duties each month.

### c. What we have heard so far

Ms. Brook advised that the "What We Heard" report for Arts and Culture will be sent out to Steering Team members next week. In reference to the Environment and Sustainability document, she explained that conservation zoning was akin to an environmental conservation area where certain activities would be prohibited or highly regulated.

### d. Engagement Work Plan – Enhanced Meeting Reporting

The next community engagement session will be on economic development. Neil Lovitt of Turner Drake and Partners Ltd. will lead with a presentation with a workshop following.

There will be another public session at on January 9 regarding economic development and January 23 about governance and collaboration.

Uplands will be conducting surveys of the hospitality and tourism sector as well as with developers.

e. Discussion on how Project Lunenburg and the Heritage Conservation District Plan and By-law work together

The PDM provided an overview of her staff report (**Schedule "B"**) regarding this group's potential review of the draft Heritage Conservation District Plan and By-law in view of the perspective of Project Lunenburg. The Built Heritage and Streetscape What We Heard Report noted a significant theme related to divergent views on architectural preservation with total heritage preservation on one side and less regulation and permitting of modern development on the other side. The timing of the process and approvals of Project Lunenburg and the proposed Heritage Conservation District Plan and By-law were discussed. It is important that there be an alignment between the documents of Project Lunenburg and the proposed Heritage Conservation District Plan and By-law.

Gerry Rolfsen explained the reasoning behind the acceptance of modern, subordinate additions to heritage properties. It is suggested that new construction in Old Town should not look like fake old buildings and additions. The current work of the Heritage Advisory Committee in revising the Town's Heritage Conservation Plan and By-law could be of concern because it may not provide for a fuller opportunity for modern additions to existing buildings and new construction. It was not based upon all the public engagement that has been part of Project Lunenburg

The group discussed the options put forth in the staff report including possibly aligning the CCPST and Heritage Conservation District By-law and Guidelines.

It was agreed by consensus to proceed with option 2.5 in the staff report which provides: "Complete Project Lunenburg by recommending this to Council.

**2.5. Complete Project Lunenburg, then check Heritage Conservation District Plan and By-law for alignment.**

*Wait until Project Lunenburg is complete prior to adoption of the new Heritage Conservation Plan and By-law. The architectural control areas would have to remain in the new MPS and be removed via an amendment later. The proposed Heritage Conservation District Plan and By-law would be reviewed for alignment with the CCP. This could be carried out in house or by the consultant, who is most familiar with all of the background data and strategic directions. This would be a change in scope, which would have budget implications.*

4.f. Discussion on new MPS applications and special projects that come before Council.

The PDM shared information with steering team regarding proposed cycling infrastructure upgrades and the construction of a splash pad in the community which Town Council considered at their meeting last night (**Schedule "C"**) and whether Uplands should comment on these proposed projects, e.g., site location or other issues? Ms. Brook advised that Uplands is already working with Bicycle NS who prepared the Town Council report so they are familiar with their cycling recommendations in the preparation of their own report. As well, they are aware of the discussion about a splash pad, but their report will not be so specific as to state where it should be located. Uplands prepared a recreation facility report that can be reviewed by Council for background information. A copy of the splash pad staff report will also be shared with Uplands for their information.

Motion: moved and seconded that it be recommended to Council that Council not accept any additional Municipal Planning Strategy amendments until the CCPSPT project is complete. Motion carried.

5. Correspondence

- a. Email from Virginia Stephen, Lunenburg Foundation for the Arts, dated 28 November 2019

The email was received for information.

6. In camera portion

Motion: moved and seconded to meet in camera to discuss a potential contract negotiation matter. Motion carried.

Ms. Brook left the meeting room.

7. Resumption of Council meeting in public session

The Steering team resumed their meeting in public session.

Motion: moved and seconded to recommend to Council to adopt option 2.5. Motion carried.

Mr. Goforth arrived at 4:21 p.m.

8. Next Meeting Dates

- a. Steering Team meeting: Wednesday, 8 January 2020, 3 pm, Council Chambers
- b. ECONOMIC DEVELOPMENT Community Workshop, Thursday, 9 January, 6:00–8:00 pm, Lunenburg Fire Hall.
- c. GOVERNANCE AND COLLABORATION Community Workshop, Thursday 23 January 6:00-8:00 pm, Lunenburg Fire Hall  
COMMUNITY WORKSHOP STORM DATE: Thursday, 30 January 2020

9. Adjournment

Motion: moved and seconded that the meeting be adjourned. Motion carried.

The meeting adjourned at 4:34 p.m.

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Bea Renton, Chief Administrative Officer

# PROGRESS REPORT

30  
November  
2019

**PROJECT:** Town of Lunenburg Comprehensive Plan  
**REPORTING PERIOD:** November 1 - November 30, 2019

## 1. Targets Achieved in Period

- 1.2 Data Collection (in progress)
- 1.3 Document Collection (in progress)
- 2.2 Online Survey (in progress)
- 3.6 Arts and Culture

## 2. Outputs of Project

- Arts and Culture Discussion Paper and public meeting
- Stakeholder meeting with Bluenose Coastal Action
- Correspondence and scheduling with stakeholders
- Attendance at Steering Team meeting in Lunenburg

## 3. Project Related Issues

- It was agreed that no public meeting will be held in December; instead, two meetings will be held in January. December will be primarily used for stakeholder engagement, and preparation of the final 2 discussion papers.

## 4. Risk Analysis

- No risks identified

## 5. What to Achieve in Next Period

- Stakeholder interviews

Total Approved Budget 2018/19	\$ 100,000.00
Total Approved Budget 2019/20	\$ 129,300.00
Total Approved Budget	<u>\$ 229,300.00</u>

**Purchase Orders Issued:**

Canadian Institute of Planners  
PO #18451

**Job Posting: Request for Proposals (\$775.00 + HST)**

							<b>Total Cost</b>	<b>\$ 808.22</b>
Inv #	Date	Amount Before HST	Less Holdback	Invoice less HB before HST	Ck Amt Includes HST	General Ledger Cost	<b>VENDOR BUDGET BALANCE</b>	
80857	23-Aug-18	\$ 775.00		\$ 775.00	\$ 891.25	\$ 808.22		
Balance		\$ 775.00	\$ -	\$ 775.00	\$ 891.25	\$ 808.22	\$ -	

**Upland Planning & Design**

PO #18693

**Consulting Services (\$219,880.00+ HST)**

							<b>Total Cost</b>	<b>\$ 229,304.06</b>
Inv #	Period Endir	Amount	Less Holdback	Invoice Amount	CHEQUE AMOUNT	GL Amount	<b>VENDOR BUDGET BALANCE</b>	
435	30-Dec-18	\$ 9,161.66		\$ 9,161.66	\$ 10,535.91	\$ 9,554.33		
506	31-Jan-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
515	28-Feb-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
529	29-Mar-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
545	01-May-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
560	31-May-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
573	29-Jun-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
589	31-Jul-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
597	03-Sep-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
613	30-Sep-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
620	31-Oct-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
711	29-Nov-19	\$ 9,461.66		\$ 9,461.66	\$ 10,880.91	\$ 9,867.19		
Balance		\$ 113,239.92	\$ -	\$ 113,239.92	\$ 130,225.91	\$ 118,093.38	\$ 111,210.67	

**Outside Communications**

PO #18275

**Consulting Services (140.00 + HST)**

							<b>Total Cost</b>	<b>\$ 146.00</b>
Inv #	Period Endir	Amount	Less Holdback	Invoice Amount	CHEQUE AMOUNT	GL Amount	<b>VENDOR BUDGET BALANCE</b>	
18027	01-Jul-18	\$ 140.00		\$ 140.00	\$ 161.00	\$ 146.00		
Balance		\$ 140.00	\$ -	\$ 140.00	\$ 161.00	\$ 146.00	\$ -	

TOTAL SPENT TO DATE PO #18693	\$ 118,093.38
Other Costs (PO#18451, PO#18275)	\$ 954.22
Legal Fees	\$ 3,014.31
HOLDBACK	\$ -
TOTAL PROJECT TO DATE	<u>\$ 122,061.91</u>
Total Approved Budget	\$ 229,300.00
Amount Currently UNDER/(OVER) Budget	<u>\$ 107,238.09</u>

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Document No: 4.e  
Meeting: Dec.11, 2019  
Circulate To: Project Lunenburg  
Steering Team, BR, HM

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## MEMORANDUM

**TO: Project Lunenburg Steering Team**

**FROM: DAWN SUTHERLAND, DEVELOPMENT/PLANNING MANAGER**

**DATE: December 6, 2019**

**RE: Discussion on how Project Lunenburg and the Heritage Conservation District Plan and By-law work together.**

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### 1. FACTS

The Steering Team is responsible for the overseeing of the contract for Project Lunenburg and are jointly responsible for identifying and mitigating any issues that would negatively impact the outcome and implementation of the Project.

After completion, Project Lunenburg's new Comprehensive Community Plan (CCP), Municipal Planning Strategy, Land Use By-law and Subdivision By-law will be working together with the new Heritage Conservation District Plan and By-law to regulate development within certain areas of the Town of Lunenburg. It is important that all of these documents are in alignment and support the shared vision of our collective future.

The timing of the adoption and notice of coming into effect of all of these new documents will be important for the regulation for new development.

#### **1.1 How we regulate development now**

Applications for development are unique in that they may require all or some permits to enable construction to proceed.

A simplified explanation of the approvals for a property that falls within the Heritage Conservation District is as follows:

The application is taken in and copies are sent to the appropriate department for review and issuance of a permit. If there are any changes required, changes to the application are made and it is re-circulated so that all have the amended application. If the requirements are all met, then a Certificate of Appropriateness is issued by the Heritage Officer under the Heritage Conservation District By-law, a Development

Permit is issued by the Development Officer under the Land Use By-law, and then a Building Permit issued under the Building By-law and Building Code regulations.

The Heritage Conservation District Plan and the Municipal Planning Strategy are policy documents of Council. The Heritage Conservation District Plan and By-law are enabled under the *Heritage Property Act*. The Heritage Conservation District By-law regulates architectural character and the aesthetic setting of the Heritage Conservation District. The Municipal Planning Strategy, Land Use By-law and Subdivision By-law are enabled under the *Municipal Government Act* and are considered land use planning documents. There are slight differences, especially with respect to advertising times and notifications.

### **1.2 Comprehensive Community Plan (CCP)**

The CCP will provide strategic direction from implementation to forty (40) years into the future. It will be a dynamic document, with review for relevance approximately every five (5) years. Not only will it be the foundation document for the Town's planning documents (Municipal Planning Strategy, Land Use By-law, Subdivision By-law), but also be the basis of decision making for all areas of the Town. In addition to policy direction, it will contain recommendations and prioritized actions in order to implement the plan. Some of these recommendations and prioritized actions will be considered by Council via the budget approval process.

The CCP will be based upon extensive community engagement. As such, the CCP is rooted in community and will contain a shared vision for the future and a path to achieve that vision. UPLAND has reported that there have been over 750 engagement interactions and the engagement is not complete. Engagement activities include, but are not limited to, stakeholder interviews, targeted engagement, community workshops, social pinpoint, focus groups, and individual surveys. The CCP will be a community based plan that will set the direction for the future.

### **1.3 Built Heritage and Streetscape Theme**

Given the importance of "heritage" to the Town of Lunenburg, UPLAND hired Wendy Shearer OALA, FCSLA, ASLA, CAHP, a Landscape Architect and Cultural Heritage Specialist, who contributed to the project. Ms. Shearer carried out research and then made a site visit to Lunenburg. She held a group meeting with invitations extended to the Steering Team, Planning Advisory Committee, Heritage Advisory Committee and the Heritage Society. There is member overlap between the Steering Team and PAC as well as the Heritage Advisory Committee and the Heritage Society. She also carried out interviews with current and former staff who have had a role to play in heritage matters. Ms. Shearer prepared a heritage report for UPLAND, which UPLAND used to contribute to their Discussion Paper. The [Discussion Paper for Built Heritage and Streetscape](#), dated June 2019, is available on the Project Lunenburg website. A community workshop was held in June 2019. The [What We Heard Report](#), dated August 2019, summarized the data received from the individual survey, social pinpoint, and the community workshop. It noted that the "significant theme relates to the divergent views on architectural preservation" and identified a number of other ideas and emerging trends. With respect for planning for the future, the What We Heard Report set out that respondents had divergent views as to how the Town should balance heritage preservation with modern development. There were polarizing opinions on preservation. The dichotomy was with total heritage preservation on one

side and less regulation and permitting of modern development on the other side. It noted that striking a balance between total heritage preservation and permitting modern changes was one of the major discussion points in the engagement. Based upon the engagement, they put forth that planning for the future will require a better balance.

#### **1.4 Review Process for the Heritage Conservation District Plan and By-law**

The Heritage Manager has been working diligently with the Heritage Advisory Committee over the past year on a new Heritage Conservation District Plan and By-law. A summary of the changes between the current and proposed Heritage Conservation District Plan and By-law can be found on the Town of Lunenburg website ([bottom of the page](#)). Public Participation Meetings for the proposed new Heritage Conservation District Plan and By-law were held on 15 and 21 October 2019. The Heritage Advisory Committee is now taking the input from the PPM and revising the documents, as appropriate. It is anticipated that the draft will be completed in March 2020 with the Heritage Advisory's recommendation to Council coming thereafter. The draft documents for the CCP will be out for public review in July and August with adoption by Council in the fall. With respect to timelines, the review process for the adoption of the new Heritage Conservation District Plan and By-law is ahead of the adoption of Project Lunenburg's planning documents.

## **2. ISSUES AND OPTIONS**

### **Issues**

#### **2.1. Alignment**

Project Lunenburg and the review of the Heritage Conservation District Plan and By-law are parallel processes running at the same time. Both will result in documents that will regulate development in some manner. The Heritage Conservation District By-law regulates the built form of properties and their settings within the District. The Land Use By-law regulates use and currently contains architectural control areas where form is regulated. These architectural control areas will be assumed into an expanded Heritage Conservation District under the new Heritage Conservation District Plan and By-law. Where the CCP will be the strategic planning document for the Town, the planning documents as well as the new Heritage Conservation District Plan and By-law should be in alignment with the CCP.

#### **2.2 Timing**

It is important that the time frames for Project Lunenburg's planning documents and the new Heritage Conservation District Plan and By-law are considered with respect to implementation. If the approval processes are run in parallel with no consideration given to alignment, we may end up with documents that are in conflict with each other.

A potential gap in regulation would occur if Project Lunenburg planning documents were adopted, while the current ones are repealed, with the existing the Heritage Conservation District Plan and By-law in effect (new one not in effect). There would be no heritage regulation in what is the currently the architectural control areas if this occurred. If the new Heritage Conservation District Plan and By-law were adopted first, there would be no gap.

Please note that Council is the final authority on the timing of adoption of documents.

### **2.3. Engagement**

There is extensive public engagement in the preparation of the CCP. The What We Heard Report for Built Heritage and Streetscape has revealed that there are dichotomous opinions regarding heritage preservation and permitting modern changes. Much of this engagement was carried out after the proposed new Heritage Conservation District Plan and By-law review process was well underway and documents drafted. The Heritage Conservation District Plan and By-law review process did not have access to such information during its creation. Please note that the Heritage Conservation District Plan and By-law process is in conformance with the *Heritage Property Act* as well as the Town of Lunenburg Public Participation Program.

Options for discussion:

### **2.4. Do nothing.**

Both approval processes would continue to run independently. If not adopted at the same time or if the Heritage Conservation District Plan and By-law is not adopted first, there is a chance that the current architectural control areas in the Land Use By-law would have no heritage regulation. There is also a chance that the CCP and the new Heritage Conservation Plan and By-law would have areas where both plans do not align. It is difficult to determine this now as the CCP has not been drafted.

### **2.5. Complete Project Lunenburg, then check Heritage Conservation District Plan and By-law for alignment.**

Wait until Project Lunenburg is complete prior to adoption of the new Heritage Conservation Plan and By-law. The architectural control areas would have to remain in the new MPS and be removed via an amendment later. The proposed Heritage Conservation District Plan and By-law would be reviewed for alignment with the CCP. This could be carried out in house or by the consultant, who is most familiar with all of the background data and strategic directions. This would be a change in scope, which would have budget implications.

### **2.6. Concurrent check for alignment between the CCP and the proposed Heritage Conservation District Plan and By-law.**

As the CCP is being drafted, have UPLAND check the proposed Heritage Conservation Plan and By-law for alignment now. This would require a change in Project scope and have financial implications.

### **2.7. New project: Heritage Conservation District Plan and By-law**

Much like the CCP process for the Municipal Planning Strategy and Land Use By-law and Subdivision By-law, a new project would be afforded budget and resources to carry out an extensive review of the Heritage Conservation Plan and By-law. This option would ensure that the documents would be based upon the same principles and be in alignment with the CCP. This option would have budget implications. It could be carried out in-house (noting limited staff capacity in terms of time and technology) or could be subject to the RFP process as Project Lunenburg was.

**3. FINANCIAL IMPACT**

A change in scope will have financial implications and would be considered a substantive change to the current contract with UPLAND Planning and Design Studio. A change in scope would have to be approved by Council.

Where this is a preliminary discussion, no information has been gathered with respect to cost.

**4. STRATEGIC PLAN RELEVANCE**

The Municipal Planning Strategy review project is in keeping with following Strategic Plan Goals:

- #1 Promote a high quality of life for residents
- #2 Celebrate our community
- #3 Champion opportunities for our community's health and well-being
- #4 Foster an environment for business success
- #5 Operate the Town efficiently and effectively.

**5. RECOMMENDATION**

This item is for discussion purposes.

**Document No: 6**  
**Meeting: Council Dec 10/19**  
**Circulate To:**  
**File:**

## MEMORANDUM

**TO: TOWN COUNCIL**

**FROM: PAUL BRACKEN, FACILITIES SUPERINTENDENT**

**DATE: DECEMBER 5, 2019**

**RE: SPLASH PAD PROJECT**

### 1. FACTS

ON March 12<sup>th</sup> 2019 – SPLASH PAD PROPOSAL: STAFF’S FEASIBILITY REPORT WAS PRESENTED TO COUNCIL.

*Motion: moved by Councillor Mosher, seconded by Deputy Mayor McGee that the splash pad project commence, contingent on community funding. A Consultant Engineer would be hired through the tender process to further look at the specifics required for a splash pad within the Town. The splash pad is anticipated to be constructed in 2020/21. Motion carried.*

Currently in the 2019/20 capital budget, there is \$20,000 approved for “Splash Pad (Detailed Design-Tender)”.

After further review and research the utilities and construction are straight forward and do not require an in-depth engineering site review. This would be a simple way to save money on the Towns portion of the project.

#### **Basic Utility Requirements:**

##### **Water:**

- Standard 1 1/2” to 2” water line with a static water pressure of 35psi to the features. Most areas in Town have at least 50psi of water pressure which is more than enough.

##### **Electrical requirements:**

- The Splash pad will require low voltage power to run a control box that provides 24V power to control the valves, turning the features on and off.
- This would only require 120V electrical power.

##### **Sewer requirement:**

- Using a flow through system a 6” drain line would be required to drain the water from the splash pad.
- With a flow through system water can be discharged to a pumping station or into the harbor.

- With the right approval and permit discharging the water in the harbor would be the simplest and cheapest method.

In collaboration with the community group Town staff are proposing to write a site specific RFP, rather than tender a multi-site review to an engineering firm as moved at the March 12<sup>th</sup> Council meeting.

## 2. **ISSUES AND OPTIONS**

The TOL will put together the RFP with the functional specification for the facility and have a preferred site selected, 250<sup>th</sup> park is recommended by Staff and LCDG (Lunenburg Community Development Group).

We would require a consulting engineer to:

- Review the RFP document re: overall engineering inputs to the functional spec, to ensure that the specified utility connections are in alignment with any long term goals and the general terms and conditions. The utility connections are power, water and sewer.
- Review the RFP responses and provide feedback for each response.

Staff have reviewed numerous RFP's from other municipalities across Canada for design specifications, layout, site planning, and construction details. The RFP has become the preferred method of procurement for many municipalities across Canada.

### Splash pad locations:

- Staff prepared a feasibility report March 12<sup>th</sup> for council to review and outlined the different locations.
- After additional review by staff, 250<sup>th</sup> anniversary park remains as the number one choice location
- Recommended by the Town staff, consulting Town engineer, Fire Chief and LCDG.

### Input from Fire Chief

- Likes the center location of the 250<sup>th</sup> park, agrees this is the best proposed location in Lunenburg.
- Does not see parking as an issue, most of their rentals fall outside of splash pad operation hours.
- Would be happy to allow 2-3 spots as designated accessibility parking.
- Expressed concerns with the foot traffic around the Fire Hall and thought this could be dealt with using good signage and directions.

### **Option 1:**

"Request for Proposal" procurement, using the 250<sup>th</sup> anniversary park as the location of the splash pad, exact location to be part of the RFP. Town staff to write a RFP including all functional aspects that will be additionally reviewed by a consulting engineer for technical aspects of the project.

### **Option 2:**

Not to move forward with a RFP procurement and hire an engineering firm to write a complete tender package.

3. **FINANCIAL IMPACT (prepared by Finance Director)**

In the approved 2019/20 Capital Budget \$20,000 was included for the Splash Pad Detailed Design & Tender to be funded by Deed Transfer Taxes. Should Council wish to proceed as recommended by staff with Option 1 the engineering review costs should be significantly less than the approved 2019/20 Capital Budget.

The construction of the Splash Pad would then be included in the 2020/21 Capital Budget for Council's approval. As previously discussed the LCDG, with support from Town staff, will apply for grants to fund this project and fundraise from local business and individuals for the balance of the project's capital costs. The Town will assume the operating costs once the capital construction is completed.

3. **STRATEGIC PLAN RELEVANCE**

- 1D Engaging our citizens
- 2B Cultivating a positive visitor experience
- 3B Facilitating and encouraging healthy lifestyle
- 5A Making best use of Town-Owned buildings and land
- 5B Continually and strategically maintaining and upgrading community infrastructure

5. **RECOMMENDATION**

Option 1 is recommended by staff:

Prepared motion:

Council move proceed with Option 1 – Use a RFP for the procurement of a splash pad with the 250<sup>th</sup> park as the choice location, splash pad to be built during the 2020/2021 fiscal year pending funding from Lunenburg Community Development Group.

Encl.

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Bea Renton  
Town Manager/Clerk

# Splash Pad Feasibility Study

Town Of Lunenburg



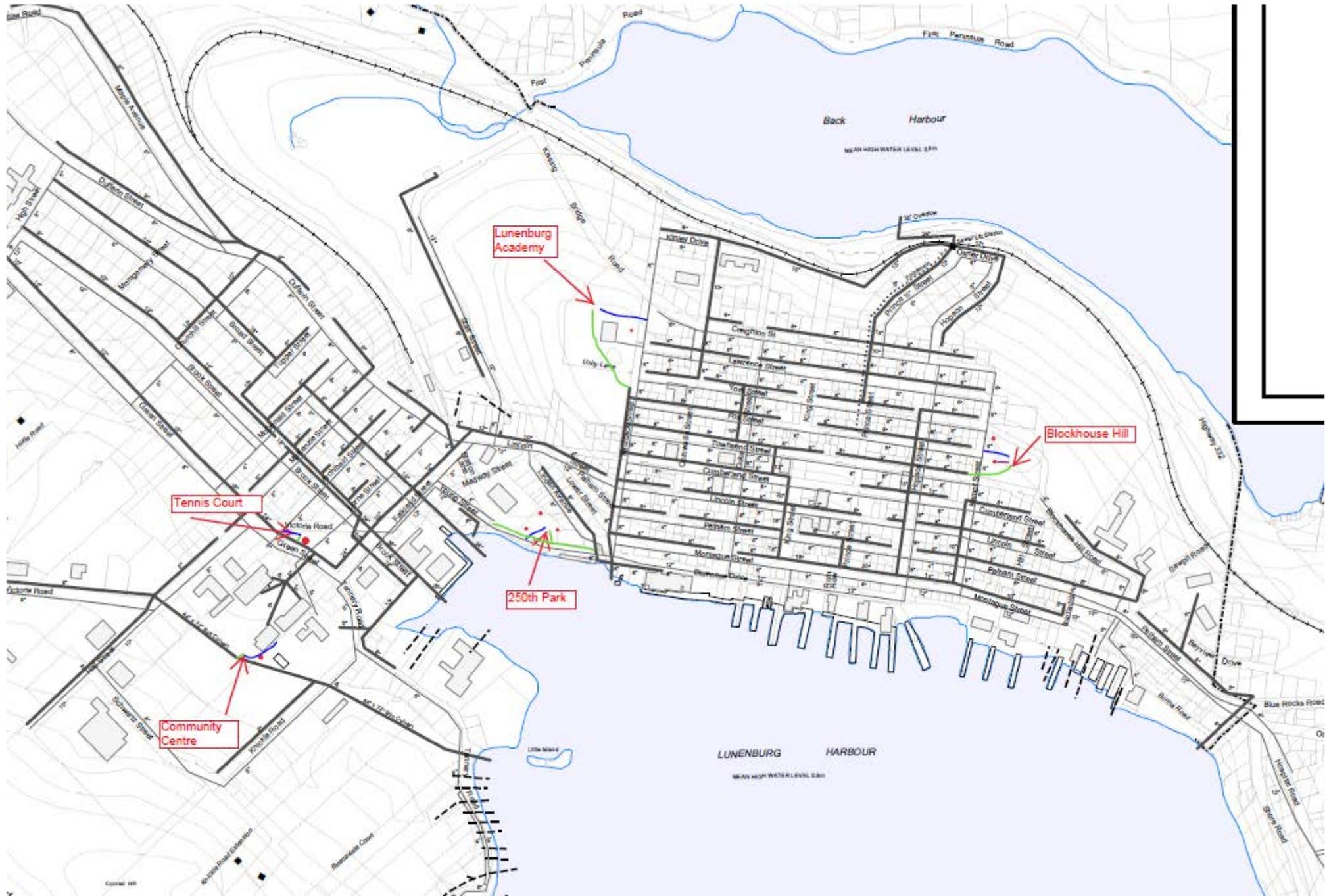
#4  
Lunenburg Academy

#5  
Blockhouse Hill

#2  
Beside Tennis Courts

#3  
250th Park

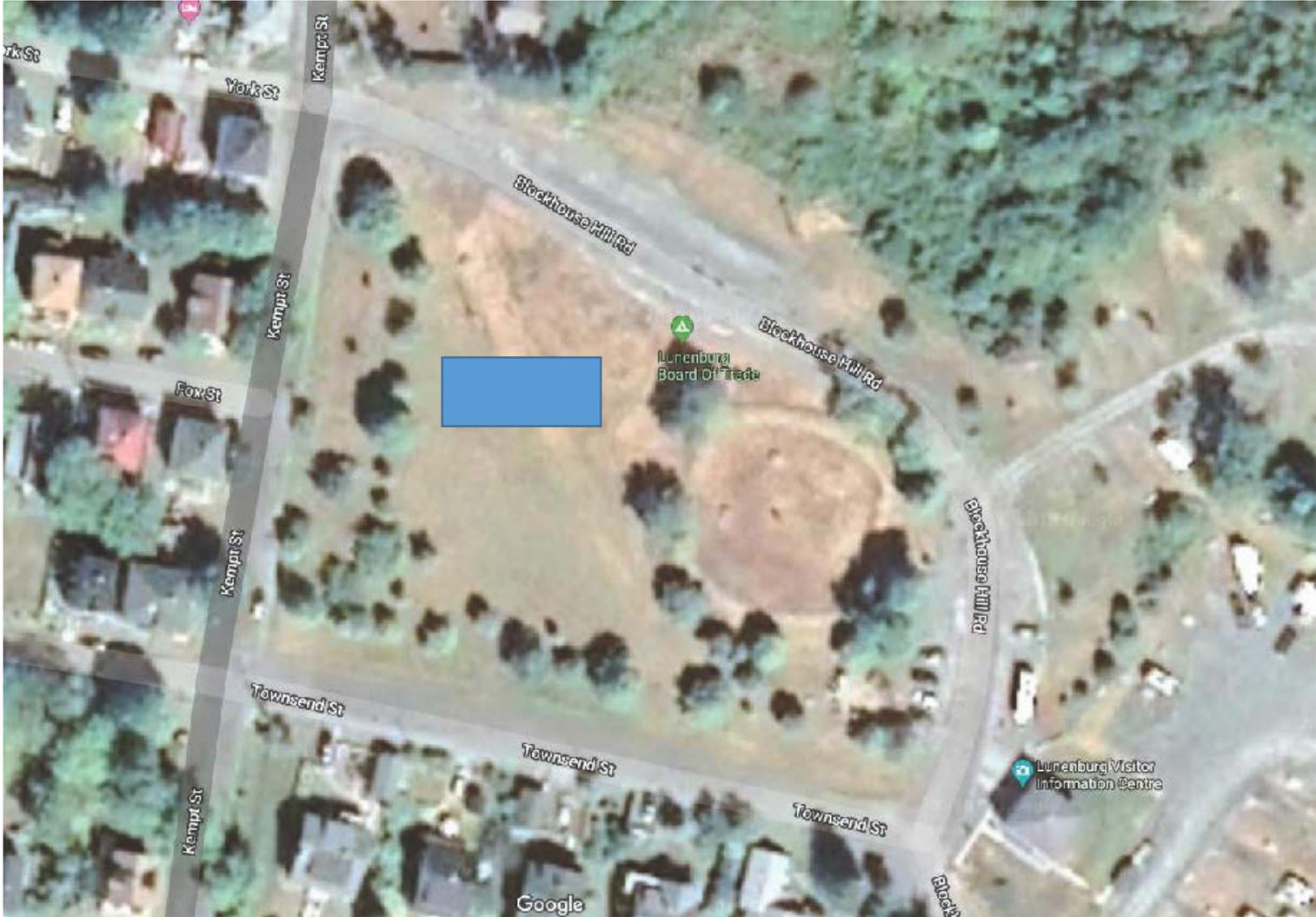
#1  
Outside Swimming Pool



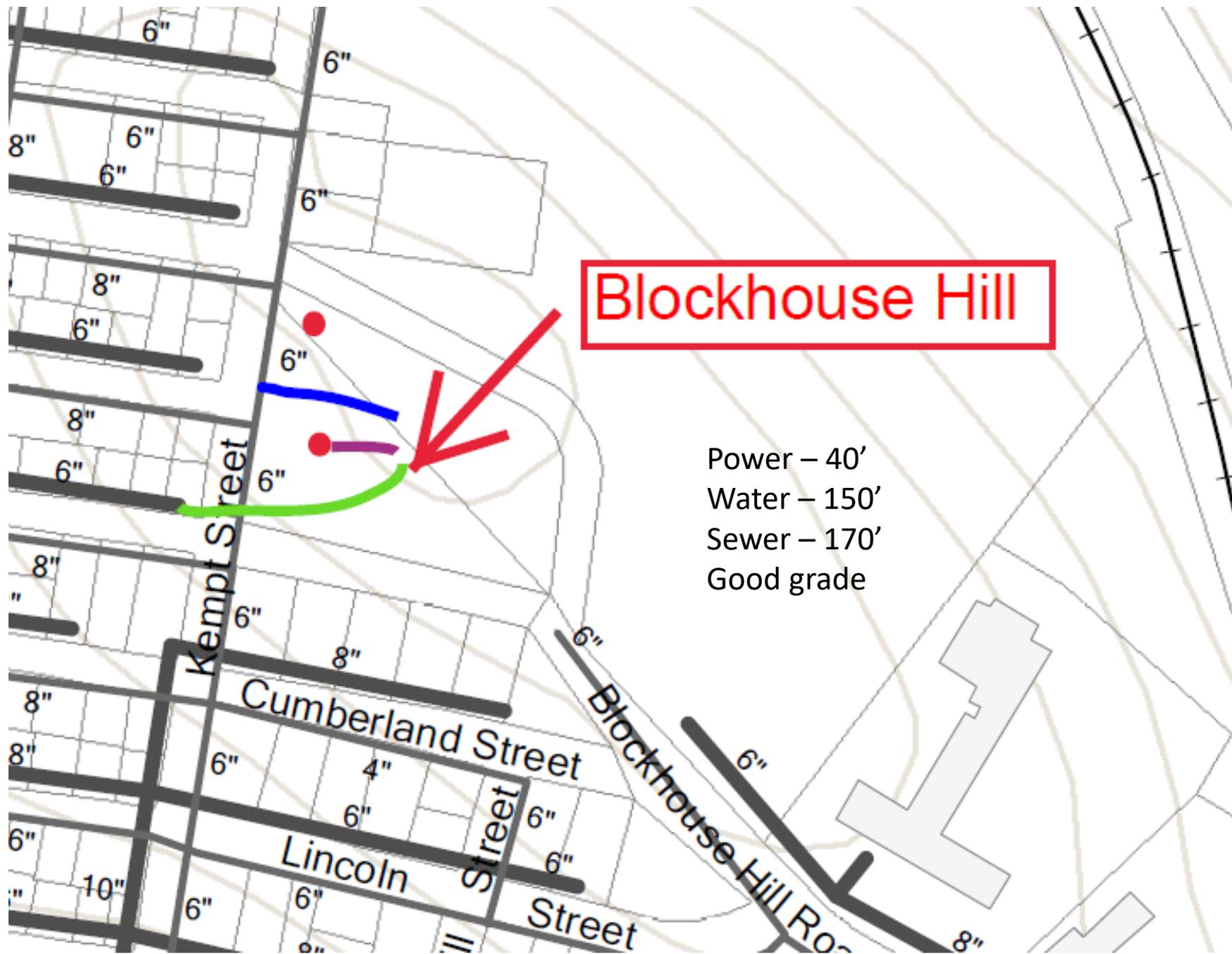
Location	250 <sup>th</sup> Park	Tennis Court Location	Lunenburg Academy Grounds	Community Centre site	Blockhouse Hill
Sewer and Water Access					
Geotechnical Factors					
Parking					
Accessibility					
Shade					
Parental viewing/seating					
LCDG Input (1-5)					
Other Factors					
<b>Total (35 Max)</b>					

Scale	Rating	Definitions
5 points	Excellent. Exceptional Much more than acceptable.	Significantly above criteria for successful Surpassed expectations. Meets all major / essential / core criteria or acceptable equivalents and met three or more additional criteria.
4 points	Very Good. Above average.	More than adequate Generally exceeds criteria Meets all of the major / essential / core criteria or acceptable equivalents and several of the minor / additional criteria. No major deficiencies exist in the areas assessed.
3 points	Good. Acceptable. Satisfactory Average	Should be adequate for effective performance. Meets several of the major / essential / core criteria one or two of the minor / additional criteria or acceptable equivalents. Some of the major and minor criteria were met; some deficiencies exist in the areas assessed but none of major concern.
2 points	Weak. Less than Acceptable	Insufficient for performance requirements. Generally does not meet criteria Does not describe / demonstrate a sufficient range criteria appropriate
0 – 1 point	Unacceptable. Poor. Much less than acceptable	Significantly below criteria required Few or no criteria met. Many deficiencies. A major problem exists.

# Blockhouse Hill Location







**Blockhouse Hill**

- Power – 40'
- Water – 150'
- Sewer – 170'
- Good grade

# Pros, Cons, and Considerations

## **Pros**

- Services are close by
- Nice views from the top of the hill
- Park currently underutilized

## **Cons**

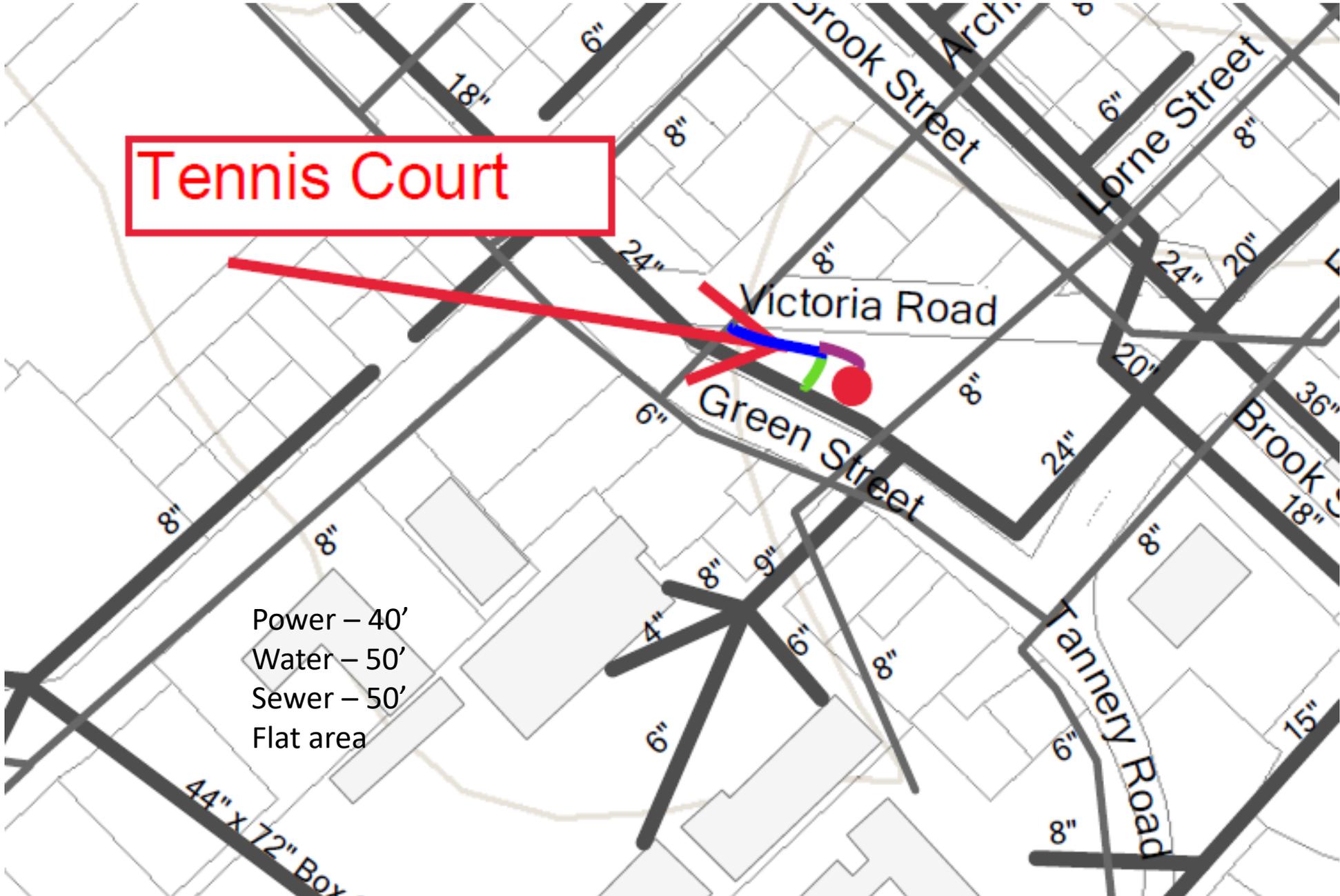
- Lower water pressure
- Non central Location
- Park used for festivals
- Limited shade
- No Town owned washrooms

# Tennis Court Location





# Tennis Court



- Power – 40'
- Water – 50'
- Sewer – 50'
- Flat area

44" x 72" Box

# Pros, Cons, and Considerations

## **Pros**

- Services are close by
- Shaded area
- Parking Close by

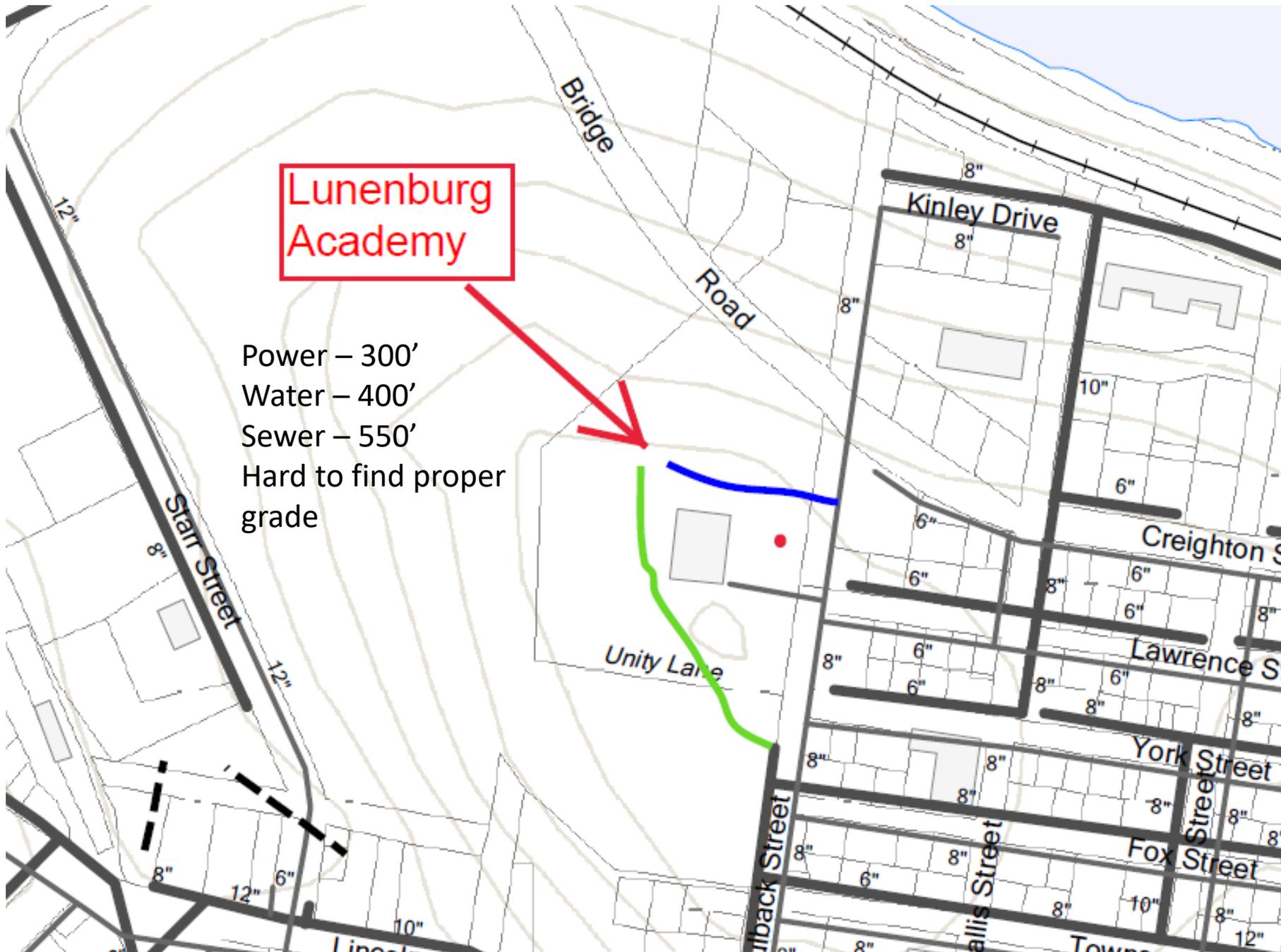
## **Cons**

- High traffic zone
- Lots of Trees
- Low lying area
- No Town washrooms

# Lunenburg Academy Location







**Lunenburg Academy**

Power – 300'  
Water – 400'  
Sewer – 550'  
Hard to find proper grade

# LUNENBURG ACADEMY LOT DEVELOPMENT PLAN



## New Features Key

- ① Parking for 60 cars
- ② Bus drop off
- ③ Welcome plaza
- ④ Accessible ramp
- ⑤ Cafe terrace
- ⑥ Bespoke Lunenburg Academy interpretive signs
- ⑦ Pocket park / reading space
- ⑧ Garbage enclosure
- ⑨ Walking trail
- ⑩ Native pollinator planting beds
- ⑪ Rain gardens / sustainable urban drainage
- ⑫ 20' x 25' basketball court

## Materials Key

- New trees 
- Planting bed + seating wall 
- Permeable pavers 
- Concrete sidewalk 
- Asphalt 
- Bike racks 
- Light standards 
- Perspective View 

PLAN VIEW

# Pros, Cons, and Considerations

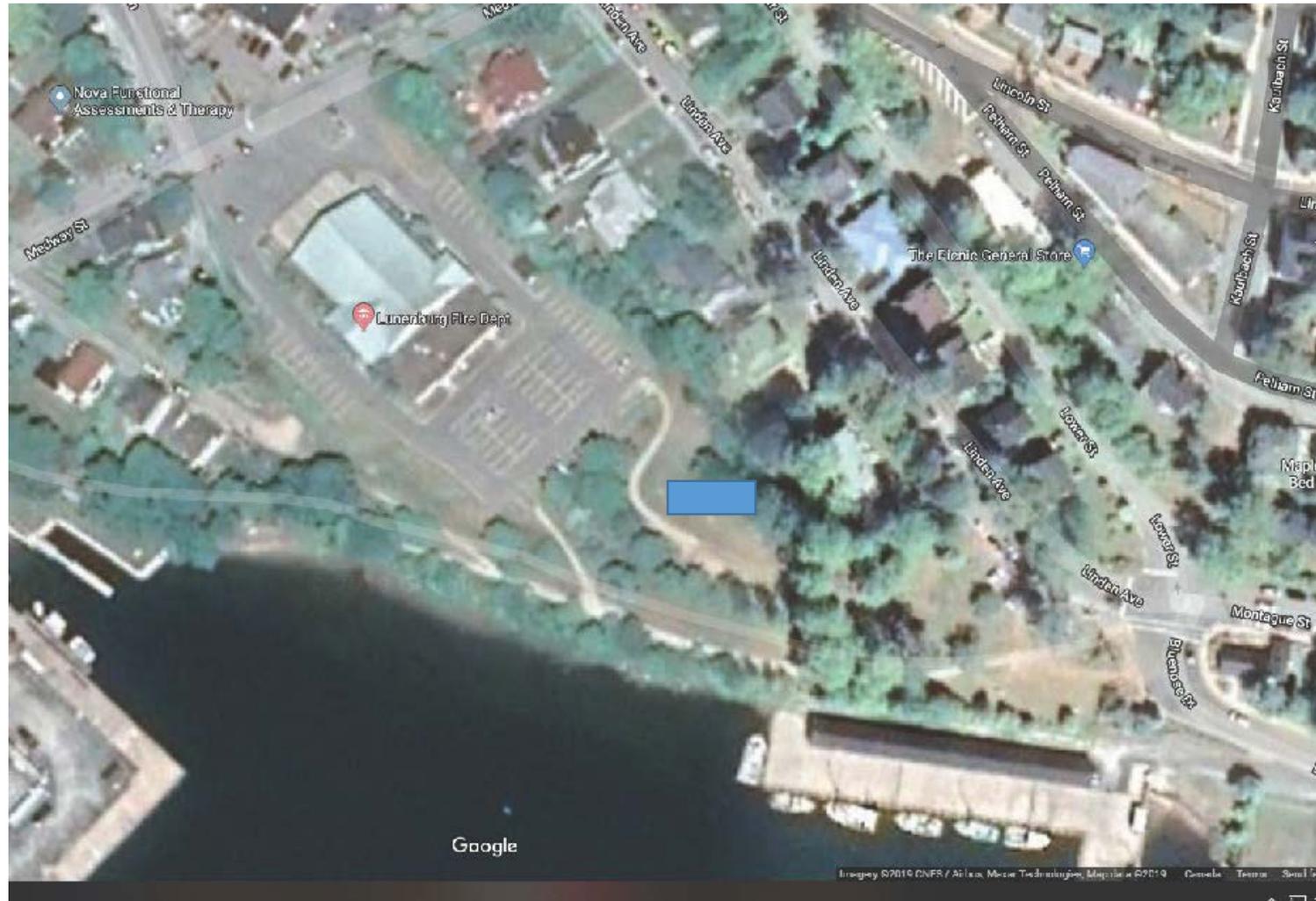
## **Pros**

- Open space
- Expanding the Academy's uses

## **Cons**

- Lower water pressure
- Services are far away
- Lot development plan not complete
- Limited parking in summer months
- No shade
- Washrooms?
- Sloped away from sewer
- Fire ants in fields

# 250<sup>th</sup> Park









61 total spaces  
3 handicap marked spaces

5 spaces  
1 handicap  
Firefighter Only

11 spaces

22 spaces  
2 handicap

9 spaces

11 spaces



# Pros, Cons, and Considerations

## Pros

- Services are close with strong water pressure
- Complements existing playground which can be updated with playground reserve funds
- Elevated parental viewing
- Landscaping in place
- Central location between New Town and Old Town
- Public Washrooms close by
- Very accessible
- Good parking
- Potential for easy drainage to harbour or lift station
- Minimal vehicle traffic
- Encourages walking

## Cons

- Potential for risk during fire call
- Potential for full parking lot
- Potential overuse of public washrooms
- Requires good signage

# Community Centre







# Pros, Cons, and Considerations

## **Pros**

- Close to other recreation services
- large parking lot
- Potential use of Community Centre washroom (only during working hours 8-4 M-F)

## **Cons**

- Take away from swimming pool clients
- Potential flood zone / swampy
- Water service under pavement

	250 <sup>th</sup> Park	Tennis court	Lunenburg Academy	Community Centre	Blockhouse hill
Power	20'	40'	300'	100'	40'
Water	35'	50'	400'	35'	150'
Sewer	260'	50'	550'	100'	170'
Total underground service	280'	90'	850' or 1,250'	235'	210'
Under Pavement	No	No just normal road cut	Yes, large portion in parking lot and road	Yes large portion in parking lot	Normal road cut

Location	250 <sup>th</sup> Park	Tennis Court Location	Lunenburg Academy Grounds	Community Centre site	Blockhouse Hill
Sewer and Water Access	4	4	2	3	4
Geotechnical Factors	4	3	4	3	4
Parking	3	4	2	5	3
Accessibility	4	4	3	5	3
Shade	5	5	0	0	2
Parental viewing/seating	5	4	4	4	4
LCDG Input (1-5)	5	4	2	3	1
Other Factors		Traffic Zone Washrooms ?	Future Use Water Pressure Washrooms?		Water Pressure Washroom?
<b>Total (35 Max)</b>	<b>30</b>	<b>28</b>	<b>17</b>	<b>23</b>	<b>17</b>

Scale	Rating	Definitions
5 points	Excellent. Exceptional Much more than acceptable.	Significantly above criteria for successful Surpassed expectations. Meets all major / essential / core criteria or acceptable equivalents and met three or more additional criteria.
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## MEETING NOTES



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Comprehensive Community Plan Project

Steering Team Meeting

Monday, January 13, 2020 at 3:00 p.m.

Lunenburg Town Hall, 2<sup>nd</sup> Floor, 120 Cumberland Street

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**PRESENT: Voting members of the Steering Team:**

Councillor Matt Risser, Chair  
Deputy Mayor John McGee  
Terry Drisdelle, Senior Planner, Develop Nova Scotia  
Peter Goforth, Qualified Expert  
Cheryl Lamerson, Citizen Representative  
Gerry Rolfsen, Qualified Expert  
Susan Sanford, Qualified Expert  
Norma Schiefer, Development Officer, Municipality of the District of Lunenburg

**Non-voting, ex-officio members:**

Dawn Sutherland, Planning/Development Manager (PDM),  
CCP Project Manager  
Mayor Rachel Bailey

**ALSO PRESENT:** Erica Brook, UPLAND  
Ann Covey, Recording Secretary

**REGRETS:** Councillor Peter Mosher  
Bill Rice, Citizen Representative

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The Chair called the meeting to order at 2:00 pm.

1. Agenda

Motion: moved and seconded that the agenda be approved, as presented. Motion carried.

## 2. Review of notes from previous meetings

Required changes to the December 11, 2019 minutes are as follows:

- Bea Renton, CAO was in attendance, but not noted
- On Page 3 of 4, second paragraph, regarding modern additions to heritage properties is not worded correctly.

It was agreed to defer approval of the amended minutes until the February meeting.

## 3. Unfinished Business

### a. UPLAND's upcoming Stakeholder engagement activities

Erica said Heritage Society is on Sunday afternoon and still a couple more to follow up with – Stelia, ABCO, HB Studios and MODL (Dave Waters and Jeff Merrill).

LBOT had a member survey and Erica would like to have the results. They did not respond to her email. Councillor Risser will follow up with LBOT.

## 4. New Business

### a. Review of Progress Report

The PDM reviewed the report (**Schedule "A"**) noting that online engagement for the environment was not done although this topic has been a steady theme throughout other engagement initiatives and thus considered to be sufficiently covered.

### b. What we have heard so far

#### Economic Development

- diversity of people has come up in the context of quality of life
- marine and ocean industries have seen growth which is expected to continue
- destination management – shape the community to nurture tourism rather than having NS Tourism take the lead
- target specific audiences – determine what draws visitors to Lunenburg and nurture areas and qualities of interest
- capitalize on cultural resources – offer self-guided walking tours, travel itineraries, travel packages
- post-secondary collaboration – work with other municipal governments and leverage existing partnerships
- environmental sustainability as an economic opportunity – how to thrive economically while working to prevent the effects of climate change
- reduce red tape for development – too many development restrictions – seems to be only specific targeted developments, very subjective
- engagement interviews with Community business leaders – they were more interested in community perspective than business perspective

c. Engagement Work Plan – Enhanced Meeting Reporting

Ms. Brook is still working on how best to present the plan. She is leaning toward an open space workshop format. Subjects/topics are decided within reason by participants at the outset of the workshop. As it will be the last workshop it needs to be a catch all for any unresolved topics. She will send an email to Committee members so they can become familiar with the format beforehand.

The PDM suggested including the doctor shortage and other issues from the beginning of discussions.

The Mayor cautioned putting forth ideas that the Town of Lunenburg has little influence or jurisdiction over, limiting the ability to implement change.

What is Municipal Government for? This will be included in the report in an effort to give residents a better understanding of what the Town Council and staff do.

Regionalism is important to funding opportunities.

d. Identification of additional stakeholders for governance workshop, if necessary

It was suggested that Councillor Risser and Ms. Brook offer a governance presentation.

The discussion paper will be out on Thursday.

e. Discussion of visuals in the Comprehensive Community Plan

Steffen Käubler, Uplands Urban Designer, will be doing the graphics for Project Lunenburg. He joined the meeting by phone to review the sample graphics (Schedule "B").

The HM clarified with Mr. Käubler that the MPS LUB would use form based approach, site by site, planning codes to reinforce what is in the newly revised Heritage Conservation District Plan and Bylaw.

Committee members are invited to submit examples of graphics that have inspired them so that Mr. Käubler can endeavour to recreate them.

The graphics will not include any potential development on private lands. Although suggestions about what should be done with the Blockhouse Hill lands will be included as part of an overall plan, detailed plans for a Blockhouse Hill subdivision will not.

5. Correspondence

Nil.

6. In camera portion - motion to recess to meet in camera to consider contract negotiations/matters (section 22 *Municipal Government Act*)

Motion: moved and seconded to recess to meet in camera to consider contract negotiations/matters (section 22 *Municipal Government Act*). Motion carried.

3:00 p.m. – 3:02 p.m. - Recess to meet in camera

7. Resumption of Steering Team meeting in public session - motion to consider any in camera meeting recommendations (section 22 *Municipal Government Act*)

Nothing to report.

8. Next Meeting Dates

a. Steering Team meeting: Wednesday, 12 February 2020, 3 pm, Council Chambers

~~b. ECONOMIC DEVELOPMENT Community Workshop, Thursday, 9 January, 6:00–8:00 pm, Lunenburg Fire Hall.~~

c. GOVERNANCE AND COLLABORATION Community Workshop, Thursday 23 January 6:00-8:00 pm, Lunenburg Fire Hall

9. Adjournment

Motion: moved and seconded that the meeting be adjourned. Motion carried.

The meeting adjourned at 3:02 pm.

**PROJECT:** Town of Lunenburg Comprehensive Plan  
**REPORTING PERIOD:** December 1 - December 31, 2019

### 1. Targets Achieved in Period

- 1.2 Data Collection (in progress)
- 1.3 Document Collection (in progress)
- 2.2 Online Survey (in progress)
- 3.6 Arts and Culture

### 2. Outputs of Project

- Arts and Culture What We Heard Report
- Stakeholder meetings with Highliner, Lunenburg Foundry, Lunenburg Harbour Authority, LBoT, Clearwater, Waterfront Association and Second Story
- Correspondence and scheduling with remaining stakeholders
- Attendance at Steering Team meeting in Lunenburg

### 3. Project Related Issues

- No issues were identified

### 4. Risk Analysis

- No risks were identified

### 5. What to Achieve in Next Period

- Stakeholder interviews completed
- Economic Development Discussion Paper and Public Meeting
- Governance and Collaboration Discussion Paper and Public Meeting
- Draft CCP and MPS review process (Steering Team, staff, Council and public)

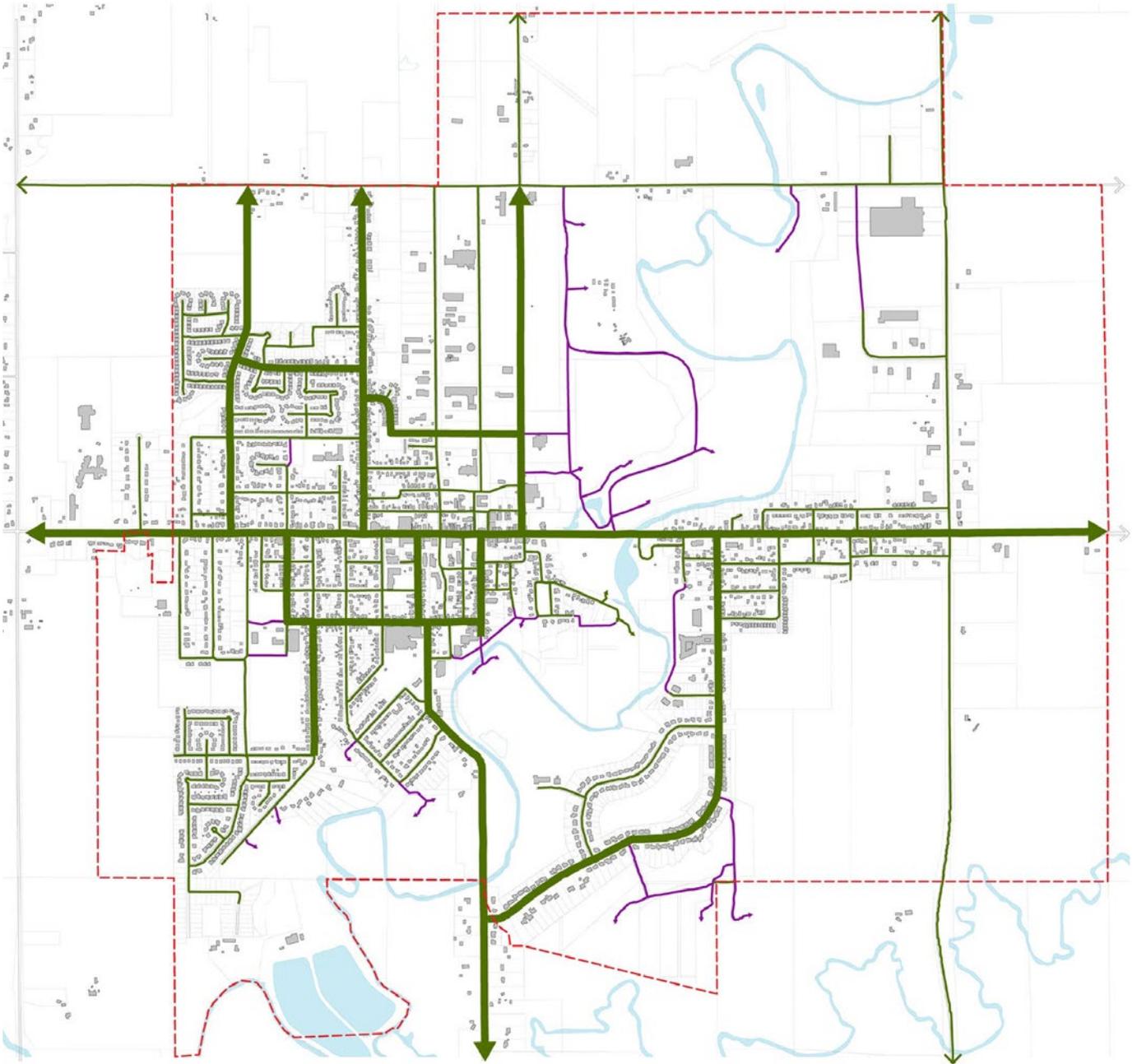
# Visual Language Examples

**DRAFT**  
for Steering Team discussion

## 3.1 Overall Town Strategies

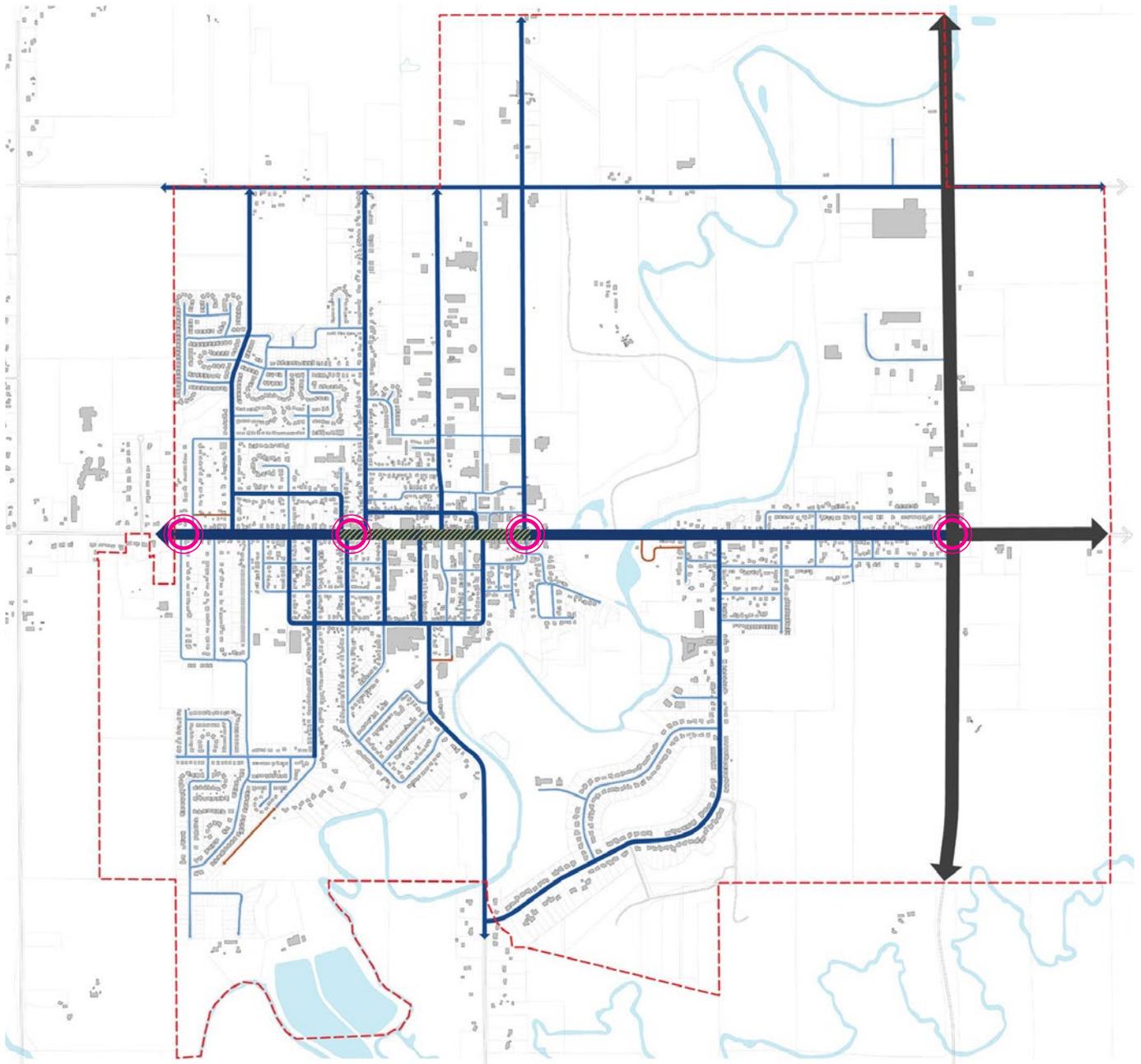


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for Steering Team discussion



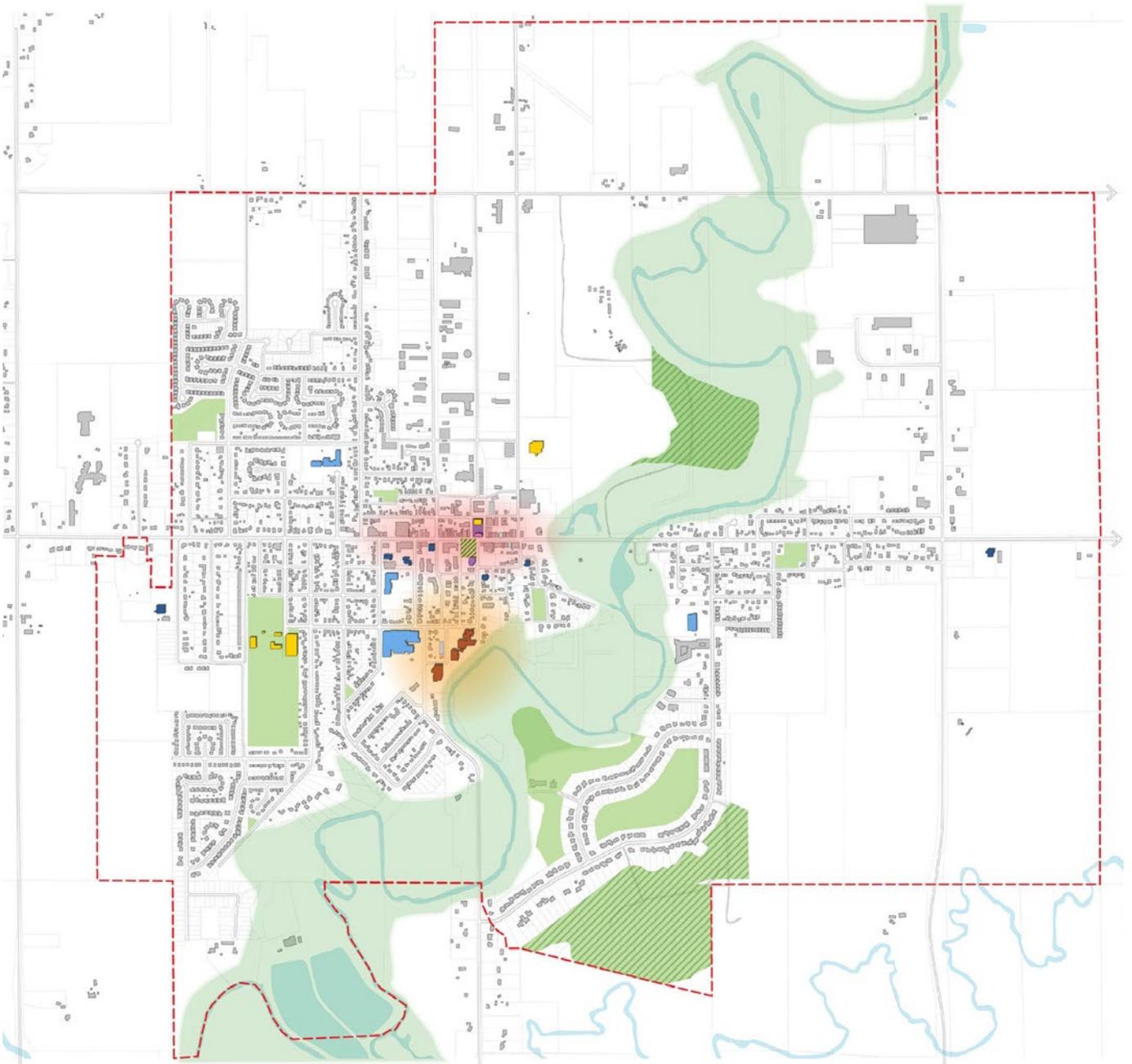
# DRAFT

for Steering Team discussion



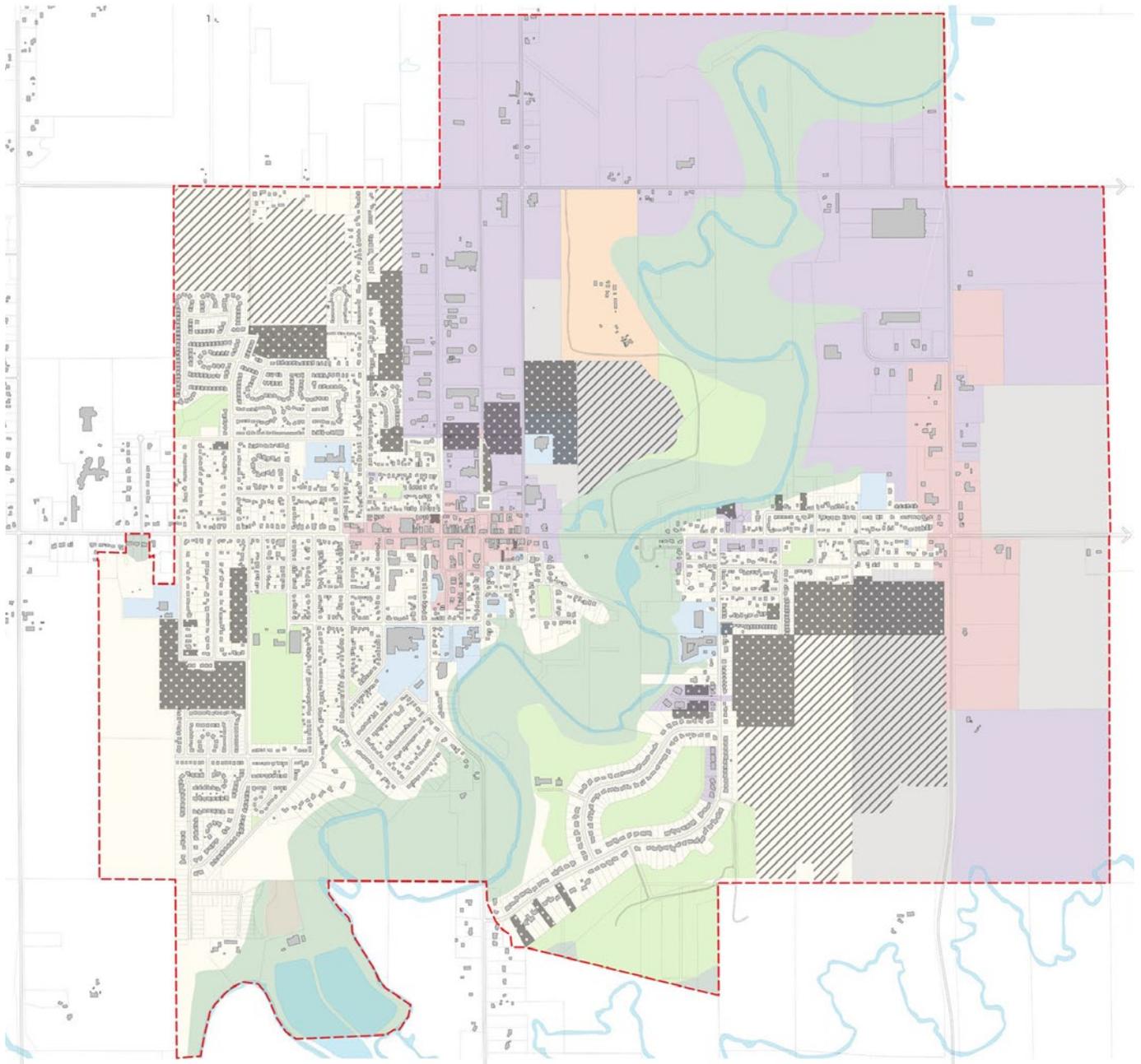
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for Steering Team discussion



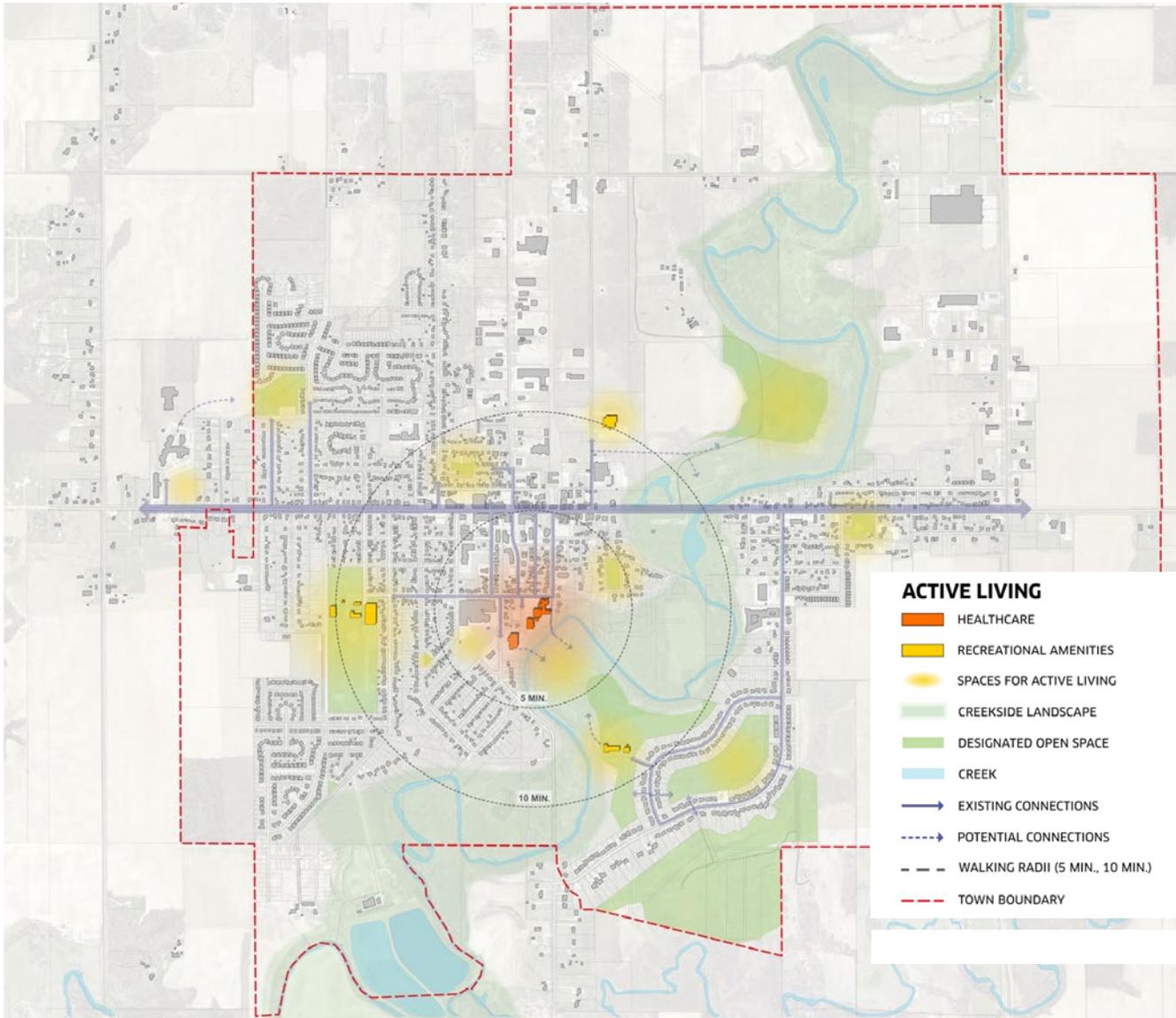
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for Steering Team discussion



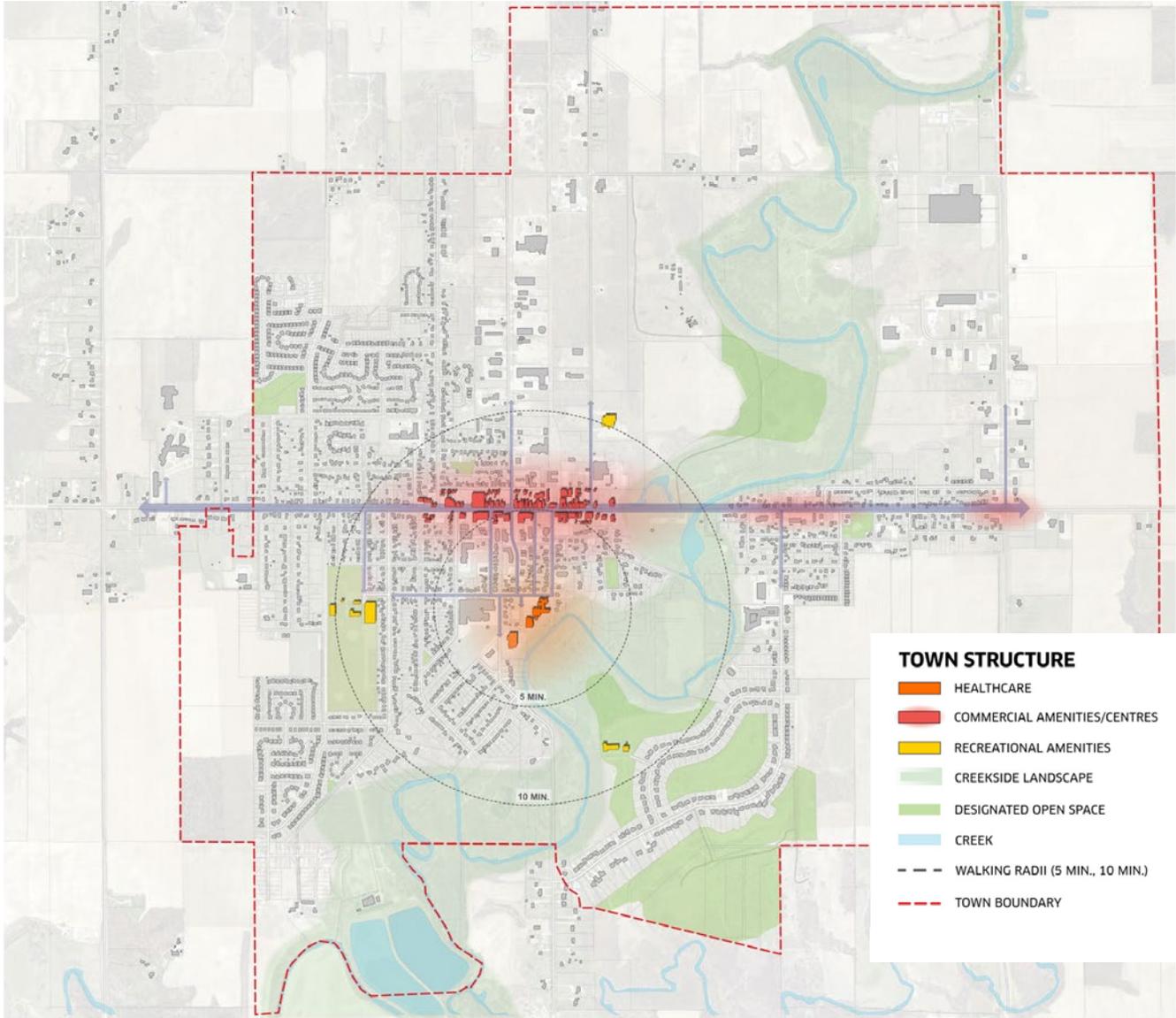
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for Steering Team discussion



# DRAFT

## for Steering Team discussion



# DRAFT

## for Steering Team discussion

## 3.2 Detailed Strategies



**DRAFT**  
for Steering Team discussion



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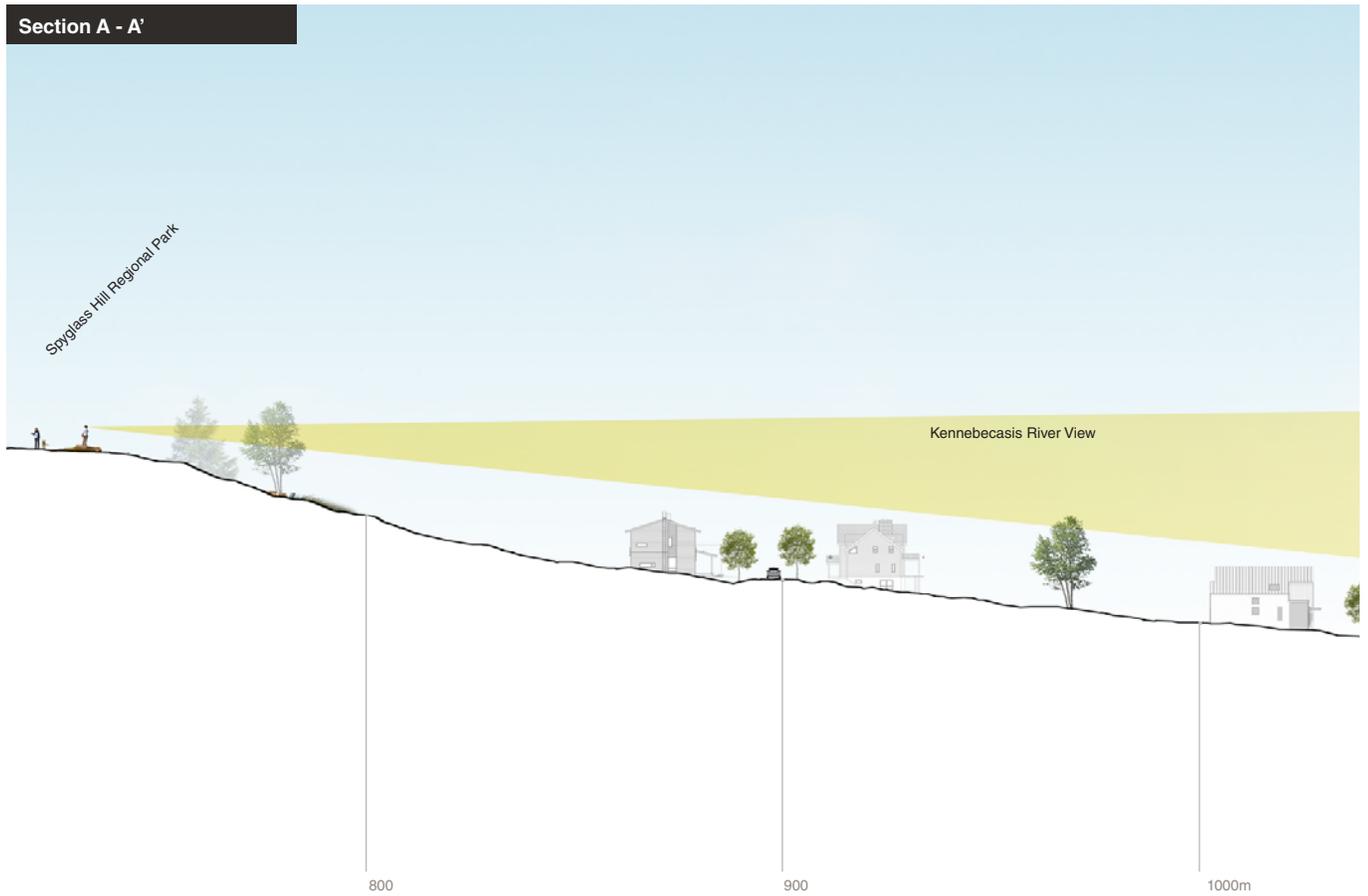
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for Steering Team discussion

Section A - A'

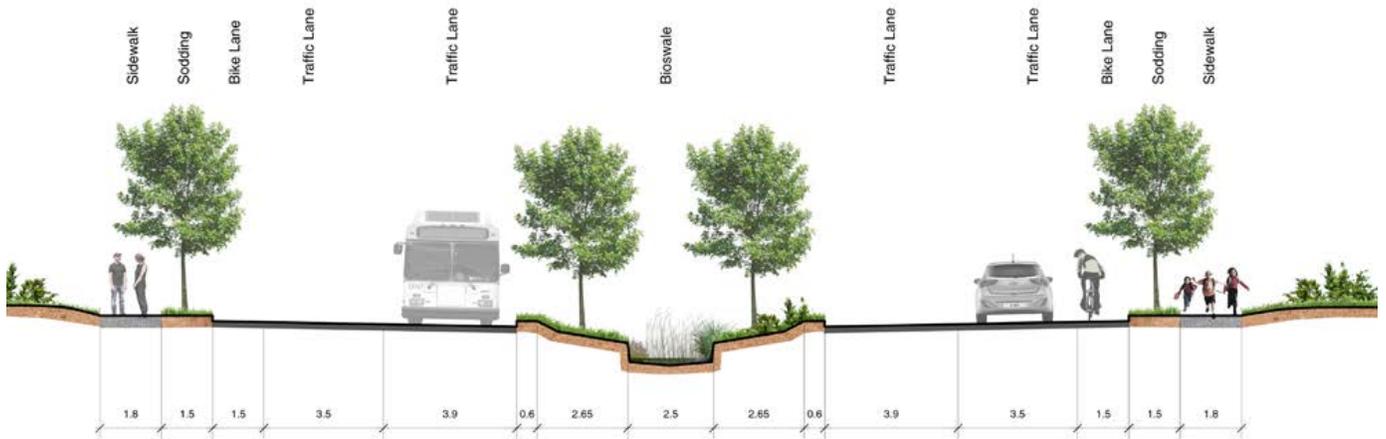


**DRAFT**  
for Steering Team discussion



# DRAFT

for Steering Team discussion



# DRAFT

for Steering Team discussion

## 3.3 Supporting Graphics

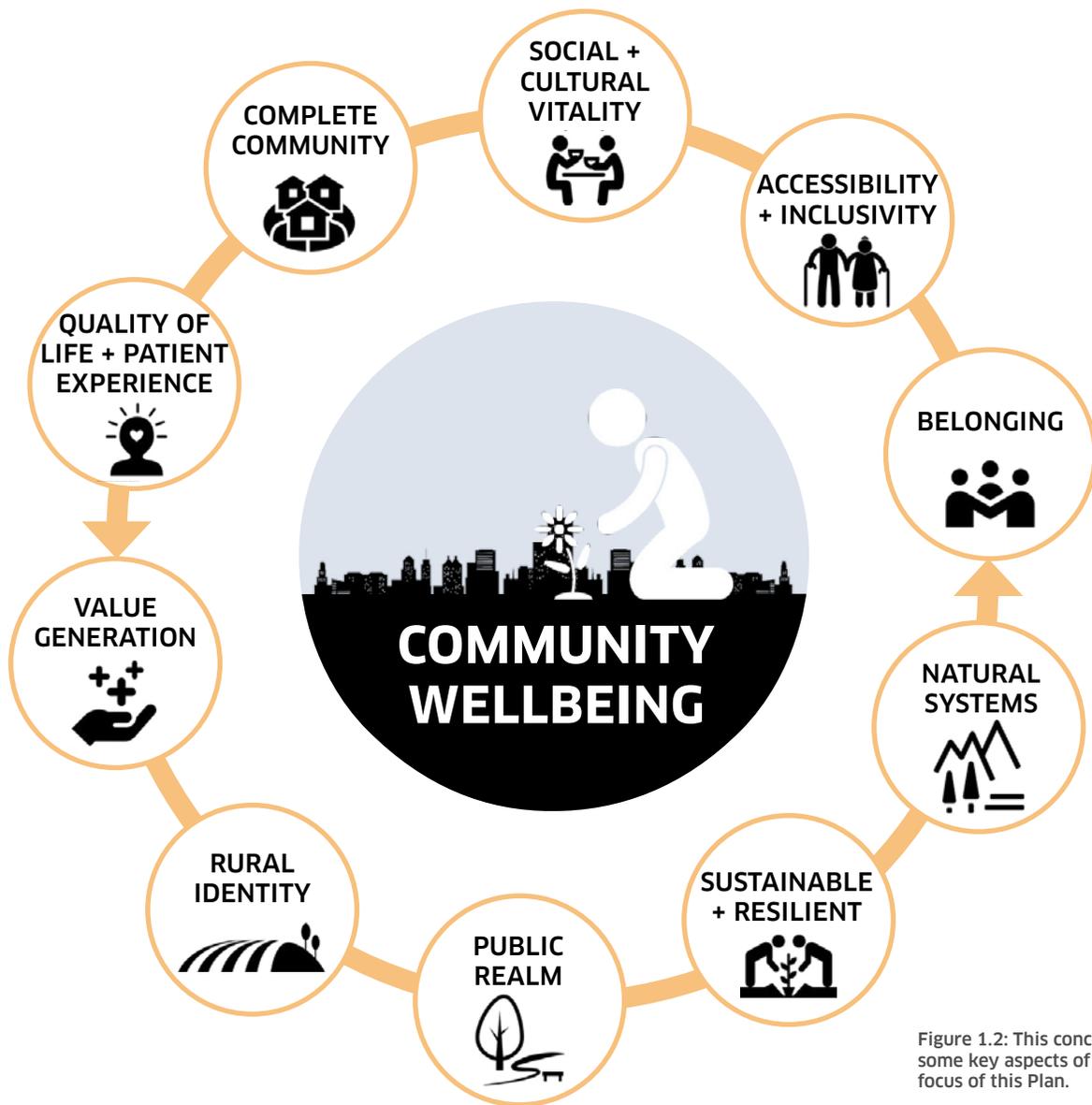
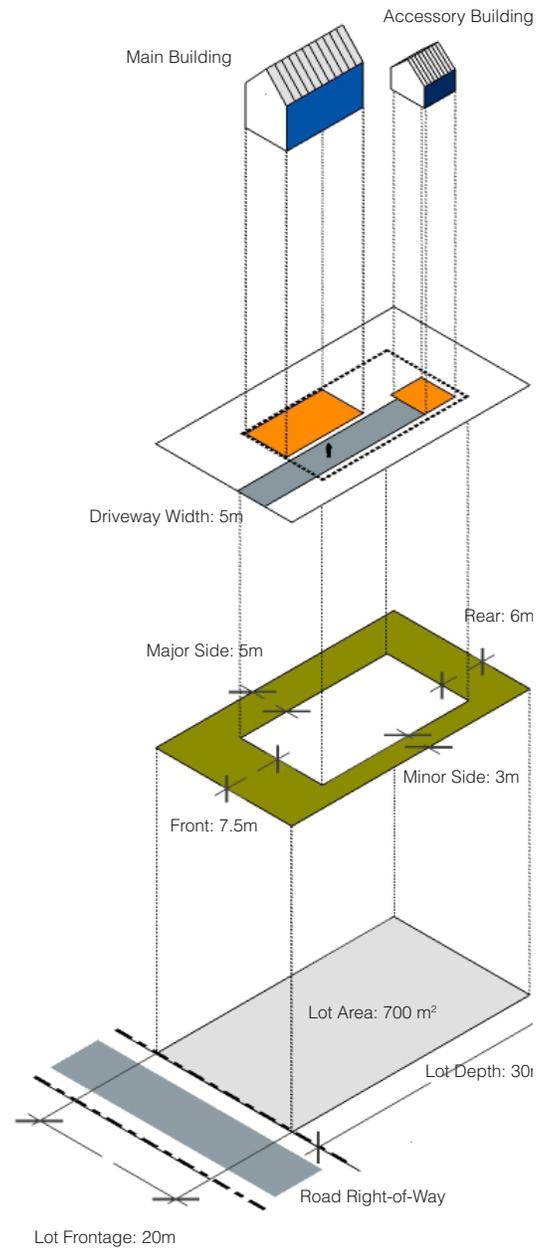
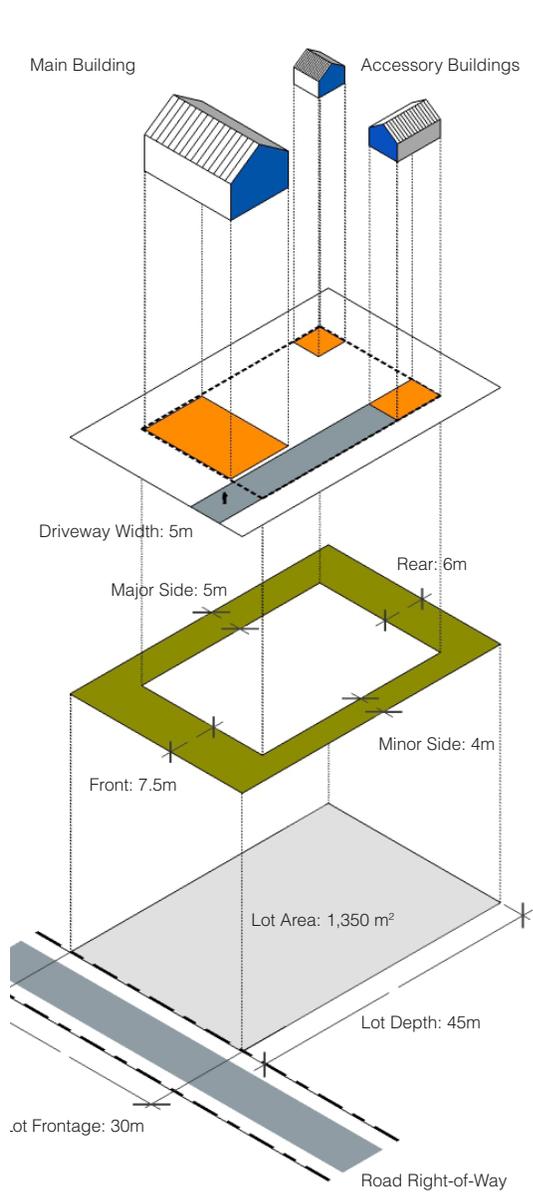


Figure 1.2: This conceptual c some key aspects of well-be focus of this Plan.

**DRAFT**  
for Steering Team discussion



# DRAFT

## for Steering Team discussion

**GENERAL GOVERNMENT MEETING RECOMMENDATIONS/NOTICES OF MOTION  
THURSDAY, JANUARY 16, 2020**

Revised draft Council and Committee Meetings Proceedings Policy and Mi'kmaq land  
acknowledgement at Council meetings

1. The Deputy Mayor as Chair agreed to give notice of motion of the revised above noted Policy (Schedule "A") at the January 28, 2020 Council meeting.

Draft Committees of Council Policy

2. It was agreed that notice of motion of same will be given by Councillor Mosher at the January 28, 2020 Council meeting (Schedule "C").

**GENERAL GOVERNMENT MEETING MINUTES**

**THURSDAY, JANUARY 16, 2020 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

---

**PRESENT:** Deputy Mayor John McGee, Chair  
Mayor Rachel Bailey  
Councillor Ronnie Bachman  
Councillor Danny Croft  
Councillor Peter Mosher

**ALSO PRESENT:** Bea Renton, Chief Administrative Officer

**ABSENT:** Councillor Joseph Carnevale  
Councillor Matt Risser

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The Deputy Mayor called the meeting to order at 5:13 p.m.

1. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

2. October 30, 2019 minutes

Motion: moved and seconded to approve the October 30, 2019 meeting minutes. Motion carried.

3. Public Presentations

4. Unfinished Business

- a. Revised draft Council and Committee Meetings Proceedings Policy and possible Mi'kmaq land acknowledgement at Council meetings

Committee members discussed the revised draft Policy incorporating some of the changes suggested by Council members (**Schedule "A"**). The Committee requested further revisions summarized in part below and attached (**Schedule "A"**).

- A provision for relaxation of the rules of procedure by consensus.
- Addition of a section about Committee meeting time as per Committees of Council Policy draft, section 10.
- The Chair should be allowed to comment on matters under debate in section 10.
- Delete section 10 (9).

- Delete Section 17.
- Amend Section 21 (2) to include references to occasions on which Council discusses matters, but no action is taken. The minutes would still be action based.
- Section 22 shall be amended by deleting the last two lines ending at ...”show of hands”.
- Section 25 shall be amended as set out in the revised Policy (Schedule “A”).
- Delete section 35 (2).
- Delete section 39.

The Deputy Mayor as Chair agreed to give notice of motion of the revised above noted Policy (Schedule “A”) at the January 28, 2020 Council meeting.

- b. Draft Committees of Council Policy and discussion regarding Committee structure

The Committee reviewed the draft Policy (Schedule “B”).

The creation of special committees that serve specific roles with resources in specified time frames was noted as a possible option to current advisory groups, steering teams, etc. as set out in sections 39-43.

A nominating Committee would have to be formed from a selection of General Government Committee members because it is the current Council composition.

Various revisions will be made to the Policy relating to Committee appointments, Mayor’s ex officio Committee role and voting rights.

The Committee will complete their review of this draft Policy at their next meeting showing the changes made to date (Schedule “B”).

- c. Revised draft Council and Management Expense Policy and Personnel Policies to allow for variances to pre-set common destination kilometers

The revised draft Policy provisions as per Council’s earlier direction (Schedule “C”) was reviewed. It was agreed that notice of motion of same will be given by Councillor Mosher at the January 28, 2020 Council meeting. The Lunenburg District Fire Department will be asked if they are in agreement with the draft Policy provision if this addresses their request.

- d. Revised Work on Private Property Policy #6

The Committee next reviewed the draft revised Policy (Schedule “D”). Staff are asked to advise at the next meeting why there is a difference in sewer and lateral distance responsibility for water and electric utilities.

5. New Business

a. Council remuneration and succession planning

Referred to the January 28, 2020 Council meeting for consideration of the completed staff report.

6. Next meeting date

Thursday, April 16, 2020 at 5:15 p.m.

7. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 7:22 p.m.

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Bea Renton, CAO

## TOWN OF LUNENBURG PROCEDURAL POLICY # - COUNCIL AND COMMITTEE MEETINGS AND PROCEEDINGS

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### PURPOSE

1. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in applicable municipal legislation, including but not limited to the Municipal Government Act ("MGA") with such amendments as may be made from time to time. This Policy also applies to Town Committee meetings with the relevant changes in wording.

### DEFINITIONS

2. In this Policy, unless the context otherwise requires:
  - (1) "**business day**" means a day when the Town Hall office is open for business;
  - (2) "**Chair**" means the presiding officer of the Council or Committee;
  - (3) "**Committee**" means a group of individuals appointed by the Lunenburg Town Council to serve on a body that makes recommendations by majority vote to Council. This includes sub-committees and advisory groups;
  - (4) "**Council**" means the governing Council of the Town of Lunenburg;
  - (5) "**Councillor**" includes the Mayor and all elected Councillors unless the context indicates otherwise;
  - (6) "**Legislation**" includes Policies, Bylaws and other relevant Municipal, Provincial and Federal laws or approved documents recognized by Council.
  - (7) "**Majority**" means more than one half of those present, unless the context indicates otherwise; and
  - (8) "**Motion**" a formal proposal put to a Council or Committee by a mover and seconder decided by majority vote of Council or a Committee.

## **PROCEDURE**

### **Time, Place, Date and Notice of Meetings**

3. Unless otherwise specified pursuant to section 4, regular meetings of Council shall be held:
    - (1) at the Lunenburg Town Hall;
    - (2) on the second and fourth Tuesday of every month except in the months of July, August and December when there is only one monthly meeting which shall be on the second Tuesday of those months unless notice is otherwise given; and
    - (3) commencing at 5:15 p.m.
  4. Regular meetings of Council may be rescheduled, relocated or cancelled:
    - (1) by motion or consensus of Council; or
    - (2) by the Clerk on behalf of the Mayor owing to unforeseen circumstances, provided the Mayor believes that the majority of Councillors would support such a step.
  5. **Additional meetings** of Council may be convened in accordance with the MGA:
    - (1) by resolution or consensus of Council with advance notice being given;
    - (2) if the Mayor determines there is an emergency necessitating a meeting with such notice as is possible under the circumstances; or
    - (3) by the Clerk when required to do so by the Mayor or upon written request signed by a majority of Councillors.
  6. Specific **notice** to Councillors need not be provided for:
    - (1) regular Council meetings held pursuant to section 3; or
    - (2) meetings held pursuant to subsection (1) of section 4 or subsection (1) of section 5 if the date was set at a Council meeting three or more days in advance;
- but, subject to any statutory relaxation of notice requirements, two days' notice shall ordinarily be provided for other meetings to Councillors in the manner described in sections 7 and 8.
7. Subject to section 6, notice of meetings shall be provided verbally in person or by telephone or telephone message or by writing or by email to each Councillor. A Councillor may waive any deficiency in the notice provided to him or her for a Council meeting which he or she attends, and shall be deemed to waive any deficiency in notice to him or her for such meetings unless expressly objecting to the adequacy of the notice at such meeting.

8. Within thirty days following the first meeting of Council after a municipal election or by-election, each elected Councillor shall provide to the Clerk:

(1) a telephone number at which the Councillor ordinarily may be reached, with voice messaging capability with adequate capacity at all times to receive messages of one minute in length regarding Council meetings and Town business, and which the Councillor will regularly check for Town messages; and

(2) shall sign any documents required by the Clerk to use an email address on the Town's email system which the Councillor will regularly check.

The Councillor shall be deemed to have received any notice within one business day of it being distributed pursuant to this section.

9. Notice to the public is not required for regular meetings held under section 3, but subject to any statutory relaxation of notice requirements, two days' notice to the public should be provided for other Council meetings, except meetings considered to be urgent or emergencies, by the following options: posting at the Lunenburg Town Hall; social media; internet; print advertisement; signage; or such other means as determined by Council from time to time noting the time, date and place of the meeting.

#### **Conduct of Meetings: General**

10. The Mayor shall serve as the Chair of Council meetings. For Committee meetings, the Chair shall be determined in advance by Council when Committee appointments are made. It shall be the duty of the Chair or alternate as set out herein to:

(1) open the meeting of Council by taking the chair and calling the Councillors to order if a **quorum** is present;

(2) declare a meeting dissolved if no quorum has been achieved within fifteen minutes of the scheduled meeting time;

(3) if the Mayor does not attend within fifteen minutes after the time appointed, the **Deputy Mayor** shall call the Councillors to order and if a quorum is present, shall preside over the meeting or until the arrival of the Mayor;

(4) in case neither the Mayor nor the Deputy Mayor (or Committee Chair as applicable) is in attendance within fifteen minutes of the appointed time, the Clerk shall call the Councillors (or Committee members as applicable) to order if a quorum be present, and the Councillors shall choose a Chair who shall preside over the meeting or until the arrival of the Mayor or the Deputy Mayor;

(5) if there is no quorum present within fifteen minutes after the time appointed for the meeting or a quorum is lost during a meeting, the Clerk shall take down the names of the Councillors then present and the Council meeting shall stand adjourned until the next regular Council meeting;

- (6) determine whether a quorum can still be achieved to conduct Council business if an interest is declared by a Council member(s) with reference to the **Municipal Conflict of Interest Act**;
- (7) receive and submit to Council **motions** properly presented by a Councillor;
- (8) put to a **vote** a question which is regularly moved and seconded or necessarily arising in the course of the proceedings and to announce the result of the vote;
- ~~(9) decline to put to a vote, a motion which infringes upon the rules of procedure or Federal, Provincial or Town legislation;~~
- (10) preside over Councillors, when engaged in debate, within the rules of conduct of debate;
- (11) enforce on all occasions, the observance of order and decorum, **except with concurrence of Council to relax the rules**;
- (12) call by name any Councillor persisting in a breach of the rules of order of Council thereby ordering him or her to vacate the Council Chambers;
- (13) inform the Council when necessary, or when referred to, on a point of order;
- (14) permit the Chief Administrative Officer to speak on any point upon request pursuant to the MGA;
- (15) permit relevant questions to be asked through the Chair of any official or employee of the Town, or any member of the public in attendance, to provide information to assist any Council debate; and
- (16) adjourn the meeting when the business is concluded or, when an adjournment time has been set and approved by majority vote or consensus, when the adjournment time has been reached, except when it is extended by unanimous consent. Meetings should not exceed a maximum duration of three hours or 10:00 p.m. whichever occurs first,
- (17) at which time they will be adjourned until the next meeting of Council.

11. At Council meetings, unless a majority consents to a different order for that meeting, **Council shall conduct business in the following order:**

- (1) call to order;
- (2) acknowledgement of Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People;
- (3) approval of agenda, including additions or deletions;
- (4) approval of minutes from the previous meeting;

- (5) public hearings, presentations and questions;
- (6) consideration of correspondence, petitions and proclamations;
- (7) business arising from the minutes;
- (8) consideration of committee recommendations, minutes, reports and notices of motions;
- (9) new business;
- (10) in camera business;
- (11) in camera notices of motion and recommendations; and
- (12) adjournment.

12. Five business days before a Council meeting, a Councillor or member of the public may request of the Mayor and Clerk to **add a Council agenda** item with relevant and sufficient particulars and supporting documentation which the Mayor shall in consultation with the Clerk determine to which Council or Committee meeting the agenda the item shall be added.

13. (1) Alternatively, a Councillor may give **notice of motion to add an agenda item** at a Council meeting which shall be:
- a. be in writing;
  - b. include the name of the mover;
  - c. be received by the Clerk at a regular meeting of the Council; and
  - d. be printed in full in the agenda for the next regular meeting and each successive meeting of the Council until considered or otherwise disposed of.
- (2) When a Councillor's motion has been called at two successive meetings of the Council and not proceeded with, it shall be deemed to have been withdrawn and be removed from the agenda unless the Council otherwise decides.
- (3) The mover may withdraw a notice of motion at any time prior to the commencement of debate thereon.
- (4) Council may waive notice of motion on a two-thirds vote of the Council members present and voting except for Policy and Bylaw matters.
- (5) A point of order or personal privilege may be introduced without written notice and without leave.

(6) The following motions may be introduced without notice and without leave:

- a. a motion to adjourn;
- b. a motion to call for the question;
- c. a motion to refer;
- d. a motion to table or to defer to a day certain;
- e. an amendment to a motion;
- f. a motion to suspend a rule of procedure;
- g. a motion to convene in camera; or
- h. any other procedural motion.

14. The Mayor and Clerk shall confer on the Council **agenda content and format** before it is circulated a minimum two business days before the meeting if possible. The agenda will be accompanied with an **agenda package** containing meeting materials in the agenda sequence.

15. The Chair shall decide all questions of order or procedure subject to an **appeal** to the Council.

16. Every Councillor, prior to **speaking on any question or motion**, shall raise a hand and wait to be recognized by the Chair. When two or more Councillors raise their hands to speak, the Chair shall designate the Councillor who has the floor who, in the opinion of the Chair, first raised their hand.

~~17. No Councillor shall speak more than twice, without the leave of Chair, on any motion except to explain a misconception of their remarks, but the mover of a motion shall have the right to reply and sum up in closing the debate.~~

18. No Councillor shall speak more than ten minutes upon any matter at one time, without the leave of the Chair.

19. During a meeting Council may **recess** for short periods or move to another place, without ending the meeting.

20. At regular meetings of Council, except when Council resolves to defer approval of minutes for a maximum of one additional meeting, the **minutes** of the last preceding regular meeting and subsequent special meetings shall be reviewed and after all necessary corrections and amendments have been made and the minutes approved, the approved minutes shall be entered in the minute book of the proceedings of Council and such entry shall conclusively constitute the minutes of Council.

21. The minutes shall be kept by the Clerk and shall:

- (1) record the time when any Councillor joins or leaves a meeting which is in progress;
- (2) contain all resolutions, decisions by consensus and motions, with the name of the movers and seconders except Committee meetings, and shall record the outcome of each vote; and
- (3) mention reports, petitions and other papers submitted to Council only by their respective titles, or a brief description of their contents, which may be attached in full to the minutes as determined relevant by the Clerk.

### **Conduct of Meetings: Motions and Voting**

22. The Chair shall state every **question** properly presented to Council and ~~before putting it to a vote, shall ask "Is Council ready for the question" and~~ if no Councillor offers to speak, the Chair shall put the question, after which no Councillor shall be permitted to speak upon it.

23. The usual form of voting on any question shall be by the Chair calling for "yeas" and "nays", but any Councillor, before or after a voice vote can call for, and obtain through the Chair, a show of hands, ~~and any two Councillors can call for, and obtain through the Chair, a recorded vote with each Councillor's vote entered into the minutes.~~

24. The Mayor and every Councillor who is present when a motion is put, shall vote thereon unless the Councillor has declared an interest in the motion. A failure to expressly signal a "yea" or "nay" or raise one's hand shall be deemed to be a "nay" vote. A tie vote results in the motion being defeated.

25. A motion must be seconded and then repeated by the Chair or read aloud by the Clerk before it is debated. The Chair may direct that the motion be put in writing, **repeated, displayed or read aloud by the Clerk before it is debated or voted on.**

26. After reading of a motion by the Chair or Clerk, it shall be open for discussion. The motion is deemed to be in the possession of Council at this time.

27. A motion which has been seconded and stated by the Chair may at any time before the Council has voted on it be **withdrawn** by the mover with the unanimous consent of Council.

28. When any question is before the Council, the only motions in order shall be:

- (1) a motion to amend the original motion;
- (2) a motion to refer the question, including the motion and amendment if one is moved, to any Committee;
- (3) a motion to defer the consideration of the question either indefinitely or to a specified time;

- (4) a motion to close the debate at a specified time; and
- (5) a motion that the question be put to a vote.

29. A motion

- (1) that the debate be closed at a specified time; or
- (2) that the question be put to a vote,

shall be put to a vote without further amendment or debate, but a motion that the question be put to a vote shall not be in order until every Councillor who has not spoken on the question and claims a right to speak has been heard.

~~30. A motion that the question be put to a vote shall preclude all amendment to the main question until the motion is decided, and shall be put to a vote, without debate. If this motion is resolved in the affirmative, the original question shall be put to a vote immediately, without any amendment or debate.~~

31. When the question before Council contains two or more distinct propositions upon request of any Councillor a vote upon each proposition may be taken separately in such order as determined by the Chair.

32. After a question is finally put by the Chair, no Councillor shall speak to the question nor shall any other motion be made until after the result of the vote has been declared.

33. Whenever the Chair is of the opinion that a motion is out of order, or contrary to legislation, the Chair shall immediately advise the Councillors thereof. If there is no appeal to Council, or if the Chair is sustained on an appeal, the question shall not be put.

34. A motion to adjourn shall always be in order except in the following cases:

- (1) when a Councillor is in possession of the floor;
- (2) when the "yeas" and "nays" are being called for a vote;
- (3) while Councillors are voting; or
- (4) when the adjournment was the last preceding motion.

35. The following questions shall be decided without debate:

- (1) all motions as to priority of business or as to the suspension of the order of the day;
- (2) a motion to allow any person other than Councillors to address Council;
- (3) a motion to postpone to a specified time or day;

(4) a motion to lay on the table (suspend consideration of a pending motion); and

(5) a motion to adjourn.

36. Only one **amendment** to the main motion may be pending at one time. This first degree amendment may have only one amendment known as the second degree amendment pending at one time. As each amendment is voted on, subsequent amendments may be offered and voted on in succession.

37.(1) A motion to rescind shall not be made at the same meeting when the matter is decided, but may be put once at any subsequent meeting by giving prior notice of motion to rescind if the action or direction of Council has not already been completed.

(2) A motion to rescind may be put by any Councillor regardless of how they voted on the original matter.

(3) At a subsequent meeting of Council, the giver of such notice, or in that Councillor's absence any other Councillor on the Councillor's behalf, may put forward the motion of rescission.

(4) A motion to rescind must be seconded.

(5) A motion to rescind is debatable as to the merits of the question which is proposed to be rescinded.

(6) A motion to rescind is amendable.

(7) A motion to rescind shall be passed by a majority of the Councillors present and voting.

38. After any question or motion has been decided, either in the affirmative or negative, a Councillor who voted on the prevailing side may, after the decision has been announced by the Chair, but before adjournment of the meeting, give notice of an intention to move **reconsideration** of the motion approved at the same or next Council meeting. The giving of such a notice operates as a stay or suspension of Council's decision, except in matters where there is great time sensitivity. Council then vote on whether the motion will be reconsidered at the current or next meeting. If the motion to reconsider is adopted, Council will reconsider and then re-vote on the original motion, possibly with a different outcome.

~~39. If a vote to reconsider is deferred to the next meeting and no action is taken, the stay or suspension of the original motion is dissolved and the motion may be acted upon or implemented. Council may still reconsider the motion at a later time if the motion was not acted upon or implemented.~~

40. The following matters are not eligible for reconsideration:

(1) a motion approving the first or second reading of a By-Law enactment, amendment or repeal;

(2) a motion to decide upon a matter which was the subject of a statutory hearing by Council;

(3) a matter that has already been reconsidered; and

(4) a vote to reconsider.

41. Any **notice of motion** given by a Councillor for a subsequent meeting may, in the absence of the Councillor giving such notice, be taken up by any other Councillor.

42. All motions called in pursuance of the general order of the day and not disposed of shall be the first business proceeded with and disposed of at the next meeting of Council.

### **Conduct of Meetings: Points of Order**

43. It shall be the duty of the Chair, and the privilege of any Councillor, to call any Councillor to order, who violates any established rule or order. A point of order must be decided by the Chair before the subject under consideration is proceeded with.

44. When a Councillor is called to order, the Councillor shall remain silent until the point is determined or called upon by the Chair to be heard on the point of order.

45. A point of order is not debatable amongst other Councillors, unless the Chair invites discussion in an effort to assist in making a ruling. Where the Chair permits discussion of a point of order, no Councillor shall speak more than once without the leave of the Chair.

46. Decisions of the Chair on points of order, including an order expelling and excluding a person from the Council Chambers, are not debatable but are appealable to Council by any Councillor. When an appeal is made from the decision of the Chair, the Chair may briefly explain the basis for their ruling and shall then ask Council whether the appeal should be allowed and Council's decision with reasons given shall be final.

47. No Councillor shall use offensive or unparliamentarily language or speak disrespectfully to or about anyone while in Council, or speak outside the parameters of the question in debate.

48. If a Councillor resists the rules of Council, obstructs the business of Council or disobeys the decision of the Chair, or of Council on appeal, on any question of order or practice or upon the interpretation of the rules of Council after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the Councillor may be ordered by the Chair to leave the Councillor's seat provided that a majority vote of Council shall be required to have the expulsion extended to additional meetings.

49. If the Councillor refuses to leave the Councillor's seat, the Chair may order the Councillor to be expelled from the Council Chambers. Such Councillor may, by vote of Council be permitted to resume their seat with or without conditions.

50. Persons who are not Councillors, officers or employees of the Town shall observe silence and order in the Council Chambers, unless given permission to speak by Council. Any such persons disturbing the proceedings of Council shall be called to order by the Chair and, if they fail to comply, shall be ordered, by the Chair to be expelled from the Council Chambers, provided that a majority vote of Council shall be required to have the expulsion extended to

additional meetings. Such member of the public may, by vote of Council be permitted to re-enter Council Chambers with or without conditions.

51. An order of the Chair to expel a person from the Council Chambers pursuant to this part of the Policy constitutes a direction from the Town to leave the premises for purposes of the Protection of Property Act and other applicable laws.

**Questions of Privilege, Parliamentary Inquiries,  
and Requests for Information**

52. Any Councillor may raise a **question of privilege** relating to the rights of the Council as a whole or of individual Councillors, in which the former take precedence over the latter. A question of privilege must be disposed of before the matter under consideration is proceeded with.
53. Questions of privilege may relate to matters including: the comfort of Councillors with respect to heating, ventilation, lighting, noise, other disturbances, and anything which otherwise encumbers their ability to participate fully in Council proceedings; the conduct of officers, employees, and visitors; the accuracy of published reports of proceedings; or to any other such matters that may infringe upon the established rights of Council as a whole or of individual Councillors.
54. The Councillor raising a question of privilege shall either state the infringement on their privileges and request that the Chair remedy such infringement or make a motion addressing the question of privilege to the Council. The Chair will rule on whether the matter is a question of privilege to be immediately disposed of. Decisions of the Chair on questions of privilege are not debatable but are appealable to Council by any Councillor.
55. The Councillor raising a question of privilege shall either state the infringement on their privileges and request that the Chair remedy such infringement or make a motion addressing the question of privilege to the Council. The Chair will then rule on whether the matter is a question of privilege to be immediately disposed of which is debatable, but appealable to Council by any Councillor.
56. If the Chair rules in favour of a question of privilege or Council overrules a negative ruling by the Chair then the infringement will be dealt with or the motion regarding the question put before the Council for debate.
57. Once a question of privilege has been disposed of, the normal business of the Council shall be resumed at the point at which it was interrupted.
58. Any Councillor may make a parliamentary inquiry to the Chair to obtain information on a matter of parliamentary procedure or of the applicable legislation and motions bearing on the business at hand. It is the Chair's duty to answer such questions when it may assist the Councillor to make an appropriate motion, raise a proper point of order, or understand the parliamentary situation or the effect of a motion.

59. Any Councillor may make a request for information either to the Chair or through the Chair to another Councillor, employee, or other relevant person to obtain information relevant to the business at hand but not related to parliamentary procedure.
60. Any of the rules of order may be suspended in its operation by the unanimous consent of the Councillors present.
61. If any question arises that is not provided for by applicable legislation or the foregoing rules, it shall be decided by the Chair in accordance with the latest available version of Roberts Rules of Order.
62. Policy #88 Council Meeting Policy is hereby repealed.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members of Intent to Consider:

Date of Passage of Current Policy:

I certify that this Policy was adopted by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

*Draft revisions of GG Committee  
GG Jan 16/20*

## TOWN OF LUNENBURG PROCEDURAL POLICY # - COMMITTEES OF COUNCIL

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### PURPOSE

1. This Policy describes the structure, composition and role of Committees established and appointed by the Town of Lunenburg ("Town") Council ("Council"). The Policy applies to Committees in which all or some of the voting Committee members are Council members including the Mayor and/or Councillors.

### PROCEDURE

2. The following provisions shall apply to all Committees established by this Policy, except where this Policy, another Town Policy, Bylaw or the Municipal Government Act specifically provides otherwise.
3. Committee membership shall be annually reviewed by Council within three months following each municipal general election or election anniversary after seeking the advice of the Nominating **General Government** Committee. Council may also replace at any time Committee members who resign or who, in Council's opinion, are unable or unwilling to discharge their duties, or who fail to attend diligently to the Committee's affairs or otherwise to seek a change in Committee composition. Council shall also appoint such members of external Committees and Boards **(Schedule "A" chart updated from time to time by motion of Council)** as it is authorized to do under Town or Provincial legislation and inter-governmental agreements.
4. The Mayor shall be an *ex officio* member of any Town Committee to which the Mayor is not already appointed and may fully participate **but may only** and vote at these meetings **if it is necessary to achieve a quorum**. ~~The Mayor's attendance will be included in a determination if a Committee quorum has been achieved and the Committee can meet to conduct its business.~~
5. Council may seek unelected resident Committee members as set out in this Policy by advertising same on an annual basis or such other interval as Council determines by motion from time to time. ~~The Town Nominating~~ **General Government** Committee will review and recommend to Council the appointment of qualified resident applicants or non-resident applicants if there are insufficient numbers. Council will select unelected Committee appointments by ballot.
6. **The Mayor shall recommend to Council the annual appointment of Councillors to Committees and external Boards for approval by motion of Council.**

7. Committee members shall be reimbursed their reasonable expenses for attending Committee meetings held outside the Town at such rate as prescribed by Town Policy #86 Council and Management Expense and Hospitality Claims.
8. Committee and external Board members are entitled to an annual honourarium set out in Town Policy #56 Council and Committee Member Honourarium.
9. Council shall appoint a Council member to serve as Chair of each Committee after seeking the advice of the ~~Nominating Committee~~ Mayor in consultation with the General Government. The Chair shall be entitled to speak and to vote on any motion before their Committee(s). Subject to the other provisions of this Policy, the Chair shall also have the powers and responsibilities at Committee meetings that are conferred upon the Chair at Council meetings pursuant to the Town's Bylaws and Policies with any necessary modifications for context. If the Chair is absent from a meeting, the Committee members may elect a Chair pro tempore for that meeting who shall have the same authority as the Chair for the duration of this meeting only.
10. The Chief Administrative Officer or their designate shall serve as Committee Secretaries, with a voice relating to procedural matters, but no vote. The Committee Secretary shall prepare, maintain and circulate Committee agendas, minutes and other relevant records.
11. Committees shall meet at such time and place as annually determined by Council and at such other time and place as Council and/or Committees may determine to accomplish ~~meeting~~ Committee objectives.
12. ~~Subject to Council motion in consultation with the CAO should there be insufficient resources,~~ Committees may utilize the following Town resources to accomplish their mandate unless the CAO or Council determine that there are insufficient resources:
  - (1) Town staff advice and support;
  - (2) Town's facilities and supplies for meetings, photocopying, postage and other administrative needs reasonably necessary and budgeted for to achieve the Committee's mandate;
  - (3) external services reasonably necessary and budgeted for to achieve the Committee's mandate; and
  - (4) such other resources reasonably necessary and budgeted for to achieve the Committee's mandate.
13. A Committee cannot take action on any matter which Council has not previously delegated the authority to it. A Committee may only make recommendations to Council to take action.
14. All Committee meeting minutes, and records shall be open to the public except as expressly authorized by law.

15. A quorum of the Committee shall be the same as that which applies to Council pursuant to provincial legislation, with any necessary changes for context, e.g., section 4 herein.
16. Each Committee member, including the Chair, shall have one vote and there shall be no proxy voting or alternate voting.
17. Subject to the other provisions of this Policy, the rules of procedure, conduct and debate that apply at Council meetings pursuant to Council and Committee Meetings Proceedings Policy and other relevant Town Policies, apply at Committee meetings with any necessary modifications for context, except that no notices of reconsideration shall be permitted at Committee meetings.
18. In the event a Committee fails to provide a recommendation to Council within a deadline set by Council, Council may proceed with a decision regarding a matter within the Committee's mandate without awaiting the Committee's recommendation.
19. Council hereby confirms the following standing Committees and their respective responsibilities as described.

General Government Committee

20. The responsibilities of the General Government Committee are:
  - (1) Discuss, consider, advise and make recommendations to Council concerning the affairs of the Town that may come before Council, in advance of Council making decisions or taking action on such matters, except where Council determines that consideration by the Committee is unnecessary or inadvisable, and except that the following matters shall normally be dealt with by Council without having to be forwarded to the General Government Committee for its recommendations:
    - (a) correspondence;
    - (b) reports and recommendations from other committees of Council;
    - (c) planning matters;
    - (d) first or second reading of By-Law enactments, amendments or repeals; and
    - (e) matters which are the subject of a statutory hearing by Council.
  - (2) ~~Act as the Nominating Committee making~~ **Make** recommendations for Council Committees and external Boards;
  - (3) Oversight of the Town Bylaws and Polices review;
  - (4) Review and recommend the General Government Services budget to Council;
  - (5) Consider annual Town grant applications and recommend same to Council; and
  - (6) Take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.
21. The Chair of the General Government Committee is the Deputy Mayor.

22. The General Government Committee consists of all Council Members, and membership on the Committee automatically extends to Council Members, without the necessity of formal appointment by Council, and automatically terminates when the person is no longer a Council Member.

#### Audit Committee

23. The responsibilities of the Audit Committee are:
- (1) A detailed review of the Town financial statements with the Town Auditor;
  - (2) An evaluation of Town internal control systems and management letter with the Town Auditor;
  - (3) A review of the conduct and adequacy of the audit;
  - (4) Consideration of such matters arising out of the audit as may appear to the Audit Committee to require investigation;
  - (5) Review of other matters as may be determined by Council to be the duties of the Audit Committee and any other matters; and
  - (6) Take such other action not inconsistent with this Policy that the Committee reasonably deems necessary to carry out its mandate in accordance with Town Policies and Bylaws and the Municipal Government Act.
24. The Audit Committee shall be comprised of all members of Council and a minimum of one resident at large appointment who is not a member of Council or staff. Resident appointees shall possess knowledge and understanding of financial and investment matters as evidenced in their Committee application form.
25. Council shall advertise for resident Audit Committee applications before December 31. The resident Committee member(s) shall be annually appointed by Council no later than January 31. Resident Committee appointments shall be for a minimum of ~~one~~ two year terms as determined by Council motion.
26. The Chief Administrative Officer (CAO), Finance Director and Accountant shall be non-voting members of the Audit Committee. Through the CAO the Committee may request additional members of the Town's senior management staff to attend Committee meetings.
27. The Audit Committee Chair shall be a member of Council annually appointed by Council no later than January 31 of each year. The Committee Chair will make periodic reports to Council on matters relating to the Committee's work progress.
28. The Audit Committee shall meet at least twice per year as called by the Chair in consultation with voting and non-voting Committee members to receive and review the completed Town audit with the Town Auditor and carry out its additional Municipal Government Act duties.
29. The Committee may also meet with the Town Auditors as it deems appropriate to consider any matter that the Committee members, Council or Auditors determine should be brought to the attention of Council.

30. Committee meetings shall be held in public unless the Committee needs to meet in camera in accordance with the Municipal Government Act.

#### Heritage Advisory Committee

31. The Town's Heritage Property Bylaw #43. and Provincial Heritage Property Act establishes the responsibilities of the Heritage Advisory Committee as follows which are not modified by this Policy, except the extent to which the additional Committee procedural matters apply:

(1) The Heritage Advisory Committee may advise Town Council respecting:

- (a) the inclusion of buildings, streetscapes and areas in the Town Registry of Heritage Property;
- (b) an application for permission to alter substantially or demolish a Town Heritage Property;
- (c) building or other regulations that affect the attainment of the intent and purpose of the Heritage Property Act; and
- (d) any other matters conducive to the effect of carrying out the intent and purpose of the Heritage Property Act.

32. The Heritage Advisory Committee is comprised of six members, all of whom shall be residents of the Town, annually appointed by Council for a ~~one~~ two year term. Two members of the Committee shall be members of Council, two shall be members of the Lunenburg Heritage Society or individuals who have otherwise demonstrated active concern for the preservation of buildings of historic significance, and two members of the Committee shall be appointed at large.

#### Planning Advisory Committee

33. The Municipal Government Act provides that the responsibilities of the Planning Advisory Committee are to advise Council respecting the preparation and amendment of planning documents and general planning matters. This includes the preparation, amendment and review of the Town's Municipal Planning Strategy, Land Use By-law and Subdivision By-law and all other planning matters.

34. The Planning Advisory Committee is comprised of at least four residents ~~two~~ members from the public appointed for two year terms and ~~may include other members of~~ three Council members and the public as determined by Council.

#### Protective Services Committee

35. The Protective Services Committee responsibilities relate to fire protection including oversight of the volunteer firefighting force and their training, buildings and equipment, fire alarm systems, fire investigations and prevention, water supply and hydrants and Fire Protection Services budget matters.
36. The Protective Services Committee is comprised of four Council ~~Town~~ members including the Chair ~~who are all Town Council members~~. For the purpose of fire

protection matters relating to Municipality of the District of Lunenburg Fire Districts 1 and 2 Commission (Commission) only, the Commission may appoint three Commission members to be additional voting members of the Committee, for these matters only, which the total membership of the Committee may be seven.

#### Recreation/Lunenburg War Memorial Community Centre Committee

37. The responsibilities of the Recreation/Lunenburg War Memorial Community Centre Committee are to:
  - (1) advise Council on matters affecting the development and maintenance of Town recreational facilities, programs and services;
  - (2) encourage a healthy and active community to improve the quality of life for residents and visitors; and
  - (3) provide Council with input on the development of policies and plans related to community recreation opportunities.
38. The Recreation/Lunenburg War Memorial Community Centre Committee is comprised of four members of Council, three ~~unelected Town~~ residents who are appointed for two year terms, and one Municipality of the District of Lunenburg Council member.

#### Public Infrastructure and Utilities Committee (TBA)

#### Special Committees

39. Town Council may establish Special Committees at any time as deemed necessary concerning any matter which is within Council jurisdiction. Council in establishing a Special Committee shall approve the terms of reference, termination date and such other provisions as Council determines relevant to the creation, role, responsibilities and dissolution of Special Committees.
40. The general provisions of this Policy shall also apply to Special Committees.
41. A Special Committee shall consist of at least two Council members, one of whom shall be the Chair.
42. When a Special Committee has completed its work, made its report and Council has made a final decision about the report, the Special Committee shall automatically dissolve if it was not previously terminated in Section 39 herein.
43. This Policy repeals and replaces Policies #9 Appointments to Boards and Committees of the Town, #19 Composition and Duties of Planning Advisory Committee and #85 Audit Committee and Bylaw #6 Committees and Boards Bylaw.

## TOWN OF LUNENBURG PROCEDURAL POLICY #86 - COUNCIL AND MANAGEMENT EXPENSE AND HOSPITALITY CLAIMS

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### PURPOSE

1. This Policy provides a process and criteria by which Lunenburg Town Council (“Council”) and management staff expense and hospitality claims may be considered for approval. These provisions were previously included in the Town’s Personnel Policy, but are now stated in this Policy for ease of reference and inclusion of the following 2017 amendments to the Municipal Government Act (“Act”).

#### *Section 23 (3)*

*(3) Each municipality shall adopt an expense policy and a hospitality policy.*

*(4) An expense policy must*

- (a) prohibit the municipality from reimbursing expense claims for alcohol purchases by an individual;*
- (b) identify the persons who have signing authority to authorize the reimbursement of an expense;*
- (c) where applicable, set out rules respecting the use of corporate credit cards;*
- (d) apply to every reportable individual in the municipality; and*
- (e) comply with the regulations.*

*(5) A hospitality policy must*

- (a) establish the expenditures, including an alcohol purchase, that may be a hospitality expense;*
- (b) establish the approval process for authorizing hospitality expenses;*
- (c) establish the scope and applicability of the policy; and*
- (d) comply with the regulations.*

*(6) An expense may only be reimbursed if that expense is authorized pursuant to the expense policy or the hospitality policy.*

*(7) By the January 31st immediately following a regular election held under the Municipal Elections Act, the council shall review the expense and hospitality policies and, following a motion by the council, either re-adopt the policies or amend one or both of the policies and adopt the policies as amended.*

2. Reference should also be made to the Town’s Council Professional Development and Conference Attendance Procedural Policy for information regarding the approval

procedure for same.

3. Expenses considered under this Policy are for attendance at conferences, training, meetings or other business events (“event”) representing the Town that are in compliance with this Policy and the Act, have been pre-approved by Council in the Town’s annual budget and/or by specific request, or by the CAO or designate for management staff.

**PROCEDURE**

4. Expenses for attendance at approved events representing the Town will be reimbursed as follows within approved Council budget amounts.
  - (a) Transportation: the actual cost of the most economical mode of travel, typically by personal vehicle. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following are pre-determined maximum allowable travel claim distances to:

- Bridgewater	40 kilometres
- Chester	80 kilometres
- Dartmouth	220 kilometres
- Halifax Airport	250 kilometres
- Halifax	200 kilometres
- Liverpool	130 kilometres
- Mahone Bay	25 kilometres
- Sydney	1100 kilometres
- Wolfville	200 kilometres

Variations from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor as set out in Section 4 (g) herein.

If more than one Council and/or management staff member are attending the same event they are expected, when reasonable, to travel together in one vehicle.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to pay for event attendance.

Air travel reservations may be made by authorized Corporate Services staff following the Town’s Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

- (b) Accommodations: actual cost for the authorized Town Council or management

staff member, plus approved parking and internet fees as applicable.

Accommodation reservations and payment will be made by Corporate Services staff following the Town's Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

- (c) Meals: out of Town events - \$15.00 breakfast (departure from Lunenburg required before 6:30 a.m.), \$20.00 lunch (unable to return to Lunenburg before 1:00 p.m.), and \$35.00 dinner (unable to return to Lunenburg before 6:30 p.m.), to a daily maximum of \$70.00 with no receipts required. If a meal is provided as part of the event, an additional meal claim shall not be made. Reimbursement for alcohol purchases is not permitted.

A \$15.00 meal expense may also be claimed if attendance at an in-Town event occurs during these meal periods and the event does not provide a meal and it is not possible for the Council or management staff member to leave to have their regular meal. Corporate Services staff will generally make prior catering arrangements for a meal to be provided in such circumstances through the use of a Town Purchase Order. Reimbursement for alcohol purchases is also not permitted.

Council may also budget for a maximum of \$1000./year, plus HST to provide for the attendance of Council members and/or senior management staff at relevant special event dinners, e.g., Lunenburg Board of Trade AGM, Habitat for Humanity and MICA annual dinners, etc.

- (d) Registration Fees: actual cost to be paid in advance by Corporate Services staff in compliance with the Town's Purchasing Policy, Municipal Credit Card Use Administrative Policy and/or other relevant Town Procedural Policies.
- (e) Miscellaneous Expenses – Council and management staff members may also claim up to \$15.00/day for each overnight stay for an approved out of Town event to a maximum of \$75.00/week without receipts for expenses for which receipts are generally unavailable when attending same which exceed one day and require an overnight stay outside Town (other than their own residence). Miscellaneous expenses may include tips, parking meters, taxis, bridge and ferry fares, buses, etc., but cannot be used to increase meal allowances noted above or purchase alcohol. Receipts should be presented for all miscellaneous expenses whenever possible.
- (f) Hospitality Expenses - the Mayor, Chief Administrative Officer (CAO) and/or their designate(s) may use the per person meal allowances listed above in subsection (c) for hospitality purposes with visiting officials while conducting Town business.

A Town Purchase Order should be used in such instances in accordance with the Town Purchasing Policy or detailed receipts provided for subsequent reimbursement. Council must approve the reimbursement of expense claims that exceed these limits or for any alcohol purchases.

- (g) Expense Claim Form - all claimants must submit a completed Town Expense Claim Form when seeking reimbursement for expenses listed above. This shall be submitted within thirty days of expenses being incurred to the CAO and Finance Director for approval. The Town Finance Director and Mayor shall determine if expenses claimed by the CAO may be approved for payment. The CAO, Finance Director and Mayor may request of the claimant additional verification of the expense prior to approving payment.
- (h) Spousal Expenses - expenses for the spouses of Council and management staff members will not be reimbursed.
- (i) HST - all maximum expense amounts stated herein do not include HST which may be claimed as an additional expense for payment on proof of HST payment.

- 5. No reimbursement will be made for Council and/or management staff attendance at partisan political events.
- 6. No advances for expenses will be paid unless pre-approved by the CAO and Finance Director. All advances shall follow the same reporting format as outlined in this Policy and a final Expense Claim Form shall be submitted to determine if repayment of any advance is required or additional reimbursement is due.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members  
of Intent to Consider (7 days minimum): May 8, 2018

Date of Passage of Current Policy: May 22, 2018

I certify that this Policy was adopted by Council as indicated above.

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Date

## **STAFF TRAINING AND DEVELOPMENT**

### **I. General Statement of Policy and Objectives**

It is the policy of the Town of Lunenburg to encourage employees to attend training courses, seminars, conventions and meetings ("courses, etc.") which will upgrade their qualifications and job-related skills.

The objectives of this policy are:

1. to increase employees' competence in their present jobs, thereby increasing their contribution to the Town; and
2. to provide employees with an opportunity to receive increased benefits from their work through future advancement.

### **Statement of Procedures**

1. Each Department Head will submit estimates of expenditures for courses, etc., when preparing their budget. Council shall approve a training and development program for each department as part of the budget. Each Department Head will correspond with relevant training and educational institutions to obtain current information on available courses, etc., and keep staff informed of training and development opportunities.
2. When requesting approval to take a course, etc., with or without pay the employees must satisfactorily demonstrate that it will increase their effectiveness in their present jobs.
3. When requesting approval to take a course, etc., the employee should complete the application form (Schedule "A") and submit it to their Department Head at least thirty days before the commencement of the course, seminar or convention. Upon approval by the Department Head, the request will be forwarded to the CAO for final approval. A copy of the completed application form shall be placed on the employee's Personnel File whether it is approved or not, and a copy shall be given to the employee. If the request is one which cannot be approved within the current budget, then a special request for approval may be made by the CAO to Council.
4. If the course, etc., is not directly related to the employee's present work, on recommendation of the CAO, the CAO may decide that the Town will benefit nonetheless, and the employee may be granted a leave of absence without pay. A leave of absence without pay may also be granted for courses, etc., which cannot be covered by Council's budget. If Council feels that it can bear part of the expense, arrangements may be made for the employee to pay the balance. This clause applies only to those courses, seminars and conventions which are requested by the employee.

5. The Town of Lunenburg has a \$1,200. limit per individual for convention expenditures annually. Department Heads will identify conventions that they wish to attend in their relevant budget estimates for the upcoming fiscal year. Conventions are generally considered to be the annual general meeting of a professional type association of which the staff person is a member. All other training courses, seminars and meetings will be considered under a separate budget category for staff training. When considering an employee's application for a convention, the Department Head and CAO will bear these budgetary restraints in mind. The Town Council may approve the attendance and payment of full costs of staff at conventions over the \$1,200. limit, if, it is felt that it would be an advantage to the individual and the Town. Such a request should be made and determined by Council at the time of setting the Town's budget.
6. The Department Head and CAO shall also base their approval or disapproval of a request pursuant to this policy on other relevant factors such as the staffing needs of their department at the time the employee has requested to be absent.
7. When two employees apply for a course, etc., and only one of them can attend due to the restrictions referred to above, the Department Head should decide between them on the basis of these considerations:
  - a. which of the employees is in the greatest need of the training or education; and
  - b. which of the employees has had an opportunity to attend a similar event most recently.

If these factors do not assist in arriving at a decision, then the senior employee shall be chosen to attend the course, etc.

9. Department Heads, the CAO and/or Council may require employees to attend courses, etc., which will upgrade their qualifications and job-related skills.
10. Expenses for attendance at courses, etc., will be reimbursed as follows within approved budget levels:
  - a. Transportation: the actual cost of the most economical mode of travel. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following kilometer amounts are established for travel to the below noted places:

- Bridgewater      40 Kilometers
- Chester          80 Kilometers
- Halifax Airport 250 Kilometers
- Halifax          200 Kilometers
- Liverpool        130 Kilometers
- Mahone Bay      25 Kilometers
- Dartmouth       220 Kilometers
- Sydney           1100 Kilometers
- Wolfville        200 Kilometers

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to fund the seminar, etc.

- b. Hotel or Motel: actual cost.
- c. Meals:
  - i. courses, etc., exceeding more than one (1) day: \$30. flat maximum cost per day. 1 day course, etc.: \$12.00 for lunch; if, however, a one (1) day course, etc., runs over two (2) meal periods, because it is not possible to return home before 6:00 p.m. or the employee must leave home prior to 6:30 a.m., an additional \$12.00 may be claimed; and, if, three (3) meals are required, the \$30.00 daily amount may be claimed. These are set rates and no receipts are required for reimbursement.
  - ii. maximum for only Council, senior management and Lunenburg and District Fire Department out of Town training, conferences or other businesses representing the Town - \$15.00 breakfast, \$20.00 lunch, and \$35.00 dinner (evening), to a daily maximum of \$70.00 (no receipts required). And further, increase to incidental allowance to \$15.00/day with a \$75.00 maximum.
- d. Registration Fees: actual cost.
- e. Miscellaneous Expenses - employees may also claim up to \$10. per day for each overnight stay to a maximum of \$30. per week without receipts for those expenses for which receipts are unavailable when attending a course, etc., that exceeds one day and requires an overnight stay outside the Town (other than their own residence). Receipts should be presented for all miscellaneous expenses whenever possible. Miscellaneous expenses may include tips, parking, taxis, buses, etc., but cannot be used to increase meal allowances.
- f. The Mayor, CAO and/or their designate(s) may use the per person expenses listed above in subsection (c) to entertain officials if it is in the interest of the Town to do so. If possible, a Town purchase order should be used in such instances. Receipts should be kept for reimbursement of these expenses. Council must approve the reimbursement of expense claims that exceed these limits.
- g. Claimants must submit an Expense Claim Form as attached hereto as Schedule "B" when seeking reimbursement for the expenses listed above and such form will be submitted within sixty (60) days of the expenses being incurred to the relevant Department Head and CAO for approval.

Original receipts should be attached to the completed claim form as required.

- h. Expenses of spouses will not be reimbursed, unless the spouse is invited by Council to attend.
- 11. If more than one staff member is attending the same course, etc., they are expected to travel in one vehicle, and, where reasonable, share accommodations.
- 12. All accommodation and travel bookings are to be made by the Town Office secretaries to ensure utilization of government discounts and Town purchase orders.
- 13. If a non-management/non-unionized employee is required and approved by their Department Head and CAO to attend a course, etc., which is partly or entirely outside their regular work hours, excluding travel time, they shall be compensated with straight hourly pay or straight time off in lieu of pay as determined by the Department Head and CAO.
- 14. If a non-management/non-unionized employee personally requests to attend a course, etc., no additional remuneration will be given to them for any portion of time in attendance at or travel to and from the course, etc., outside their regular work day.
- 15. Advances for expenses may be made to the employee for those expenses which are known when the employee so requests. An expense claim form (showing deductions for advance monies received) and receipts, as required, must still be completed on the employee's return from the course, etc.
- 16. Upon completion of the course, etc., the employee shall forward a written report regarding the course, etc., to the relevant Committee or Council at their earliest opportunity. Progress reports and course marks for courses, etc., longer than one (1) year must be reported to the relevant Committee or Council annually. These reports shall be retained in the employee's personnel file.

**Draft revised section 6 (2) – GG Jan 16/20****EMPLOYEE EXPENSES****I. General Statement of Policy and Objectives**

It is the policy of the Town of Lunenburg to provide for certain expenses which employees incur in the course of their work. The purposes of this policy is to specify which expenses will be paid for by the Town.

**II. Statements of Procedures****1. Reimbursement for Mileage**

There is no reimbursement of mileage within Town limits. However, any employee who uses his/her own vehicle for Town purposes as approved by the CAO outside the Town limits shall be reimbursed for distance travelled at a rate set annually by the Town.

Further, the CAO, Recreation Director, Public Works Superintendent and other employees determined by the CAO or Finance Director shall receive a car allowance of \$40.00 per month for the use of their car within Town limits for Town purposes. The Building/Fire Inspector shall be paid \$80.00 per month for mileage costs within Town limits for Town purposes.

And further, the Superintendent of the Public Works Department or employees in their Department shall be reimbursed at a rate of \$17.00 per day or \$9.50 per half day for the use of their own vehicles if departmental vehicles are not working and a replacement vehicle is required to carry out the necessary departmental work. It shall be the responsibility of the Department Head to request a purchase order from the Town Purchasing Agent for use of their vehicle in advance verifying that it is required. Departmental vehicles shall mean the van and half (½) ton trucks in the Public Works Department.

For out of Town trips Council shall establish set mileage distances for reimbursement purposes. Current mileage distance from the Town of Lunenburg and return to various communities are as follows:

- Bridgewater                      40 Kilometers
- Chester                            80 Kilometers
- Halifax Airport                250 Kilometers
- Halifax City                      200 Kilometers
- Liverpool                        130 Kilometers
- Mahone Bay                      25 Kilometers
- Dartmouth                        220 Kilometers

- Sydney 1100 Kilometers
- Wolfville 200 Kilometers

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor.

## 2. Special Use of Town Vehicles Outside Regular Work Hours

The following staff are permitted to use a Town vehicle as described below outside regular work hours: Town Engineer and Public Works Superintendent; to go home for lunch (12:00 noon approximately); and to go home for dinner (after work 4:30 p.m. or 5:00 p.m. approximately), if, they are required to return to work in the evening or to check on emergency situations (e.g., check streets during snow storms), or will be attending an out-of-Town evening meeting on behalf of the Town of Lunenburg, returning to work in the evenings for emergency situations such as weekend snow storms, the Town Engineer and Public Works Superintendent are also permitted to take the vehicle home on the weekend when it is expected that the vehicle will be needed to check streets during snow storms. The vehicles that may be used for this purpose are as follows: Public Works Department van or half (1/2) ton trucks.

This benefit is provided because these employees are on call and may need to attend emergency situations, meetings, etc. outside regular work hours and directly from their homes.

## 3. Reimbursement for Other Expenses

Any employee who is required to leave the Town on business shall be reimbursed for expenses incurred as a result of the trip, including transportation, lodging, meals and parking. Employees will be required to verify expense claims with receipts. Any employee who attends a conference, convention, seminar or training session, or who takes a course, shall be covered by the provisions of the Town's policy regarding staff training and development.

**TOWN OF LUNENBURG PROCEDURAL POLICY #6 - WORK  
ON PRIVATE PROPERTY**

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**PURPOSE**

1. The Policy outlines the limited private property work Town of Lunenburg ("Town") staff may do and cost for same.

**ELECTRIC UTILITY**

2. The Town's Electric Utility provides private street light maintenance in accordance with Policy #10 Private Street and Yard Lights.
3. The Town's Electric Utility will only provide such other private property work as is permitted by the Town's Electric Utility Regulations and its Nova Scotia Power service arrangement.

**PUBLIC WORKS DEPARTMENT**

4. The Town's Public Works Department will only provide, install, repair or replace new and existing culverts to access private property in accordance with Policies #48. Ditch and/or Culvert Systems and #78. Driveway Access if work scheduling allows. Such work will be charged at the applicable Town charge out rates for supplies, equipment and services as set out in sections 10 and 11 herein. Otherwise the Town Engineer or designate shall advise the private property owner that they must select a private contractor to perform the work whom the Town Engineer or designate will approve in advance of the work. The Town Engineer or designate will inspect the work the authorized private contractor has done to determine if it is satisfactory or it shall be redone to meet their approval at the private property owner's expense.
5. Installation, repair or replacement of new and existing water and sewer laterals work shall be done in accordance with Policy #3. Installation/Repairs to Sanitary Sewer, Storm Sewer and Water Laterals which shall be done at the Town's cost. The private property owner is responsible for arranging and private contractors authorized by the Town Engineer or designate to do water lateral work from their building to the street right of way and sewer laterals from their building to the sewer main. The Town Engineer or designate will inspect the work the authorized private contractor has done to determine if it is satisfactory or it will be redone to meet their approval at the private property owner's expense. The Town is responsible for the remainder portions of these laterals.
6. No additional private work will be performed inside or outside Town limits except as approved by Town Council, Town Engineer or designate and Town insurer in advance of such work being done at the applicable Town charge out rates.

7. No plowing, sanding or salting of private roads will be done by the Town unless approved in advance by Town Council, Town Engineer or designate and charged out at the applicable rates established by Town Council.
8. No Town equipment including but not limited to motor vehicles, backhoe, plumbing supplies, pumps, etc. and supplies, e.g., gravel, salt, etc. will be rented, loaned or sold to any private property owner. These items are for Town use or authorized Town personnel only in accordance with this Policy, Policy #91 Town Equipment Loan and Use and the Town Personnel Policy.
9. The maintenance of driveway and walkway entrances from the travelled portion of streets to the street line will be the responsibility of adjacent private property owners unless damage is created by street drainage or snow and ice removal by the Town which shall be repaired by the Town at its cost.
10. To reduce administration costs for smaller private jobs, any charges for private property owners totalling \$200 or less, plus HST, must be pre-paid. A Town Work Order describing the work to be performed will be completed in duplicate and signed by the Town Engineer or designate. The private property owner will be given a copy to deliver to the Corporate Services Department where the private property owner will be required to pay in full prior to any work being performed. A receipt will be issued to the private property owner when the amount is paid for presentation to the Town Engineer or designate to schedule a time when the private property work can be performed.
11. Any private work in excess of \$200, plus HST, may be completed on an account billing basis through the Corporate Services Department. The Town Engineer or designate will complete a Town Work Order estimating the cost of the work to be performed and terms of payment for which a 50% deposit is required by the Finance Director or designate. No work is to be performed before a signed Work Order is completed, signed by the private property owner and the 50% deposit paid. When the work is completed the Town Engineer or designate will complete the Town Work Order listing the actual time, equipment and materials used and forward it to the Finance Director who will calculate the final invoice providing the private property owner thirty days in which to pay it in full.
12. This Policy repeals and replaces Policy #6. Work on Private Property and Policy #22. Work Orders and Payment for Work Performed by Electric Light Department and Department of Public Works on Behalf of Private Companies and Individuals.

**HERITAGE ADVISORY COMMITTEE MEETING RECOMMENDATIONS**  
**MONDAY, NOVEMBER 18, 2019**

1. (a) Recommend to the Planning Advisory Committee the refusal of ABCO's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area as per the staff report (Schedule "D"); and  
  
(b) Include the proviso that the use of metal cladding be permitted under the revised Heritage Conservation District Plan and Bylaw for commercial and industrial buildings in New Town Waterfront Buildings Area, where it is fitting with surrounding buildings.
2. to recommend to the Planning Advisory Committee the refusal of the owner's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, from the Architectural Control Area as per the staff report (Schedule "E").

**HERITAGE ADVISORY COMMITTEE MEETING MINUTES**

**MONDAY, NOVEMBER 18, 2019 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Councillor Peter Mosher, Chair  
Councillor Ronnie Bachman  
Stephen Ernst  
Nathalie Irving (departed 6:23 p.m.)  
David John Lobb  
Oliver Osmond  
Mayor Rachel Bailey, ex officio

**ALSO PRESENT:** Arthur MacDonald, Heritage Manager  
Heather McCallum, Assistant Municipal Clerk

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The Chair called the special meeting to order at 5:15 p.m.

1. Agenda

Motion: moved and seconded to approve the agenda. Motion carried.

2. September 16<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

October 7<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

October 15<sup>th</sup>, 2019 Heritage Advisory Committee meeting PPM minutes

October 21<sup>st</sup>, 2019 Heritage Advisory Committee meeting PPM minutes

October 21<sup>st</sup>, 2019 Heritage Advisory Committee meeting minutes

Motion: moved and seconded to approve the September 16, October 7, and 21, 2019 Heritage Advisory Committee meeting minutes and the September 15 and 21, 2019 Heritage Advisory Committee Public Participation Meeting minutes. Motion carried.

In response to a Committee question on matters arising from the October 7, 2019 minutes, the heat pump installed at 112-118 Lincoln Street is not yet screened. The Heritage Manager (HM) is aware of the status and confirmed the screen will be put in place.

3. Public Hearings and Presentations

Nil.

#### 4. Unfinished Business

##### a. Heritage Conservation District Plan and By-law Review

The HM circulated the handout “Uses excluded from Heritage Conservation District (HCD) Plan and By-law” (Schedule “A”) and reviewed his report (Schedule “B”), including several public submissions for a potentially further expanded Heritage Conservation District (HCD) boundary.

In response to questions by the Committee, the HM explained that if boundaries are changed, a new Background Study would be required which would in turn have to be re-submitted to Council and the Province for approval.

The Committee agreed by consensus that they will proceed with the current Heritage Conservation District boundaries as envisioned in the Background Study approved by Council on March 27, 2018 (Schedule “C”). The Committee is open to considering expansion of the boundaries once the revised Heritage Conservation District Plan and Bylaw come into effect.

#### 5. New Business

The Chair noted that while the Planning Advisory Committee has authority over amendments to the Municipal Planning Strategy and Generalized Future Land Use Map, the applications for removal from an Architectural Control Area were raised by members of the public in both HAC Public Participation Meetings (October 15 and 21). For this reason, and because changing the boundaries on Land Use Bylaw (LUB) Architectural Control Areas affects the boundaries for the proposed Heritage Conservation District, comments on the applications from a heritage perspective is considered relevant to this Committee. Possible feedback to PAC will therefore be considered by HAC at this meeting for these two agenda items.

##### a. 69 Tannery Road – ABCO’S Removal from LUB Architectural Control Area

The HM reviewed his report (Schedule “D”) to offer a heritage impact analysis of ABCO’s application for the purpose of manufacturing expansion. He advised that the revised Heritage Conservation District Bylaw, if passed, has provisions regarding buildings located in the Waterfront Buildings Area that are not as stringent at the current LUB Architectural Control Area provisions. A new commercial or industrial building would currently trigger a public hearing under the revised Heritage Conservation District Bylaw, but building expansions under a single roof form would not. Building expansions are not limited in size provided each component under a single roof form does not exceed 800 square metres.

The Committee discussed the historical relevance of former Camp Norway, as a Norwegian military training facility during WWII, which is located on ABCO’s property.

Motion: moved and seconded to:

- a) Recommend to the Planning Advisory Committee the refusal of ABCO’s request to amend the Generalized Future Land Use Map (GFLUM) of the Town’s

Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area as per the staff report (Schedule "D"); and

- b) Include the proviso that the use of metal cladding be permitted under the revised Heritage Conservation District Plan and Bylaw for commercial and industrial buildings in New Town Waterfront Buildings Area, where it is fitting with surrounding buildings.

Motion carried. Councillor Bachman voted in the negative.

The Committee discussed the HM's suggestion that correspondence be sent to Parks Canada requesting their review and comments in keeping with the Operational Guidelines for the Implementation of the World Heritage Convention regarding the potential infilling of Lunenburg's Harbour and the potential development of the infilled lands' possible impact on the Outstanding Universal Value of the Old Town Lunenburg World Heritage Site.

The Committee decided by consensus that it was premature to correspond with Parks Canada regarding any potential future infill development, as there is no current application from ABCO regarding this.

b. Lot A1- Dufferin Street – Removal from LUB Architectural Control Area

The HM reviewed his report (Schedule "E").

Motion: motion moved and seconded to recommend to the Planning Advisory Committee the refusal of the owner's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, from the Architectural Control Area as per the staff report (Schedule "E"). Motion carried.

The HAC's recommendations on the two applications and HM's reports will be forwarded to the PAC for their possible consideration.

6. Adjournment

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 7:27 p.m.

The next meeting is scheduled for Wednesday, January 20, 2020 at 5:15 p.m.

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Heather McCallum, Assistant Municipal Clerk

## Uses excluded from Heritage Conservation District Plan and By-law

During the Public Participation Meeting of October 15<sup>th</sup> and 21<sup>st</sup> there was a discussion regarding the protection of Lunenburg's historic waterfront and there may have been some confusion regarding our ability to regulate "uses" verses our ability to relate the "aesthetics" of buildings and settings.

Let's be clear, we cannot regulate "uses" under the Heritage Conservation District Plan and By-law. Municipalities can only regulate "uses" pursuant to their Municipal Planning Strategy and Land Use By-law.

The Heritage Property Act and the Heritage Conservation Districts Regulations which provide the authority for municipalities to create Heritage Conservation District explicitly states that Heritage Conservation District Plans and By-laws cannot regulate the "use" of land.

### **Heritage Property Act:**

#### **Design guidelines**

**19C** Design guidelines included in a conservation by-law shall

- (a) with respect to a building or structure, address only the exterior of the building or structure;
- (b) not address the use to which land, a building or a structure may be put. 1991, c. 10, s. 4.

Circulated: \_\_\_\_\_

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Document No: 4(a)  
Meeting: HAC – November 18, 2019  
Circulate To: HAC, Council, BR,  
File:

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**MEMORANDUM**

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**  
**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**  
**DATE: NOVEMBER 12, 2019**  
**RE: HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW REVIEW**

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**1. FACTS**

**A. Background**

During the regular meeting of March 27<sup>th</sup>, 2018 Council approved the "Background Study - Towards a Revised Heritage Conservation District" complete with a Public Participation Program. In keeping with the Heritage Conservation Districts Regulations, the Background Study was submitted to the Minister of Communities, Heritage and Culture for his determination as to whether further background studies would be required. On May 17, 2018 the Minister advised no further background studies would be required.

The revised Heritage Conservation District Plan was reviewed by the HAC during their meeting of May 15, 2018. During the HAC meeting of July 16<sup>th</sup>, 2018 the HAC initiated the review of the revised Heritage Conservation District By-law. Comments were received and amendments were introduced into the proposed By-law, outlined in "red". Staff met with the Town Solicitor to review the revised Plan and By-law. The attached draft By-law has incorporated revisions from this legal review. The most significant change is that due to Section 17 of the Heritage Property Act, designated Municipal Heritage Properties undertaking a substantial alteration will still require Council's approval even though it meets the heritage provisions of the By-law. Part 3.17 of the By-law has been revised to reflect this requirement.

During the HAC meeting of September 17<sup>th</sup>, 2018 the Committee reviewed a table outlining the differences between the MPS/LUB Architectural Control Areas provisions and the proposed provisions under the Heritage Conservation District By-law. It was noted that the MPS/LUB provisions restricted development styles to those existing within 300 feet of the development whereas the proposed Heritage Conservation By-law enabled the development of any style compatible with Lunenburg's Historic Architecture Styles as outlined in Schedule "C" of the By-law. This provides a greater selection (flexibility) to the applicant with regards to their development plans.

The HAC meeting of September 17<sup>th</sup>, 2018 also reviews a table outlining the differences between the existing Heritage Conservation District By-law and the proposed Heritage Conservation District By-law. The following amendments were noted:

- 1) That the section dealing with “Aprons” under decks and stairs be amended to enable the use of composite materials that have the appearance of wood and to encourage the use of wooden material that are painted or stained in a solid colour or otherwise left to weather in their natural finished state.
- 2) That the section dealing with additions onto existing buildings not to exceed 25% of the existing building’s footprint be made more clearer in keeping with the definition of “Existing” to prevent the accumulations of additions over time without triggering the requirement for a public hearing process.

During the HAC meeting of October 29<sup>th</sup>, 2018 the Committee reviewed the Heritage Conservation District By-law, Sections 1.0 through 4.0, as well as Schedule “A”, Schedule “B”, Schedule “C” and Sections 1.0 and 2.0 of Schedule “D”, Design Guidelines.

It was agreed that the HM will make the following revisions to the By-law and Guidelines for further Committee consideration:

1. The trigger for a public hearing for demolition reviews should be set at greater than 25% of the building’s footprint rather than the proposed 50% as envisioned in the By-law.
2. Attached solariums, pergolas and trellises should be prohibited on the principal front and flanking facades of buildings.
3. Both canvas and plastic tarp shipyard buildings east of Ship Yard Hill will be further discussed.

During the HAC meeting of November 19, 2018 the Committee was in general agreement with the revisions to reduce the trigger for a public hearing for demolitions from 50% to 25% of the building’s footprint as well as the revisions regarding attached solariums, pergolas and trellises being prohibited on the principal front and flanking facades.

The Committee discussed canvas and plastic tarp buildings and was in general agreement to enable them in the Marine Industrial (MI) Zone subject to being “temporary” under a proposed Land Use By-law provision. However, it was agreed that the issue pertaining to whether they should be for the shelter of ships and vessels solely, or if marine related purposes would also be appropriate should be further discussed. The Committee agreed to review this issue at the next meeting. Proposed drafts for the Committee’s consideration are outlined below:

#### **4.2 Types of development for which a Certificate of Appropriateness shall not be required**

A Certificate of Appropriateness shall not be required for the following types of development:

- (8) canvas and plastic tarp buildings on lots directly abutting Lunenburg’s Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components.

#### **5.23 Canvas and Plastic Tarp Shipyard Buildings**

Notwithstanding anything else in this By-law, canvas and plastic tarp buildings may be erected on lots directly abutting Lunenburg’s Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components without the issuance of a Certificate of Appropriateness.

The Committee then initiated the review of Part 3.0 “New Residential Buildings” of Schedule “D” – Design Guidelines. Overall the Committee was in general agreement with the provisions and agreed to pick-up and continue its review starting with Part 4.0 “New Commercial Buildings” at the next meeting.

During the HAC meeting of January 21, 2019 the committee was in agreement with the wording associated with Part 4.2 and Part 5.23 as submitted. The Committee then focus on Section 4.0 New Commercial Buildings and Section 5.0 New Waterfront Buildings.

Under Section 4.0 the Committee was in agreement that Part 4.6 Set-back should apply to all buildings and agreed to a slight re-wording from the version circulated for the meeting: “New commercial buildings shall have,” to “New buildings in the GC zone shall have...” to be applicable for all new buildings along the streetscape, not just commercial buildings.

Under Section 5.0 the Committee recommended a re-wording of Part 5.22. Discussion arose about concerns about encasing concrete in traditional wood re: cost, aesthetic, maintenance, and safety. It was agreed that (a) concrete pilings are acceptable; and (b) above the waterline, it is preferred that concrete decking be encased in wood but will not be required.

### **5.22 Wharves**

The preferred material for wharves and wharves’ decking is wood. However, wharves may be constructed of modern materials such as reinforced concrete piles with concrete decking or with modern composite materials. It is preferred when modern materials are used the modern material above the water line are encased with traditional wooden materials. However, modern materials above the water line not encased in traditional wooden materials are acceptable.

Overall the Committee was in agreement with the provisions of Part 4.0 and Part 5.0 and agreed to pick-up and continue its review starting with Part 6.0 “New Institutional Buildings” at the next meeting.

During the HAC meeting of March 18, 2019 the Committee reviewed Part 6.0 “New Institutional Buildings”, Part 7.0 “Accessory Buildings (Outbuildings)” and Part 8.0 “Fences” and agreed to begin the next meeting with Part 9.0 “Signs” at the next meeting.

The Committee had a general discussion on what happens when a proposal does not meet the Design Guidelines. Currently there is no mechanism to allow approval of a development that does not meet the design guidelines, but it may be in Lunenburg’s best interest to consider a mechanism to enable Council to consider the proposal rather than refusing the development outright or undertaking an amendment process to the By-law which requires a Public Hearing and Provincial approval, roughly a 3-6 month process. The HM will consider adding a “notwithstanding” clause to allow for a less onerous mechanism in consultation with the Town’s Solicitor.

The illustrations in Part 7.15 dealing with “roof top Decks” for accessory buildings will be deleted to avoid confusion.

Under Part 8.0 “Fences” the Committee discussed whether it was appropriate to enable “Wooden Post and Iron Pipe fences”. It was agreed that the option should still remain with the inclusion of “Wooden or concrete post and iron pipe fences”.

Under Part 9.0 “Signs” it was agreed to add signage definitions from the Land Use By-law.

The Committee agreed to pick-up and continue its review starting with Part 9.0 “Signs” at the next meeting.

During the HAC meeting of May 27, 2019 the Committee reviewed Part 9.0 “Signs”, Part 10.0 “Utility Structures” and Part 11.0 “Retaining Walls”.

It was agreed that Part 10.1 be amended to ensure that utility structures located on or supported by the ground are prohibited from being located in the principal front yard or flanking yard of a property.

The HM submitted his memo regarding the inclusion of 5 additional Accessory Buildings that would require a Public Hearing prior to the issuance of a demolition permit. It was agreed that this concept will be reviewed again at the following meeting.

The HM introduced his memo regarding a general “Notwithstanding Clause” that would enable applicants the ability to go through a Public Hearing process for those developments that are not in compliance with the Heritage Conservation District By-law provided there is a significant community benefit. It was agreed that this provision would not be included in the proposed Plan and By-law but was identified as a provision that we would keep in mind in case a situation arises in the future where Council may be so inclined to implement at a later date.

This completed the HAC’s review of the proposed Heritage Conservation District Plan and By-law. It was agreed that the entire Plan and By-law will be submitted to the Committee during the following HAC meeting schedule for September 16<sup>th</sup>, 2019.

During the HAC Meeting of September 16<sup>th</sup>, 2019 the Committee reviewed the staff report regarding Accessory Buildings. Though all five accessory buildings were worthy of special protection requiring Council’s permission prior to the issuance of a demolition permit, it was agreed to accept those whose owners had agreed to the special protection measures, namely 120 Tannery Road and 160 Tannery Road. It was agreed that these two accessory buildings be added to the existing list of 36 Pelham Street and 56 Prince Street, pursuant to the Heritage Conservation District Plan and By-law review.

The Committee reviewed the draft Heritage Conservation District Plan and By-law and agreed to proceed with two Public Participation Meetings. The first scheduled for October 15<sup>th</sup>, 2019 which will focus on the Plan and By-law provisions and a second meeting scheduled for October 21<sup>st</sup>, 2019 focusing on the Design Guidelines.

#### **Public Participation Meeting Review:**

Two Public Participation Meetings were held (October 15<sup>th</sup> and October 21<sup>st</sup>, 2019) to obtain public feedback concerning the draft of the proposed Heritage Conservation District Plan and By-law.

During the Public Participation Meetings, the HAC heard comments that the requirement to paint or stain railings and fences should be removed. There was agreement from the committee members that this was a reasonable request and the Design Guidelines have been amended to reflect this notion.

Comments were received regarding the extension of the District’s boundaries along the shoreline of Lunenburg’s harbour, including the Foundry lands, the Golf Course as well as an extension along Bruma Road. Concepts Drawings A through F outlining the areas are attached for discussion. A further submission was received and is attached as Attachment D.

Though the Heritage Conservation Districts Regulations do not shed any light on whether a new background study would be required if the boundaries change, it should be noted that the Province may wish the Town to undertake a new Background Study if the proposed boundaries do change significantly. Note if the Province requires a new Background Study the Plan and By-law's approval and implementation may not happen until after the municipal elections in the fall of 2020.

### **Part 7(1) of the Heritage Conservation Districts Regulations - Background Study:**

#### **Background studies and information**

**7 (1)** In the preparation of a conservation plan and by-law, the council as a minimum shall undertake studies relating to the following:

- (a) the rationale or justification for heritage conservation measures in the district;
  - (b) the rationale for the boundaries of the district;
  - (c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
  - (d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).
- (2)** After acceptance by a council of background studies prepared pursuant to this Section, the council shall provide public access to the studies and provide two copies of the studies to the Minister.
- (3)** Within sixty days of the receipt of the studies, the Minister may prescribe additional background studies.
- (4)** The Minister shall advise the council when no additional studies are required.

Fees were raised as a concern. Though Certificates of Appropriateness and Development Permits are free, it is recommended that Council consider waiving the advertising costs associated with any required Public Hearing pursuant to the revised Heritage Conservation District Plan and By-law.

The Town received two (2) written submissions with regards to the Public Participation process. They are attached in Attachment C.

#### **B. Proposal**

Throughout the By-law review the Committee discussed the restrictions on the use of materials. Staff recommended the status quo with regards to the restriction on wooden cladding materials but acknowledge the need to recognize issues pertaining to the longevity and maintenance of wooden materials. For example the By-law currently enables the use of vinyl insert windows, the use of metal roofing materials and the use of composite materials that have the appearance of wood in limited cases such as curved posts and aprons under decks and stairs. The By-law also enables the use of non-combustible materials where required under the Building Code.

Providing provisions that recommends materials but may include others, essentially enables the others as-of-right. This creates a slippery slope that may have dire consequences in the long run and is not recommended. Council does have the ability to incorporate provisions such as a "notwithstanding anything contained in this by-law" clause which could require, for example, the approval of modern composite materials through a public hearing process. This type of provision put the onus of approval on Council, the resolution of which may prove difficult at the best of times due to competing viewpoints between the needs of the applicant, neighbours, citizen groups, etc. Council's approval through the public hearing process may also be appealed to the Public Utility and Review Board pursuant to Section 19H (1A) of the Heritage Property Act. This may cause animosity between groups of competing viewpoints and could result in a no win

situation. Rather than open Pandora's Box at this time, it is recommended that we do not implement a notwithstanding clause of this nature at this time.

**2. ISSUES AND OPTIONS**

The submission of the draft Heritage Conservation District Plan and By-law is intended for information purposes to aid in the further development of the District's Plan and By-law. Once the HAC and the Town Solicitor are comfortable with the draft, the HAC will then advertise for a Public Participation Meeting in keeping with the Public Participation Program.

The Public Participation Meetings were held on October 15<sup>th</sup> and 21<sup>st</sup>, 2019. It is the intention of the HAC to review the comments received.

**3. FINANCIAL IMPACT**

There is a financial cost associated with undertaking a Revised Heritage Conservation District Plan and By-law. Sufficient funds have been allocated to proceed with the development of the Revised Heritage Conservation District Plan and By-law in the 2019/20 fiscal year's budget.

There would also be additional costs associated with waiving the advertisement fees for required Public Hearings associated with the revised Heritage Conservation District Plan and By-law.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:  
Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;  
Strategic Plan Goal #2 – To promote our UNESCO designation;  
Strategic Plan Goal #5 – To develop and update Town By-laws;

**5. RECOMMENDATION**

For discussion purposes only. It is recommended to proceed with the current boundaries as envisioned in the Background Study as approved by Council on March 27<sup>th</sup>, 2018.

**ATTACHMENTS:**

- A. Draft of the proposed Heritage Conservation District Plan and By-law
- B. Concept A, B, C, D, E and F.
- C. Written Submissions by John and Gail Patriarche, and Susan Pratt
- D. Cheryl Lamerson Submission with Map
- E. Sheila Gallagher Submission

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# Attachment C

P.O. Box 1600  
136 Tannery Rd.,  
Lunenburg, NS  
B0J 2C0

**John & Gail Patriarche**

[crown@eastlink.ca](mailto:crown@eastlink.ca)  
Ph: (902) 634-3020

Arthur MacDonald,  
Heritage Manager  
Town of Lunenburg, NS

Oct. 21, 2019

Dear Arthur MacDonald

I am writing this letter in regards to the proposed new HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW

I note from the Attached Map that the boundaries include areas outside of the core area. Example, Dufferin St., Falkland St. Tannery Rd. It appears that the committee has expanded the area now proposed, so that approaches to Town which are highly visible, also are included in the new Conservation District.

This is all very good.....EXCEPT I don't see why you have excluded that area between the Core Area and Tannery Rd. Area. (Lower St, Falkland St., Tannery Rd. and Harbour) It is just as visible, and should also be controlled so as **“to be compatible with the traditional waterfront vernacular to maintain Lunenburg's traditional historic waterfront built form”**

I believe that the committee has the common sense and is armed with sufficient information on the preservation of that important part of Lunenburg ....our waterfront ... to make the decision to include this area as well.

IF NOT... it leaves the door open for persons or businesses to opt out of the Conservation District. This can be seen immediately as it is noted that in the next Town Council Meeting, (Oct. 22) there will be a request by ABCO, which is currently included in the Conservation District, to be excluded. If this were to be approved by Council, it would be in direct contravention to the purpose of the new Plan... that being **“to be compatible with the traditional waterfront vernacular to maintain Lunenburg's traditional historic waterfront built form”**

By adopting this new Plan, I believe it would give the Town the authority to deny the current proposal by ABCO to proceed with its Development Plan that includes infilling the harbour adjacent to their property for the building of 2 storey apartments (condominiums).

Also it would assist in their decision making to deny approval of the building of Residential buildings on their existing property, which is zoned Marine Industrial.

Both of the above surely could not be considered, as being a step in the direction of maintaining Lunenburg's traditional historic waterfront .

It is not only the Tannery Rd. residents who are affected, but all of Lunenburg. Although it is not an area within the currently designated UNESCO area of Lunenburg, it is close enough that 'Line of Sight' especially from Tannery Rd. or the Lunenburg Waterfront would be negated. We must remember, that Dresden, Germany was a designated UNESCO site, but lost its designation when it built a bridge that was deemed to ruin the 20-kilometer long (12 mile), World Heritage-worthy stretch of Dresden cityscape.

I do not want this to happen and I believe that in the hearts of most Lunenburg Residents, they cherish our UNESCO designation. It certainly shows with the number of cars and Tour Buses that stop on Tannery Rd. to take that perfect picture of the Town.

I note that the Project Lunenburg's mandate seems to include "Keeping Contemporary needs while preserving Heritage". And "Protecting Views of the Lunenburg Cultural Landscape" just as important.

I also note in the Town's handout piece of literature about the UNESCO World Heritage Designation Ceremony, the following paragraph, "A nations cultural and natural heritage is one of its most important possessions. It is irreplaceable; any loss is a tragedy, not only for the nation concerned, but for humanity itself."

I have Attached a copy of your Map, but it includes the omitted area in Red that I feel should be included.

This is also the feeling of our members of the 'Save Our Lunenburg' Group.

Your truly,

A handwritten signature in black ink, appearing to read "John & Gail Patriarche". The signature is stylized and includes a long horizontal line extending to the right.

John & Gail Patriarche,  
136 Tannery Rd.





**SUSAN S. PRATT**  
PO Box 597  
208 Adams Street  
Lunenburg, N.S. B0J 2C0

October 23, 2019

Town of Lunenburg  
Heritage Advisory Committee  
Peter Mosher, Chair  
Ronald Bachman, Oliver Osmond, Natalie Irving, Steven Ernst, David John Lobb  
Arthur MacDonald, Heritage Manager

Dear members of the Committee:

Thank you for your efforts in updating the Heritage District By-Law and new Heritage Conservation District Plan.

I attended the second public participation meeting held on October 21, and would like to follow up by offering some comments for the Committee to consider:

I did not read nor hear anything about the criteria you used to designate what streets, area would be included in the historic district.

Perhaps you did not use any specific criteria (such as age) in your deliberations but I wonder why the properties on Dufferin and the corner of Tupper are included—perhaps to make an even side to the area? What was known as the Powers house is included and is younger than for example, some houses on the lower part of Green Street which are not included in an historic district.

Perhaps, your reasoning may have included that you did not wish to enlarge the historic district too much thereby increasing the number of affected households? So, I do wonder about how borders of historic areas were determined.

May I suggest that you consider including the east side of Falkland Street and Young Street in the historic district?

At the meeting, I raised the question which to me is just as important as the suggested architectural guidelines – and that is colour. Many historic districts have strict guidelines concerning colour. Lunenburg has none. In my opinion, one of the glaring omissions in the original bylaw was colour. Many of us only discovered this omission in the by-law when one individual property owner decided that Lunenburg's colours were too dull, and then chose to paint her buildings colours that were not historically appropriate. When we raised our concerns to the Town, we were told that nothing could be done because the by-law did not include provisions about colour. Lime green, azure blue, raspberry pink, brown mustard were colours never in Lunenburg's historic home palette. Perhaps, since I am in my mid-80s and can remember how the houses used to be, I find these colours totally incompatible with the architecture. Unfortunately, weird colours have proliferated – I mean really - lavender??

Waterfront, commercial properties were often painted strong, primary, vivid colours but residential homes were generally white with black trim, or had subdued, muted colours. Perhaps, the committee is

not opposed to jelly-bean St. John's colours on our streets, but if so, do not pretend to yourselves and others that homes are being maintained with historic appropriateness and accuracy.

I would urge that since many guidelines are being established, that the committee seriously consider arriving at suggested appropriate colour options. I believe that Lunenburg historic colours have been recorded and would not be difficult to research. Whether these guidelines would be followed is perhaps difficult to foresee or enforce, but at least it would give homeowners some historically accurate suggestions. Choosing house colours can be challenging and providing colour samples may prove very welcome by owners. Because colour is so predominant and plays such an important role in our view plains, omitting it from the by-law guidelines leaves them truly incomplete historically.

I offer these points which I hope that the Committee will duly and seriously consider.

Respectfully submitted,



Susan S. Pratt

P.S. I offer the following comments in a postscript because they rate lower in priority for me than colour. Regarding Stairs and Railings: there was some discussion at the meeting re the not permitted unpainted or unstained stair railings. Unfortunately, it appears common practice locally to leave them untreated and become weathered. As such, they are unattractive, obtrusive and stick out like a sore thumb. Although possibly more difficult to maintain, painted or stained railings blend much more successfully and pleasingly into the appearance of a home.

## ATTACHMENT D

To the Members of the Heritage Advisory Committee:

I attended with interest the second public session of the Heritage Advisory Committee's proposals on the Heritage Conservation District. Unfortunately, I had misunderstood the advertising for the two sessions and did not realize they were not intended as the same session on two different dates.

Nevertheless, I found the second session interesting and helpful to my understanding of our community and its care and preservation of history.

My comment, and in fact strong request, is that you expand the heritage conservation district beyond what was outlined in the presentation

[https://explorelunenburg.ca/index.php?option=com\\_docman&view=download&alias=2506-proposed-heritage-conservation-district-map&category\\_slug=heritage&Itemid=893](https://explorelunenburg.ca/index.php?option=com_docman&view=download&alias=2506-proposed-heritage-conservation-district-map&category_slug=heritage&Itemid=893)

I believe it should include all of Young Street, Green Street (at the very least between Knickle Street (or Falkland, wherever it starts) and Victoria Road, Linden Avenue, Lower Street, Lincoln Street between Dufferin and Pelham Street, and all of the areas of New Town that were opened to being town lots in the early 1860s. These areas have historic homes and it would make sense that they be included.

Perhaps, in fact, instead of doing bits and pieces, we should draw the lines to include any area where buildings were built before 1945, since that is the date that has been used for the consideration of heritage buildings.

I believe these changes could remove much of the confusion of what is, or is not, included and would avoid any negative perceptions arising from some areas being included and others not.

I hope this recommendation is helpful and I would request a reply at your earliest convenience.

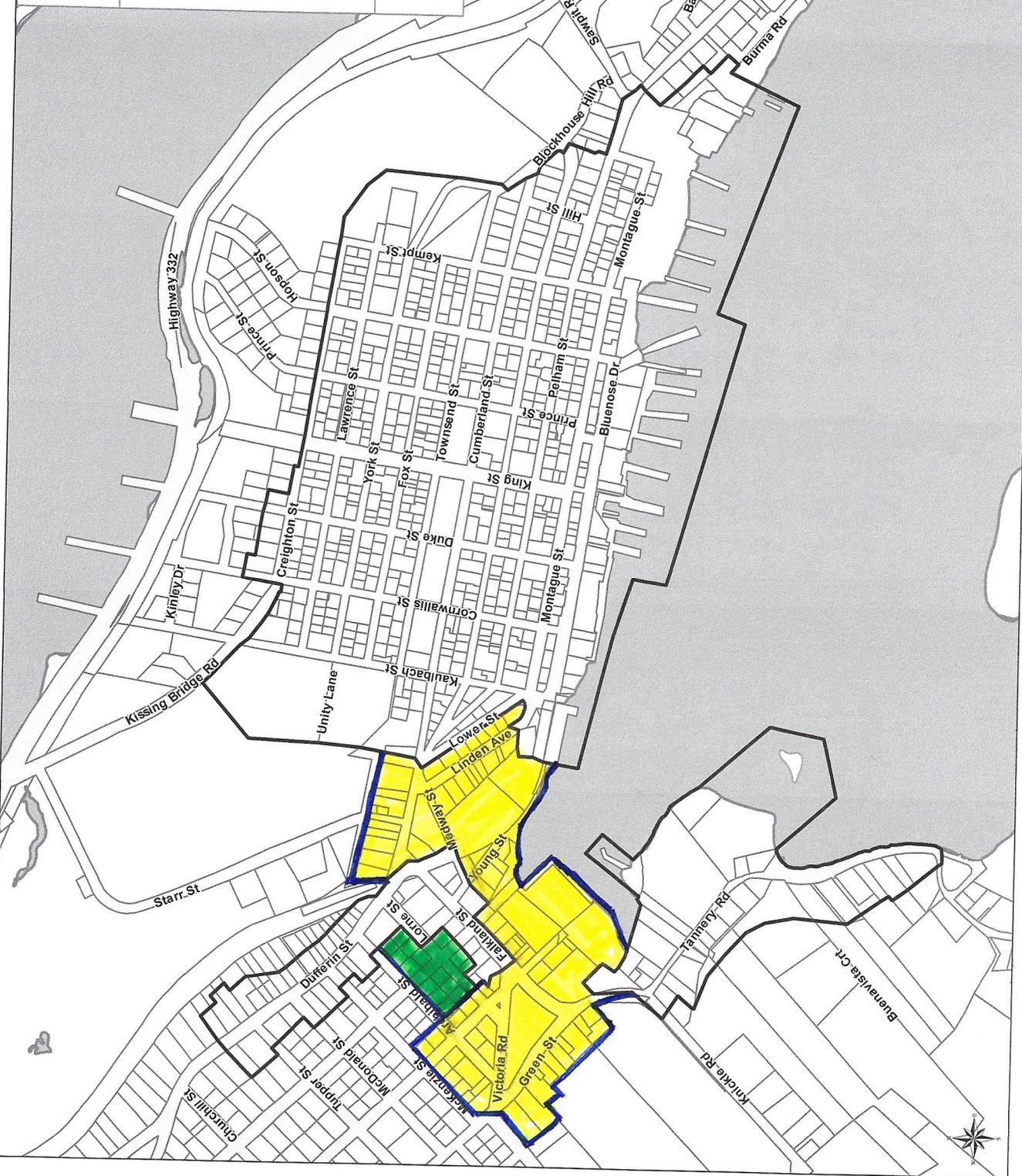
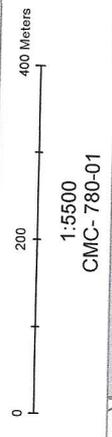
Cheryl Lamerson, CD<sup>2</sup>, Ph.D.

# Schedule "A" Heritage Conservation District Map

## Legend

-  Heritage Conservation District Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

Projection: Universal Transverse Mercator Projection (UTM) Zone 20,  
Central Meridian 63°00' West, North American Datum (NAD) 1983,  
Canadian Spatial Reference System (CSRS) 98.  
Base data derived from the Nova Scotia Property Records Database (NSPRD)  
and the Nova Scotia Topographic Database (NSTDB).  
Produced by the Nova Scotia Geomatics Centre © Crown Copyright,  
Province of Nova Scotia, 2018



## ATTACHMENT E

Dear Arthur MacDonald,

I attended both heritage meetings you organized in October explaining the proposed bylaws for the Town. I would like to extend my appreciation to you and the committee for working diligently on this proposal which focuses on maintaining Lunenburg's heritage and ensuring it is protected for years to come.

At one of the meetings, you clearly outlined on the map, the Heritage Conservation District and the Architectural Control Area within Lunenburg. Currently ABCO properties fall within the designated Architectural Control Area. As you clearly explained, your proposal would automatically change this designation so that ABCO's properties and the properties along Tannery Road would be included in the Heritage Conservation District.

Currently, ABCO has made a request to council to be removed from the Architectural Control Area. I realize your committee does not have any influence on this matter but I have a few questions. If ABCO is removed from the Architectural Control Area, would this allow ABCO the right to remove all buildings without heritage restrictions? Would new development in this area need to use materials and architectural details such as those outlined in your presentation or would they be exempt from following these heritage guidelines?

I value the importance of preserving the heritage of Lunenburg and support the proposal your committee has put forward. I would also like to recommend you include all properties surrounding our waterfront to be included within the Heritage Conservation District such as the properties owned by Lunenburg Foundry, ABCO and all properties along Tannery Road and the golf course.

Now more than ever, it is relevant we protect Lunenburg's architectural heritage so that any new development will reflect the character of our town and support our heritage values.

Lunenburg is a UNESCO World Heritage site and I worry we will lose this honour if we do not protect our town and waterfront from unbridled development. Three UNESCO sites have been delisted due to improper Town management and protection. Some of the reasons for certain danger include: serious deterioration of town planning; serious deterioration of the natural environment; significant loss of historical authenticity and important loss of cultural significance. The bylaws your committee proposes directly impacts how Mayor Bailey and Council can manage and protect our UNESCO town.

I give you permission to share this email with all members of the Heritage Committee. I look forward to hearing your response to my questions.

Sheila Gallagher  
144 Tannery Rd.  
Lunenburg

# TOWN OF LUNENBURG



## **BACKGROUND STUDY** **Towards a Revised Heritage Conservation District**

**March 5<sup>th</sup>, 2018**

**Prepared by: Arthur MacDonald MCIP, LPP**  
**Prepared for: Town of Lunenburg**  
**Heritage Advisory Committee and Town Council**

# TOWN OF LUNENBURG

## BACKGROUND STUDY TOWARDS A REVISED HERITAGE CONSERVATION DISTRICT

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## **1.0 INTRODUCTION**

### **1.1 Purpose of the Report**

The purpose of this report is to develop a rationale for the development of a revised Heritage Conservation District Plan and By-law for the Town of Lunenburg in keeping with the Nova Scotia Heritage Property Act and its corresponding Heritage Conservation Districts Regulations.

Pursuant to the Heritage Conservation Districts Regulations, Section 7 requires Council to undertake a background study which addresses:

- (a) the rationale or justification for heritage conservation measures in the district;
- (b) the rationale for the boundaries of the district;
- (c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
- (d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

The establishment of a Heritage Conservation District is accomplished by the adoption, by Town Council, of a Heritage Conservation District Plan and By-law. The Heritage Conservation District Plan is a policy document which addresses issues, opportunities, expenditures and initiatives concerning heritage conservation in the District. A Heritage Conservation District By-law is the administrative document which implements the Plan.

The Act requires that a Heritage Conservation District Plan and By-law must be supported by a background study sufficient to describe the rationale for heritage conservation measures. In this particular case, the Town of Lunenburg has an existing Heritage Conservation District Plan and By-law which was supported by a background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” authored by Bill Plaskett in September of 1994. This document led towards the adoption of the Old Town Heritage Conservation District Plan and By-law by Council on May 11, 2000 as approved by the Minister of Municipal Affairs on September 4, 2000.

The revised Heritage Conservation District intends to encompass the area of the Old Town Conservation District as well as the two (2) Architectural Control Areas as identified in the Town’s Municipal Planning Strategy. It is intended that these Architectural Control Areas will become part-in-parcel of the Heritage Conservation District and be regulated according to the design guidelines of the Heritage Conservation District By-law rather than pursuant to the architectural control provisions of the Town’s Land Use By-law. The main purpose of the Background Study is to reinforce the rationale for incorporating the Architectural Control Areas as part of the Town’s Heritage Conservation District.

The Heritage Property Act requires the adoption of a Public Participation Program to ensure public participation in the creation of a Heritage Conservation District Plan and By-law. The Plan and By-law must also be consistent with the Town's other planning policies and regulations.

The current Heritage Conservation District covers the UNESCO Old Town Lunenburg World Heritage Site, proclaimed in 1995, as well as a buffer area surrounding the site.

## **1.2 Architectural Significance of Lunenburg**

The Town of Lunenburg has a rich and diverse built heritage as documented in the following:

- *Understanding Lunenburg's Architecture*, Lunenburg County District Planning Commission and Lunenburg Heritage Society, 1979. (Analysis of architectural design features).
- *Lunenburg: An Inventory of Historic Buildings*, Lunenburg County District Planning Commission and Town of Lunenburg, 1984. (Detailed histories of all old buildings in the town)
- *A Series of Maps Illustrating Lunenburg Buildings by Age, Architectural Character and Historical Association* Lunenburg County District Planning Commission, 1985.
- *"Old Town" Lunenburg*, Historic Sites and Monuments Board of Canada, Agenda Paper, 1991. (Historic significance in Canada)
- *World Heritage List Nomination: Old Town Lunenburg*, Department of Canadian Heritage, September, 1994. (Historic significance on the international context).
- *Towards the establishment of a heritage conservation district in the Town of Lunenburg*, Bill Plaskett for N.S. Department of Municipal Affairs and Town of Lunenburg, September, 1994. (Background study for establishing a heritage district under the Heritage Property Act)
- *Lunenburg World Heritage Community Strategy*, Roy Eugene Graham and Associates, October, 1998. (Heritage conservation and community economic development in the context of World Heritage Listing)
- *Town of Lunenburg Heritage Sustainability Strategy*, TCI Management Consultants, April 30, 2010.

For the purpose of this Background Study there is no need to recap these findings. The fact that Old Town has been designated as a National Historic District as well as an UNESCO World Heritage Site means that its built heritage is significant and worthy of being designated as a Municipal Heritage Conservation District. Instead, this study will focus upon the inclusion of the Architectural Control Areas into the Heritage Conservation District.

## **2.0 RATIONALIZATION FOR DISTRICT**

### **2.1 History of the Architectural Control Areas**

The Town of Lunenburg had a vision to implement architectural design standards to maintain and preserve the traditional “Lunenburg” architecture for future generations to enjoy. During the early 1990’s the Town recognized that it had a special built environment that was endearing for locals and visitors alike. However, modern design elements and the use of modern materials began to affect the traditional built environment, having a drastic impact on the traditional “Lunenburg” vernacular style and the Town’s streetscapes.

The Town embarked on a mission to protect its traditional architecture. Old Town was designated as a National Historic Site in 1991 under the Historic Sites and Monuments Act and became a UNESCO World Heritage Site in 1995. The Town then initiated the development of an Old Town Heritage Conservation District Plan and By-law which was adopted by Council on May 11, 2000 and approved by the Minister of Municipal Affairs on September 4, 2000.

The Municipal Planning Strategy adopted in 1996 recognized three (3) Architectural Control Districts; Old Town Lunenburg, Dufferin Street Area and the Tannery Road area. Old Town Lunenburg was removed from the Municipal Planning Strategy and Land Use By-law when the Old Town Heritage Conservation District was created in 2000. The following excerpt from the Heritage Conservation District Plan provides some background information:

“Although the Municipal Planning Strategy and Land Use Bylaw (MPS & LUB) have acknowledged the importance of heritage conservation since 1978, when policy amendments were introduced contemplating the future adoption of architectural controls, it was not until 1996 that such controls were actually adopted. The 1996 version of the MPS & LUB establishes three architectural control areas - one which coincides with the Old Town National Historic District and World Heritage Site, one which includes portions of the New Town along Falkland and Dufferin Streets, and one which encompasses the Tannery Road area. Within these areas, new buildings are required to be similar to any substantially intact pre-1920 building within 300 ft. on the same street. Additions and alterations to pre-1920 buildings must be architecturally similar to the main building, and are limited to a maximum of 25% of the existing building volume.”

### **2.2 Rationalization to Incorporate the Architectural Control Areas**

The Municipal Planning Strategy and its corresponding Land Use By-law are limited by the authority enabled through the Municipal Government Act with respect to design guidelines, demolition controls and financial incentives. The inclusion of the two (2) remaining Architectural Control Areas under the Heritage Conservation District Plan and By-law will enable the Town to properly address heritage policies and by-law provisions under one document. The inclusion of these areas within the Heritage Conservation District is in keeping with Policy 10.6 of the Town’s Municipal Planning Strategy.

The Old Town Heritage Conservation District Plan also recognized the expansion of the District to incorporate the two (2) Architectural Control Areas, as outlined in the excerpt below:

“It shall be the intention of Council to consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street and Tannery Road architectural control areas designated under the Municipal Planning Strategy and Land Use Bylaw ...”

### **2.3 Rationalization for Heritage Conservation Measures in the District**

The Architectural Control Areas design provisions are regulated under the Municipal Planning Strategy and Land Use By-law administered by the Town’s Planner/Development Officer. The incorporation of the Architectural Control Areas under the Heritage Conservation District Plan and By-law will streamline the application and review process through the issuance of a Certificate of Appropriateness administered by the Town’s Heritage Officer. In this fashion both areas, Old Town Lunenburg as well as the Architectural Control Areas will be administered through the Heritage Officer providing a certain level of consistency in the interpretation and administration that apply to these areas.

The need for heritage conservation measures is well documented in the previous background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” as well as the existing Old Town Heritage Conservation District Plan and By-law. To recap, the identified issues are:

- (1) the loss of traditional wooden cladding materials, which are steadily being replaced by modern substitutes, particularly vinyl siding;
- (2) the loss of historic architectural trim, cornerboards, cornices, window hoods (top caps), brackets, etc., which are steadily being removed or covered over;
- (3) the loss of traditional facade features, which are slowly being altered through window and door renovations and the addition of stairs and decks;
- (4) the loss of the traditional historic architectural forms, which are being altered by modern additions and roof changes;
- (5) the loss of the historic building context, which continues to be affected by modern developments of significantly different design.

## **2.4 Rationalization for the District Boundaries**

The rationalization of the Old Town Heritage Conservation District boundaries is well documented as outlined in the excerpt from the Heritage Conservation District Plan below:

“It shall be the intention of Council that the Old Town heritage conservation district shall include the designated Old Town National Historic District and the World Heritage Site as well as adjacent areas, including Gallows Hill and the Lunenburg Academy site; selected properties abutting the north side of Creighton Street; Blockhouse Hill; the eastward extensions of Montague, Pelham, Lincoln, Cumberland and Townsend Streets; the westward extension of Montague, Pelham, Lincoln and Cumberland Streets to their point of intersection; and the old French Cemetery. These adjacent areas have an architectural, historical and contextual continuity with the Old Town and are, for all intents and purposes, a part of it, even though they were not part of the original 1753 town site and are not included in the National Historic District or the World Heritage Site. It is intended that these adjacent areas shall be included within the heritage conservation district as a “buffer” to ensure that both the Old Town and its surroundings are protected from unsympathetic development.”

It is intended that the Architectural Control Areas boundaries are to be wholly contained within the proposed Heritage Conservation District as they are defined in the Town’s Municipal Planning Strategy and Land Use By-law with two (2) exceptions. The District is intended to include the Old New Town School located at 17 Tannery Road (PID #60053261). This property is owned by the Town of Lunenburg and is an existing municipally registered Heritage Property. A copy of its Statement of Significance is attached in the appendix.

The second exception is the two (2) small islands (PID #60386000) off of Tannery Road located in Lunenburg’s harbour. These lands are zoned Marine Industrial (MI) and any development on the islands will have a visual impact not only on the area adjacent to Tannery Road but also from Old Town, and particularly, from the Town’s historic waterfront. These lands will be defined as part of the Waterfront Buildings Area and be regulated in the same fashion as waterfront buildings along Lunenburg’s historic waterfront.

The proposed new boundaries of the Heritage Conservation District as well as a map defining the Waterfront Buildings Area are attached in the schedules.

## **3.0 RELATIONSHIP WITH LAND USE PROVISIONS AND POLICIES**

### **3.1 Relationship with the MPS and LUB**

The Town’s Municipal Planning Strategy and Land Use By-law will be revised to ensure that there are not two (2) over-lapping by-laws governing the aesthetics of developments within the Heritage Conservation District. The removal of the Architectural Control Areas from the Town’s Municipal Planning Strategy and Land Use By-law will enable a clear distinction between “land use” provisions and “heritage conservation” provisions. Significant alterations to any building located in the Heritage Conservation District will require the issuance of a Certificate of Appropriateness in

keeping with the provisions of the Heritage Conservation District By-law. In cases where a development requires a development permit in accordance with the Town's Land Use By-law, both a Certificate of Appropriateness and a Development Permit may be required.

The Municipal Planning Strategy will still govern support for heritage conservation measures through the Heritage Conservation District Plan and By-law as well as through the Town's Heritage By-law. For example, the existing Municipal Planning Strategy provides the following objective:

“Encourage preservation of the architectural and cultural heritage of the Town and minimize any negative impact that may result from new development or redevelopment.” (*Objective #3 of MPS*)

Though both the Land Use By-law and the Heritage Conservation District By-law provisions will have to work in unison to ensure compatible developments occur, the Land Use By-law will focus on provisions related to lot size, lot frontages and building height, whereas the Heritage Conservation District By-law will focus primarily on design guidelines. Where there is a conflict the higher or more stringent regulation shall prevail.

### **3.2 Relationship with Provincial Land Use Policy**

Other than the Statements of Provincial Interest, the province has granted the authority to regulate land use to municipal units. The Statements of Provincial Interest do not directly address built heritage or cultural landscapes and as such have minimal effect on the Town's proposed Heritage Conservation District.

It is however important to note that the Waterfront Development Corporation, a crown agency of the Province, does manage a significant portion of Lunenburg's waterfront. Under their guiding development principles they strive to plan and coordinate developments that:

“preserve and interpret historical uses, activities and forms of the waterfront, and conserve lands with marine industrial use potential;”

Therefore the Waterfront Development Corporation has an interest in preserving Lunenburg's historic waterfront built environment. Council has and will continue to work cooperatively with the Waterfront Development Corporation to ensure a balance between the needs of a working waterfront and the need to conserve the traditional aesthetic values of Lunenburg's waterfront.

The Town of Lunenburg has adopted the Nova Scotia Building Act which essentially adopts the National Building Code of Canada. Under the Act the Province has adopted the Nova Scotia Building Code Regulations which enables existing buildings to use alternate compliance measures pursuant to Schedule “D” - Alternate Compliance Methods for Existing Buildings. The Town intends to use the Alternate Compliance Methods for Existing Buildings as a means of preserving the historic fabric of its built heritage when appropriate and practical.

### 3.3 Relationship with Heritage By-law

The inclusion of the Architectural Control Area as part of the proposed Heritage Conservation District will incorporate the following municipal designated Heritage Properties:

<b>Civic Address:</b>	<b>Name:</b>	<b>PID #:</b>
<b>64 Dufferin Street</b>	<b>James Brown House</b>	<b>60056074</b>
<b>56 Dufferin Street</b>	<b>Griffith House</b>	<b>60056058</b>
<b>48 Dufferin Street</b>	<b>McKittrick House</b>	<b>60056025</b>
<b>36 Dufferin Street</b>	<b>Captain W.M. Boehner House</b>	<b>60055985</b>
<b>26 Dufferin Street</b>	<b>The Lunenburg Inn</b>	<b>60501210</b>
<b>56 Broad Street</b>	<b>Captain Samuel Herman House</b>	<b>60055134</b>
<b>75 Dufferin Street</b>	<b>Mizpah Cottage</b>	<b>60055472</b>
<b>10 Falkland Street</b>	<b>Bluenose Lodge</b>	<b>60055688</b>
<b>18 Falkland Street</b>	<b>James D. Elsenhauer House</b>	<b>60055696</b>
<b>21 Falkland Street</b>	<b>John B. Young House</b>	<b>60055902</b>
<b>42 Falkland Street</b>	<b>Ashlea House</b>	<b>60589751</b>
<b>17 Tannery Road</b>	<b>Old New Town School</b>	<b>60053261</b>
<b>37 Tannery Road</b>	<b>Captain Angus Walters House</b>	<b>60053246</b>
<b>66 Tannery Road</b>	<b>Conrad House</b>	<b>60052800</b>

In keeping with the Heritage Property Act and the Heritage Conservation District Regulations, no further properties in the Heritage Conservation District will be enabled to be registered as Municipal Heritage Properties. All properties located in the Heritage Conservation District will be regulated with respect to the provisions of the Heritage Conservation District Plan and By-law.

The addition of the Architectural Control Area into the Town's Heritage Conservation District will not impact provincially registered Heritage Properties as there are none in the proposed inclusion area. Therefore, the Minister responsible for the Heritage Property Act will not have to determine how said properties will be regulated.

### 4.0 SOCIAL AND ECONOMIC IMPLICATIONS

Section 7 of the Heritage Conservation District Regulations requires an analysis of the social and economic implications of the establishment of the District. The economic implications of owning a building in the Heritage Conservation District relates mostly to the costs associated with complying with the design guidelines. The Architectural Control Area is already regulated pursuant to the design provisions of the Land Use By-law as outlined in the appendix. Therefore, the social and economic implications are anticipated to be minor. There is however a financial benefit which could help offset any potential increased costs of construction/renovations through the form of heritage financial incentives available through both the municipality and the provincial governments. The Town of Lunenburg has recently approved a Heritage Financial Incentives Program to help low income families conserve and maintain their properties in keeping with the applicable heritage conservation design guidelines.

## **5.0 PUBLIC PARTICIPATION PROGRAM**

Section 6 of the Heritage Conservation District Regulations requires Council to adopt, by resolution, a public participation program. As part of the adoption of this Background Study, Council will adopt the Public Participation Program attached as Appendix “A”.

## **6.0 CONCLUSION**

After acceptance by Council of this Background Study complete with its associated Public Participation Program, Council shall provide public access to the Study and provide two copies to the Minister. The Minister shall advise Council when no additional studies are required.

## **APPENDIX “A”**

### **TOWN OF LUNENBURG PROCEDURAL POLICY**

#### **HERITAGE CONSERVATION DISTRICT PUBLIC PARTICIPATION PROGRAM**

Council hereby adopts the following Heritage Conservation District Public Participation Program pursuant to Section 6 of the Heritage Conservation Districts Regulations made under Section 26 of the Heritage Property Act (RSNS 1989, Chapter 199) to identify opportunities and establish ways and means of seeking the opinions of the public concerning the review, adoption and amendment of a Heritage Conservation District Plan and By-law:

1. Before holding any public hearing under the authority of subsection (3) of Section 19A of the Heritage Property Act, Council shall ensure that the Heritage Advisory Committee conduct at least one public participation meetings which are advertised in a local newspaper at least four days in advance, and by a notice posted at the Town Hall.
2. The Heritage Advisory Committee may conduct opinion surveys, request written briefs or submissions, or use any other appropriate means of seeking the views and opinions of residents and ratepayers.
3. The Heritage Advisory Committee shall make every reasonable effort to seek the opinions of the public on all matters relevant, and shall reserve time for commentary, questions or presentations by the public.
4. The Heritage Advisory Committee shall provide public access to all reports, studies, maps, air photographs and other materials that are relevant, and where it is feasible, provide copies of such material for distribution, purchase or loan.
5. The Heritage Advisory Committee shall consider the views, expressions and opinions obtained from the Public Participation Meeting prior to making a recommendation to Council.

**APPENDIX "B"**  
**OLD TOWN LUNENBURG NATIONAL HISTORIC SITE**  
**STATEMENT OF SIGNIFICANCE**

**Old Town Lunenburg Historic District National Historic Site of Canada**

Bluenose Drive, Lunenburg Harbour, Lunenburg, Nova Scotia, Canada

**Formally Recognized: 1991/06/10**



General view



Panorama



General view

**OTHER NAME(S)**

Old Town Lunenburg Historic District National Historic Site of Canada

Old Town Lunenburg Historic District

Arrondissement historique du Vieux Lunenburg

## LINKS AND DOCUMENTS

[Website for the Old Town Lunenburg Historic District](#)

[Section on the Parks Canada website specifically for this National Historic Site](#)

[Link to Old Town Lunenburg site on the UNESCO World Heritage Web Site](#)

## CONSTRUCTION DATE(S)

1753/01/01 to 1991/01/01

**LISTED ON THE CANADIAN REGISTER: 2007/10/03**

## STATEMENT OF SIGNIFICANCE

### DESCRIPTION OF HISTORIC PLACE

The Old Town Lunenburg Historic District covers the core area of the town of Lunenburg, a well-preserved example of 18th-century colonization and settlement patterns with numerous outstanding examples of vernacular architecture spanning more than 240 years. It occupies the side of a hill and a narrow area along a natural harbour and includes the town's original parade square, as well as a waterfront area that is associated with the fishing and shipbuilding industries. The formal recognition consists of contributing buildings and lands contained within the boundaries of the original town plan of 1753. Old Town Lunenburg has also been designated a World Heritage Site.

### HERITAGE VALUE

The Old Town Lunenburg Historic District was designated a national historic site in 1991 by virtue of its gridiron layout, one of the earliest and most intact British model plans in Canada, its strong historical associations especially with the Atlantic fisheries, and the richness and homogeneity of its architecture.

The heritage value of the Old Town Lunenburg Historic District resides in the original plan, the built forms and open spaces within the plan, the physical and cultural manifestations of the off-shore fishing and shipbuilding industries and the harmonious integration of the town and the seascape. Laid out by Charles Morris at the time of his landing on June 8, 1753, Lunenburg's Old Town Plan was the second British model plan created in present-day Canada, a gridiron plan type which had a direct and important relationship to British imperial settlement policy.

Sources: Historic Sites and Monuments Board of Canada, Minutes, 1991; World Heritage List Nomination (Appendix 3: Character Statement).

### CHARACTER-DEFINING ELEMENTS

The character-defining elements that relate to the townsite as a whole are:

- its gridiron, "model town" plan, as evidenced in its geometrically regular streets and blocks, its allocation of public spaces, and its distinction between urban and non-urban areas;
- its small lots;
- the densely built nature of the townsite;
- its comprehensive collection of 18th to 20th-century buildings and works, including residences, churches, institutional buildings, shops and wharves;
- the continuing tradition of painting buildings in bright colours;
- the unity and cohesiveness created by the predominance of wood construction and exterior finishes among all building types and styles;
- the general orientation of the town and its major institutional buildings towards the harbour;
- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, and all painted in bright colours;
- its skyline punctuated by the spires of its churches;
- the heritage characters of St. John Anglican Church and the Knaut-Rhuland House National Historic Site of Canada.

The character-defining elements that relate to 18th-century construction are:

- a number of houses of "coulisse" construction, now clad in clapboard or shingles;
- single-storey Cape Cod dwellings;
- two-storey houses constructed in the British classical tradition;
- the former Court House;
- pre-fire surviving elements of St. John's Anglican Church.

The character-defining elements that relate to 19th-century construction are:

- the larger and more elaborate buildings that continued earlier building traditions;
- traditional Cape Cod and British classical residences;
- modifications to 18th and early 19th-century houses;
- Second Empire-style residences of families associated with the fishing and shipbuilding industries;
- the frequent use of the Lunenburg "bump" dormer in all its variations;
- pre-fire surviving elements of St. John's Anglican Church;
- St. Andrew's Presbyterian Church and the Lunenburg Lutheran Church, buildings associated with the oldest continuing worshipping Presbyterian and Lutheran congregations in Canada.

The character-defining elements that relate to 20th-century construction are:

- its 20th-century housing stock, including simple post-World War II bungalows, "Four-Square" houses, and Dutch Colonial Revival-style houses, that continue earlier wood construction traditions on a modest scale;
- sympathetically scaled commercial buildings located along Lincoln Street that help create a cohesive streetscape.

The character-defining elements associated with the history of the shipbuilding and fishing industries in Canada are:

- waterfront shipyards, including those still used for shipbuilding and retrofitting;
- buildings and facilities associated with the work and community life of people who worked in the fishing industry, including the Adams & Knickle waterfront complex and the Smith and Rhuland shipyard.

## RECOGNITION

### **JURISDICTION**

Federal

### **RECOGNITION AUTHORITY**

Government of Canada

### **RECOGNITION STATUTE**

Historic Sites and Monuments Act

### **RECOGNITION TYPE**

National Historic Site of Canada

### **RECOGNITION DATE**

1991/06/10

## HISTORICAL INFORMATION

### **SIGNIFICANT DATE(S)**

1753/01/01 to 1753/01/01

1753/06/08 to 1753/06/08

### **THEME - CATEGORY AND TYPE**

Expressing Intellectual and Cultural Life

Architecture and Design

Peopling the Land

Settlement

### **FUNCTION - CATEGORY AND TYPE**

**CURRENT**

**HISTORIC**

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

### **LOCATION OF SUPPORTING DOCUMENTATION**

**APPENDIX “C”**  
**OLD NEW TOWN SCHOOL – 17 TANNERY ROAD**  
**DESIGNATED MUNICIPAL HERITAGE PROPERTY**  
**STATEMENT OF SIGNIFICANCE**

**Old New Town School**

17 Tannery Road, Lunenburg, Nova Scotia, B0J, Canada

**Formally Recognized: 2000/07/13**



Front and North West Facades

**OTHER NAME(S)**

Old New Town School

School Annex

Arts and Crafts Building

**LINKS AND DOCUMENTS**

[Overview of Lunenburg, including architectural tour and town history provided by the Town of Lunenburg.](#)

**CONSTRUCTION DATE(S)**

1883/01/01 to 1883/12/31

**LISTED ON THE CANADIAN REGISTER: 2004/03/22**

**STATEMENT OF SIGNIFICANCE**

**DESCRIPTION OF HISTORIC PLACE**

The Old New Town School is a one-and-a-half storey wooden structure, simple in design and rectangular in form with a protruding enclosed porch. The building is located in the New Town area of Lunenburg, NS, with substantial green space surrounding the building. Designation covers both the building and the surrounding land.

**HERITAGE VALUE**

The Old New Town School is valued as a reminder of the era of one-room school houses in Nova Scotia. These schools were eventually supplanted by the Academy system, a new academic system implemented province-wide, and consequently the Lunenburg Academy replaced this building. The building was built in 1883 and remains in excellent condition. It retains many original features, including the windows and entrance. The school remains in use by the modern Lunenburg High School located across the road as extra classroom space, making it a rare example of continuous use of a one-room school building from the nineteenth century to the present day.

Source: Heritage Designation File 66400-40-53, Town of Lunenburg.

## **CHARACTER-DEFINING ELEMENTS**

Character-defining elements of the Old New Town School relate to its architecture and use as an educational facility, and include:

- original enclosed porch, with transom and sidelight windows, and original six-over-six windows;
- simple, symmetrical design, augmented by a steeply pitched gable roof, cornerboards, and simply detailed fascia and eaves;
- location at a central junction in New Town with green space surrounding the building on all sides;
- interior layout of the building into two classrooms reflecting its continued use as an education facility.

## **RECOGNITION**

### **JURISDICTION**

Nova Scotia

### **RECOGNITION AUTHORITY**

Local Governments (NS)

### **RECOGNITION STATUTE**

Heritage Property Act

### **RECOGNITION TYPE**

Municipally Registered Property

### **RECOGNITION DATE**

2000/07/13

## **HISTORICAL INFORMATION**

### **SIGNIFICANT DATE(S)**

n/a

### **THEME - CATEGORY AND TYPE**

Building Social and Community Life

Education and Social Well-Being

**FUNCTION - CATEGORY AND TYPE**

**CURRENT**

Education

Special or Training School

**HISTORIC**

Education

One-Room School

**ARCHITECT / DESIGNER**

n/a

**BUILDER**

n/a

 **ADDITIONAL INFORMATION**

**LOCATION OF SUPPORTING DOCUMENTATION**

Town of Lunenburg, 119 Cumberland Street, P.O. Box 129, Lunenburg, Nova Scotia, B0J 2C0, FILE 66400-40-53

**CROSS-REFERENCE TO COLLECTION**

**FED/PROV/TERR IDENTIFIER**

37MNS0053

**STATUS**

Published

**RELATED PLACES**

n/a

## **APPENDIX “D”**

### **MUNICIPAL PLANNING STRATEGY HERITAGE PROVISIONS**

#### **POLICIES**

It shall be the policy of Council to:

#### **Registered Heritage Properties**

**10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

#### **Architectural Control Area Designation**

**10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

#### **Architectural Control Area Provisions**

**10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:

- (a) new buildings; and
- (b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

#### **Heritage Conservation District**

**10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

#### **Heritage Conservation District Plan and Bylaw**

**10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

## **Future Expansion of Heritage Conservation District**

**10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

## **General Policies**

**10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main street Program.

**10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.

**10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

## APPENDIX “E”

### LAND USE BY-LAW ARCHITECTURAL CONTROL AREA PROVISIONS

#### PART 26G ARCHITECTURAL CONTROL AREA

##### 26G.1 New Main Buildings

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

##### 26G.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3
- (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
  - (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
  - (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

##### 26G.4 Renovations and Replacements

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations set out in Section 26G.1.

# Schedule "A" Heritage Conservation District Map

## Legend

-  Heritage Conservation District Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

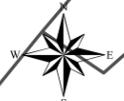
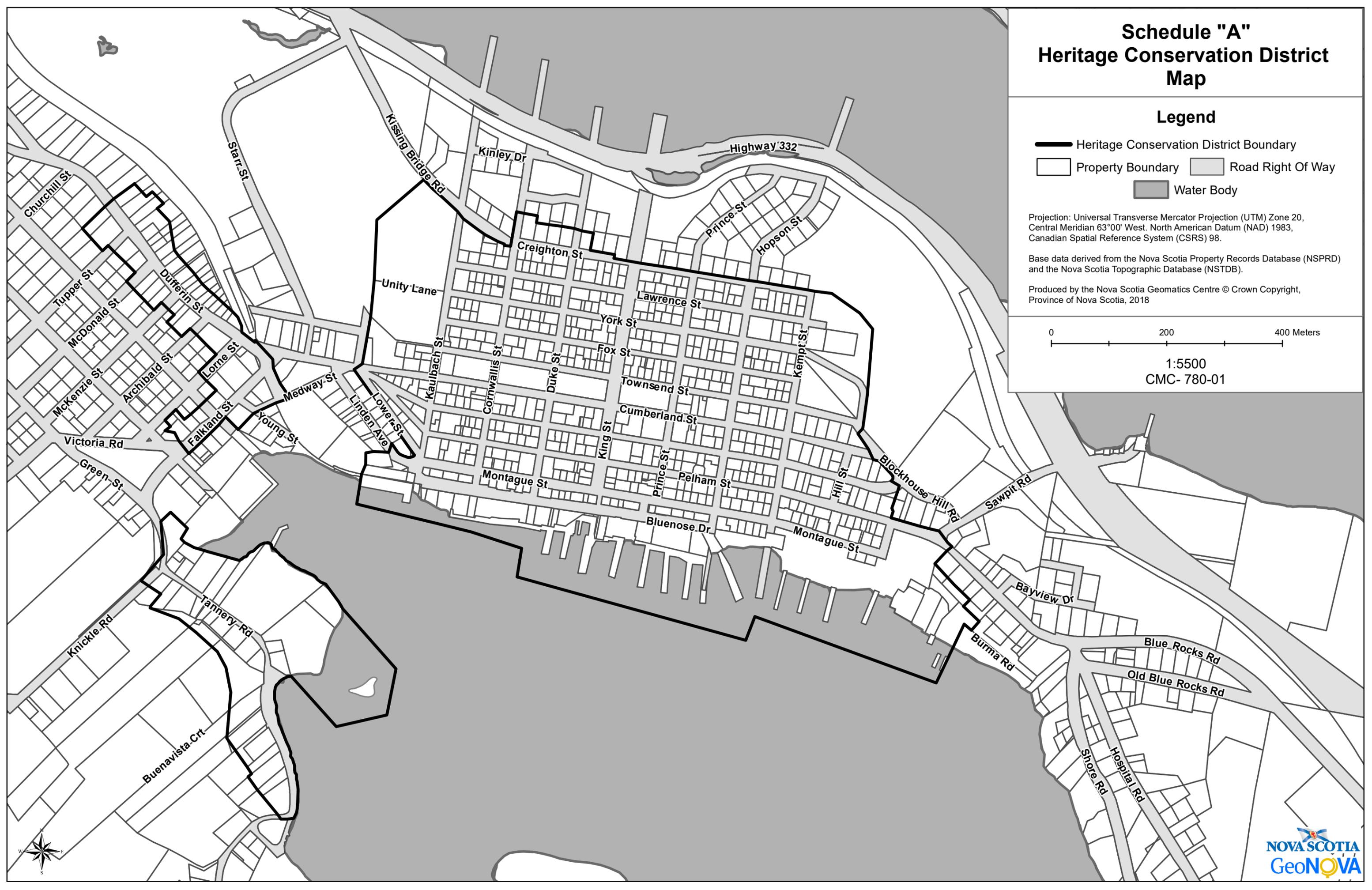
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia Topographic Database (NSTDB).

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1:5500  
CMC-780-01



# Schedule "B" Waterfront Buildings Area Map

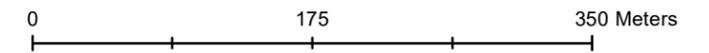
## Legend

-  Waterfront Buildings Area Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

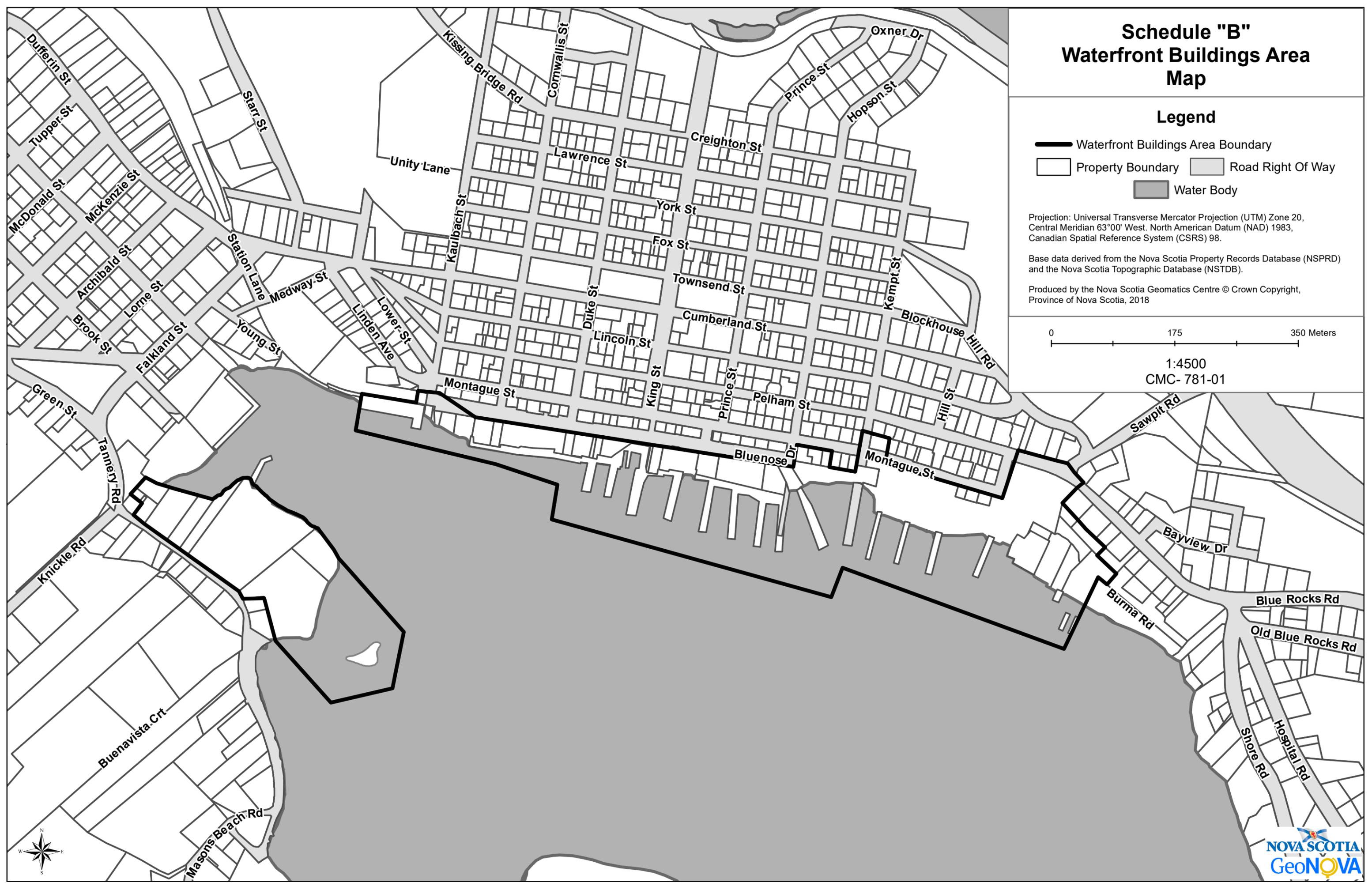
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia Topographic Database (NSTDB).

Produced by the Nova Scotia Geomatics Centre © Crown Copyright, Province of Nova Scotia, 2018



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Document No: 5(a)  
 Meeting: HAC – November 18, 2019  
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 File:

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## MEMORANDUM

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: NOVEMBER 12, 2019**

**RE: 69 TANNERY ROAD – ABCO'S REMOVAL FROM ARCHITECTURAL CONTROL AREA**

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### 1. FACTS

#### A. Background

ABCO has made a request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area. During a Council Meeting on October 22, 2019 Council referred the request to the Planning Advisory Committee for consideration. As one of the intents of the proposed Heritage Conservation District (HCD) Plan and By-law is to incorporate the Architectural Control Areas into the District this request has implications on the proposed HCD.

#### B. Proposal

The proposal is to remove six (6) of ABCO's properties as shown on **Attachment A** from the Architectural Control Area of the GFLUM.

### 2. ISSUES AND OPTIONS

The Background Study for the Revised HDC Plan and By-law was approved in March, 2018. This document provided the rationale for the proposed heritage district boundaries which was based on MPS Policy 10.6. This Policy supported the inclusion of the Architectural Control Areas into the Heritage Conservation District. By removing lands from the Architectural Control Area by default the lands should then be removed from the proposed District. However, this may not necessarily be the case.

The owners have expressed an interest in expanding the ABCO building to facilitate an industrial expansion. Under the current requirements of the Architectural Control Area, such an expansion is limited by Part 26G.3 of the Land Use By-law. The Municipal Planning Strategy provisions respecting the Architectural Control Area are enclosed in **Attachment F** and the Land Use By-law Provisions respecting the Architectural Control Area are enclosed in **Attachment G**.

It should be noted that the proposed HCD By-law does not have the same limitation in the Waterfront Buildings Area as described on the proposed Waterfront Buildings Area Map. As drafted, the only limitation in size, other than the zone requirements of the Marine Industrial (MI) Zone pursuant to the Land Use By-law, is that the massing under a single roof form shall not exceed 800 sq. metres (8611 sq. ft.). There is no limitation to a maximum size provided the massing is broken into parts not exceeding 800 sq. metres (8611 sq. ft.).

The applicant has expressed an interest in expanding using non-traditional wooden materials. It is quite common to have industrial buildings with exterior metal cladding which is currently prohibited under the proposed HCD Plan and By-law. Council may wish to consider the option of creating two (2) Waterfront Buildings Areas – one associated with the Old Town Waterfront; and, the other associated with the New Town Waterfront. Such a proposal could keep the restriction on wooden materials in the Old Town Waterfront Area whereas modern contemporary materials could be used in the New Town Waterfront Area. If such a distinction is made in the proposed HDC ABCO could expand and remain part of the Heritage Conservation District provided the expansion's massing, scale and design is compatible with Lunenburg's vernacular waterfront building's design as shown in **Attachment H**.

The HCD Plan and By-law supports the conservation of the streetscape. The historic streetscape of Tannery Road should be maintained. In light of this the front portions of the residential properties located at 57 and 61 Tannery Road as well as the front portion of 69 Tannery Road and the vacant lot (PID# 60672839) should be re-designated Residential pursuant to the Generalized Future Land Use Map (GFLUM) of the Municipal Planning Strategy and rezoned to Residential (R) pursuant to the Zoning Map of the Land Use By-law, and be maintained in the proposed Heritage Conservation District.

During the Public Participation Meetings regarding the proposed HDC, many expressed their interest in expanding the District's boundaries along the shoreline of Lunenburg's harbour, including the Foundry lands, the Golf Course as well as an extension along Bruma Road. This is in keeping with one of the goals of the HCD Plan - *to conserve the historic waterfront*. The removal of ABCO's six (6) properties along with the Island, PID # 60386000, would effectively compromise the Plan's ability to accomplish this goal. In light of the above the HM is not in favour of such removals from the HCD Plan and the current Architectural Control Area of the MPS. Such removal would not only be considered to be contrary to MPS Policy 10.6 it would essentially compromise the wishes of the majority of those attending the Public Participation Meetings for the proposed HCD.

With regards to the design of Waterfront Buildings located in the Waterfront Buildings Area Map of the proposed HCD it is important to recognize that the proposed HCD Plan supports a working waterfront. The Plan goes as far as stating that, when need be, design function shall triumph over conservation design guidelines as outlined in Policy 2.3.3 below. The proposed HCD Policies related to waterfront development are provided in **Attachment I** for your review.

**2.3.3** It shall be the intention of Council to recognize the unique nature of Lunenburg's waterfront as a working harbourfront and enable the ability to ensure that, when need be, design function shall triumph over conservation design guidelines provided that the development is compatible with Lunenburg's waterfront building vernacular in style, building form, size, materials, and height.

If Council wishes to approve the request, at a minimum the streetscape along Tannery Road should be protected. Staff has provided a sketch of what such may look like as an alternative option for the Planning Advisory Committee's consideration (**Attachment J and K**). The applicant has submitted correspondence enclosed as **Attachment L** for consideration on this alternative concept.

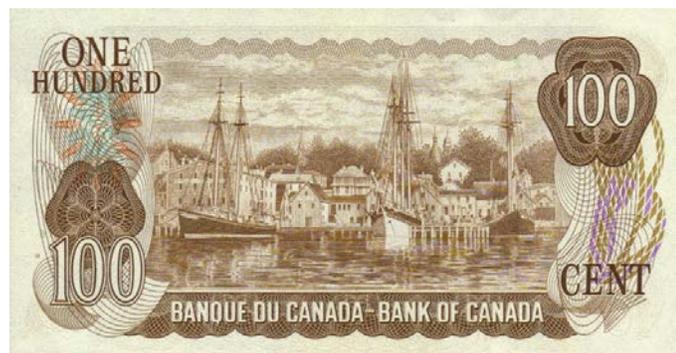
The draft Heritage Conservation District Plan has policy provisions related to the expansion as well as the reduction of the Heritage Conservation District. If the subject lands were currently part of the Heritage Conservation District, Policy 3.2.2 would be relevant for Council's consideration.

**3.2.2** It shall be the intention of Council where application is made or on its own motion to consider the reduction of the Heritage Conservation District's boundaries where:

- the architectural character, landscape character, historical association, scenic quality or other characteristics of the property or area in terms of its value as part of the Heritage Conservation District is no longer apparent and relevant and its removal does not adversely affect the cohesiveness of the District or adversely affects the architectural built environment of the District or its setting;
- the continued inclusion of the property or area within the district places an undue and unreasonable hardship upon the property owner or owners; and
- Council has exhausted any other practical alternatives to the boundary amendment which may be available.

### 3. **FINANCIAL IMPACT**

There could be dire consequences if such a proposal goes forward. ABCO's future plans may include the filling in of the harbour to create a commercial/residential mixed use development that would impact the views of the UNESCO World Heritage Site from Tannery Road. This view is so iconic that it was placed on the \$100 bill as shown below:



The disruption in this iconic view of Old Town Lunenburg may place the Old Town's designation as a World Heritage Site in jeopardy. The costs associated with losing this designation could be very significant not only for the local economy and the Town but also for Nova Scotia. The monetary costs may be significant but the cultural costs may be just as significant if not more so. Dresden Germany lost its UNESCO Designation when they built a bridge that impacted the views and traffic patterns of their site. Further information may be obtained at <https://whc.unesco.org/en/soc/611>

Though the infilling of the Harbour is a separate issue requiring Federal and Provincial approvals, the removal of the lands from the Architectural Control Area and their subsequently removal from the proposed HCD Plan and By-law would enable development to proceed without any checks and balances associated with its design. With the potential of developing the infilled lands of the Harbour, if there are deemed to be substantial impacts to the Outstanding Universal Value (OUV) of a World Heritage Site, whether inadvertent, planned or potential, there is an obligation to inform the World Heritage Centre through Parks Canada. Under the Operational Guidelines for the Implementation of the World Heritage Convention there is a reporting obligation if the

managing authority (Council) believes there is a potential threat to the heritage value of the place as defined in the OUV statement. In light of the above, staff is recommending that the Town forward correspondence to Parks Canada with regards to the potential impacts the infilling and potential development of the infilled lands may have on the Old Town Lunenburg World Heritage Site.

It should be noted that the Town has not received any concept plans for the ABCO building's expansion. One could argue that such a decision on such a request to remove the lands from the Architectural Control Area is premature given that Council has no concept plans for the site.

#### **4. STRATEGIC PLAN RELEVANCE**

This project is deemed contrary to the Town's Strategic Plan with regards to:

*Strategic Plan Goal #1A* – Promote a high quality of life for residents by enhancing appreciation of Lunenburg's heritage;

*Strategic Plan Goal #2B* – Celebrate our community by cultivating a positive visitor experience;

*Strategic Plan Goal #2D* – Celebrate our community by promoting our UNESCO designation;

*Strategic Plan Goal #4B* – Foster an environment for business success by using assets like our historic significance and distinct waterfront to attract development;

This project is in keeping with:

*Strategic Plan Goal #4* – Encouraging business development initiatives;

#### **5. RECOMMENDATION - OPTIONS**

**A.** It is recommended that the Heritage Advisory Committee review the following options:

**1)** Recommend to the Planning Advisory Committee (PAC) the refusal of the ABCO's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area.

**2)** Recommend to the Planning Advisory Committee (PAC) the approval of the ABCO's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove six (6) properties along Tannery Road from the Architectural Control Area.

**3)** Recommend to the Planning Advisory Committee (PAC) that a portion of ABCO's properties be removed from the Architectural Control Area as defined on the GFLUM of the Town's Municipal Planning Strategy and maintain the front portion of the lots along Tannery Road as part of the Architectural Control Area as shown in **Attachment J**; and

Concurrently amend the GFLUM to re-designate the front portion of lands of ABCO from "Industrial" to "Residential" as shown in **Attachment J**; and

Concurrently amend the Zoning Map of the Land Use By-law to re-zone the front portion of lands of ABCO from Marine Industrial (MI) Zone to Residential (R) Zone as shown in **Attachment K**.

***Note: Such recommendations will be subject to the review and recommendations of the Planning Advisory Committee who maintains the advisory role to Council on planning matters.***

- B.** It is recommended that the Heritage Advisory Committee recommends to Council that correspondence be sent to Parks Canada requesting their review and comments in keeping with the Operational Guidelines for the Implementation of the World Heritage Convention regarding the potential infilling of Lunenburg's Harbour and the potential development of the infilled lands possible impacts on the Outstanding Universal Value (OUV) of the Old Town Lunenburg World Heritage Site.

**ATTACHMENTS:**

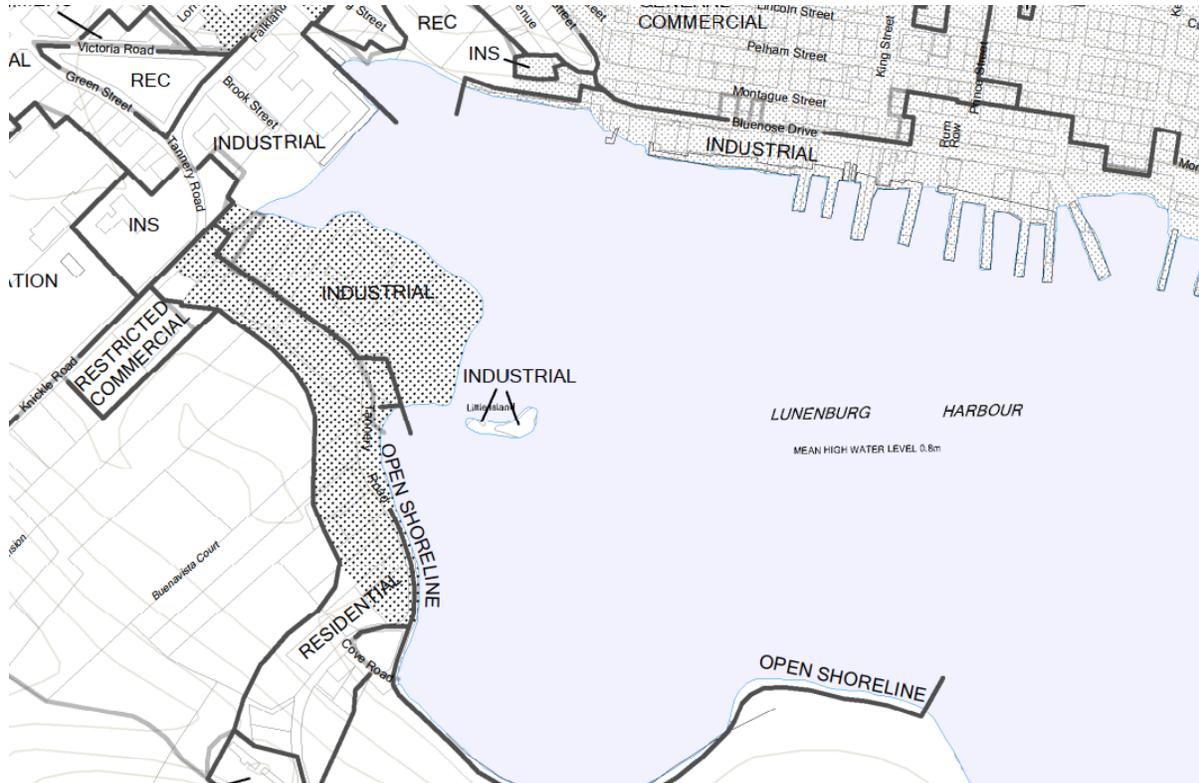
- A.** ABCO's Six (6) Properties
- B.** Generalized Future Land Use Map (GFLUM)
- C.** Proposed Heritage Conservation District Map
- D.** Pre-1940's Buildings Map
- E.** Aerial Photos – Tannery Road
- F.** Municipal Planning Strategy Heritage Provisions
- G.** Land Use By-law Architectural Control Area Provisions
- H.** Lunenburg's Waterfront Buildings Form and Roof Shape
- I.** Excerpts from the Proposed HCD Plan
- J.** Alternative Concept GFLUM Proposal
- K.** Alternative Concept Zoning Map Proposal
- L.** ABCO's Response to Alternative Concept Proposal
- M.** Infill Area and Infill Development Concept Sketch
- O.** Blayne Collins Letter dated November 6, 2019
- P.** John Patriarche Letter dated November 6, 2019

Acknowledged by:

Bea Renton  
Town Manager/Clerk



**ATTACHMENT B**  
**Generalized Future Land Use Map (GFLUM)**



**ATTACHMENT C**  
**Proposed Heritage Conservation District Map**



ATTACHMENT D  
Pre-1940's Buildings Map



**ATTACHMENT E**  
**Aerial Photos – Tannery Road**



## **ATTACHMENT ‘F’**

### **MUNICIPAL PLANNING STRATEGY HERITAGE PROVISIONS**

#### **POLICIES**

It shall be the policy of Council to:

#### **Registered Heritage Properties**

**10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

#### **Architectural Control Area Designation**

**10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

#### **Architectural Control Area Provisions**

**10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:

(a) new buildings; and

(b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

#### **Heritage Conservation District**

**10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

#### **Heritage Conservation District Plan and Bylaw**

**10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural

change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

### **Future Expansion of Heritage Conservation District**

**10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

### **General Policies**

**10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main Street Program.

**10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.

**10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

**ATTACHMENT “G”**  
**LAND USE BY-LAW ARCHITECTURAL CONTROL AREA PROVISIONS**

**PART 26G ARCHITECTURAL CONTROL AREA**

**26G.1 New Main Buildings**

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

**26G.2 Additions and Alterations to Existing Buildings**

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3 (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
- (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
- (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

**26G.4 Renovations and Replacements**

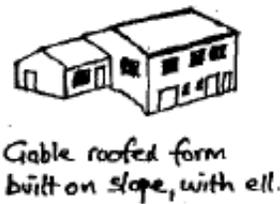
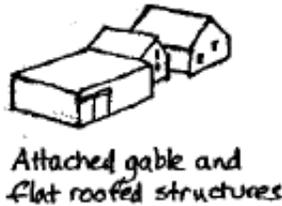
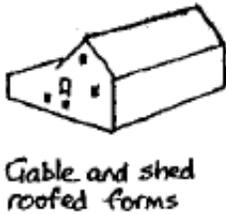
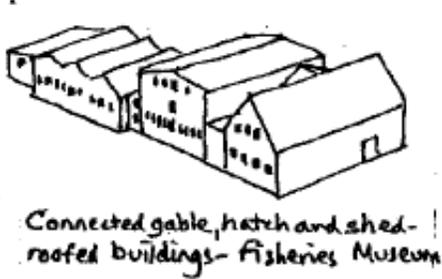
Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations set out in Section 26G.1.

# ATTACHMENT 'H'

## Lunenburg's Waterfront Buildings Form and Roof Shape

### 5.1 Form and Roof Shape

New Industrial buildings and/or Waterfront buildings shall have a form and roof shape similar to or adapted from one of the traditional waterfront building forms as shown below:



# **ATTACHMENT ‘P’**

## **Excerpts from the Proposed HCD Plan**

### **Area off of Tannery Road**

The area off of Tannery Road was part of the Architectural Control Area of the Municipal Planning Strategy and Land Use By-law. In keeping with the intent of the Town’s Municipal Planning Strategy, the Architectural Control Area has been incorporated as part of the Heritage Conservation District. Lands along the waterfront, including the two (2) small islands (PID #60386000) are part of the waterfront area as shown on Schedule “B” Waterfront Buildings Area Map. This area is located across from the historic waterfront and any insensitive development would have an adverse effect on the aesthetics of Lunenburg’s waterfront. Any development along this area of Tannery Road should be compatible with the traditional waterfront vernacular to maintain Lunenburg’s traditional historic waterfront built form.

Policies related to the waterfront area as identified on Schedule “B” Waterfront Buildings Area Map are outlined below:

**2.3.1** It shall be the intention of Council to include provisions in the Heritage Conservation District By-law which enhances the waterfront building vernacular in a sensitive fashion while enabling the working waterfront to continue as a vital economic marine industry in the area defined on Schedule “B”, Waterfront Buildings Area Map.

**2.3.2** It shall be the intention of Council to ensure through their Land Use By-law that working waterfront uses and marine fisheries related uses are maintained as a permitted use within the area defined as Waterfront Building Area on Schedule “B”, Waterfront Buildings Area Map.

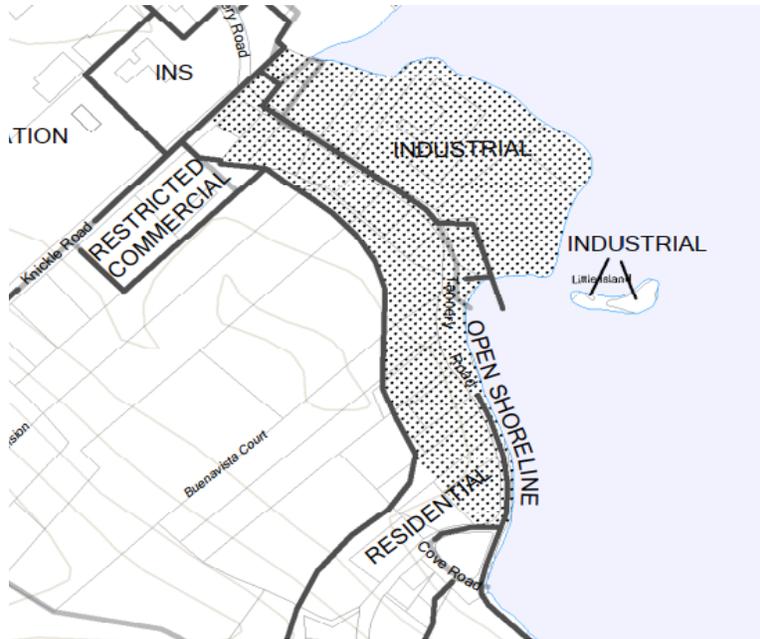
**2.3.3** It shall be the intention of Council to recognize the unique nature of Lunenburg’s waterfront as a working harbourfront and enable the ability to ensure that, when need be, design function shall triumph over conservation design guidelines provided that the development is compatible with Lunenburg’s waterfront building vernacular in style, building form, size, materials, and height.

**2.3.4** It shall be the intention of Town Council to establish design guidelines for new development and alterations that take into account the working waterfront character of the area and allow for reasonable change, while conserving its marine industrial historical character.

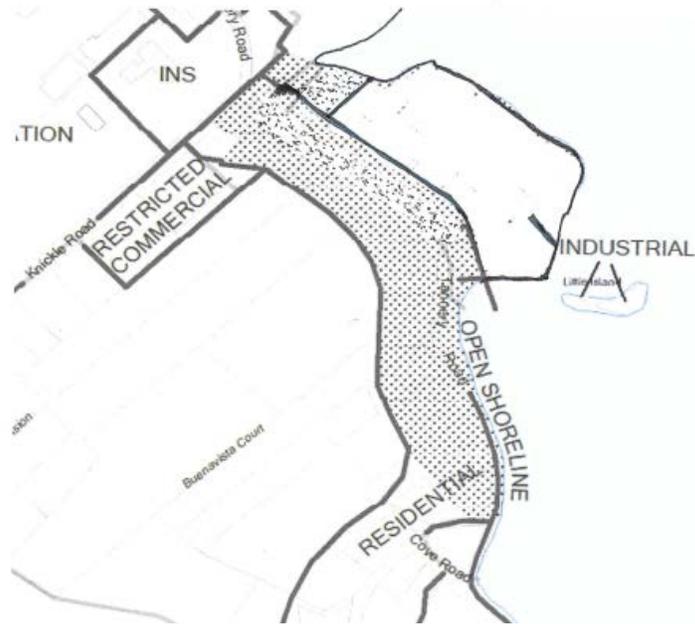
**2.3.5** It shall be the intention of Town Council to work in co-operation with waterfront property owners, the fishing industry and the Lunenburg Heritage Society to find ways and means of maintaining historic waterfront buildings and wharves in active, traditional, marine industrial uses and to conserve to the greatest degree possible the authentic, working waterfront atmosphere that characterizes this area.

**2.3.6** It shall be the intention of Town Council to encourage the Lunenburg Marine Museum Society to ensure that any tourism-related development on the museum site will be in keeping with the traditional marine industrial heritage character of the area.

**ATTACHMENT "J"**  
**Alternative Concept GFLUM Proposal**

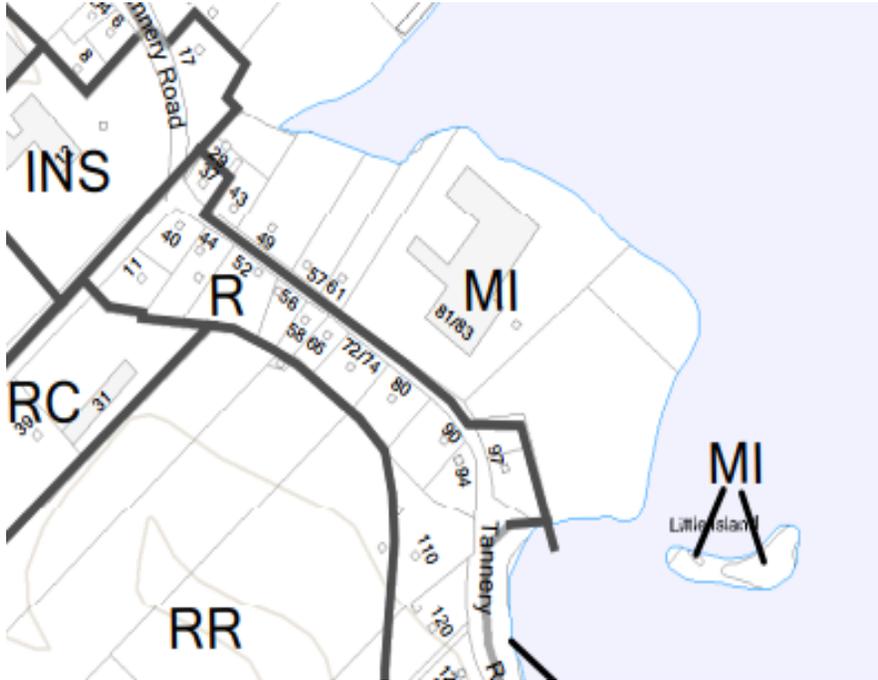


**Existing GFLUM**

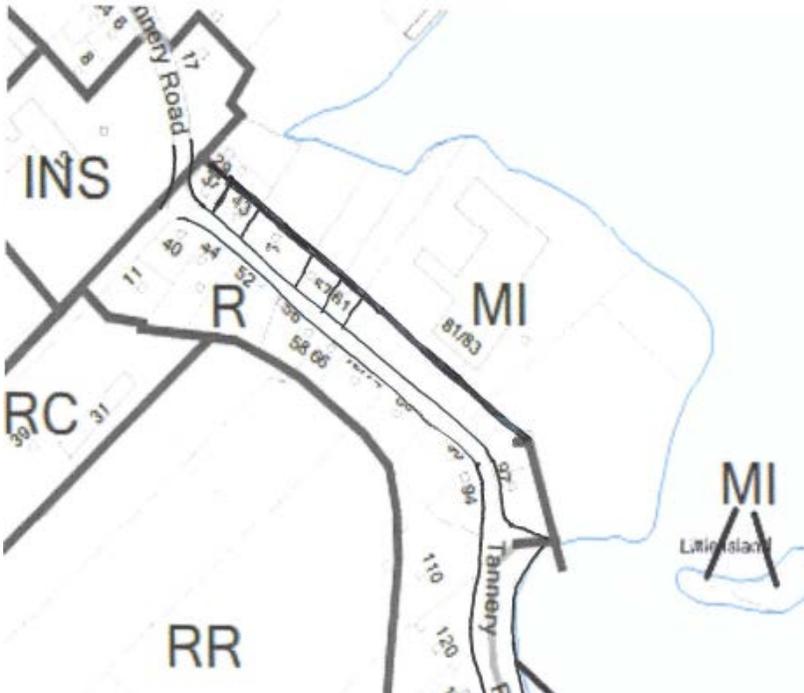


**Proposed GFLUM**

**ATTACHMENT "K"**  
**Alternative Concept Zoning Map Proposal**



**Existing Zoning Map**



**Proposed Zoning Map**

# ATTACHMENT L

To Whom it may concern,

After a brief conversation with an official at Town Hall, I understand that there is some interest in applying a Residential zoning to selected areas of the properties owned by 3-H ABCO Holdings. I was shown a sketch of ABCO properties that depicted a Residential zoning to be applied 100 ft back from the road frontage with the remainder of the property to be placed under Marine Industrial conditions only.

Ownership and Management of ABCO discussed the item and have an alternative proposal: We would be agreeable to submitting the areas 100 feet back from the road as Residential where the 2 houses currently sit. The area in front of ABCO will continue to be used as a parking lot but we are not interested in putting Residential regulations on that space. Instead, we would offer to grant an easement onto the lawn of ABCO for a side walk (only) that would allow the trees to be left standing and allow for safe passage along that section of the road.

Travelling down Tannery Road, past ABCO operations, we would still ask that the greenfield lands be left unaffected by a Residential tag and be left in the Marine Industrial zoning.

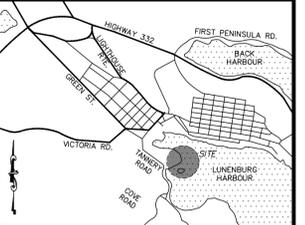
I have submitted my application for removal from the Architectural Control zones today, so I submit this letter as a discussion piece only as I understand those involved have some concerns. The actions outlined here are in response to a passing conversation and are not to be taken as official offers.

Thank you,

Jason Huskison



# ATTACHMENT M

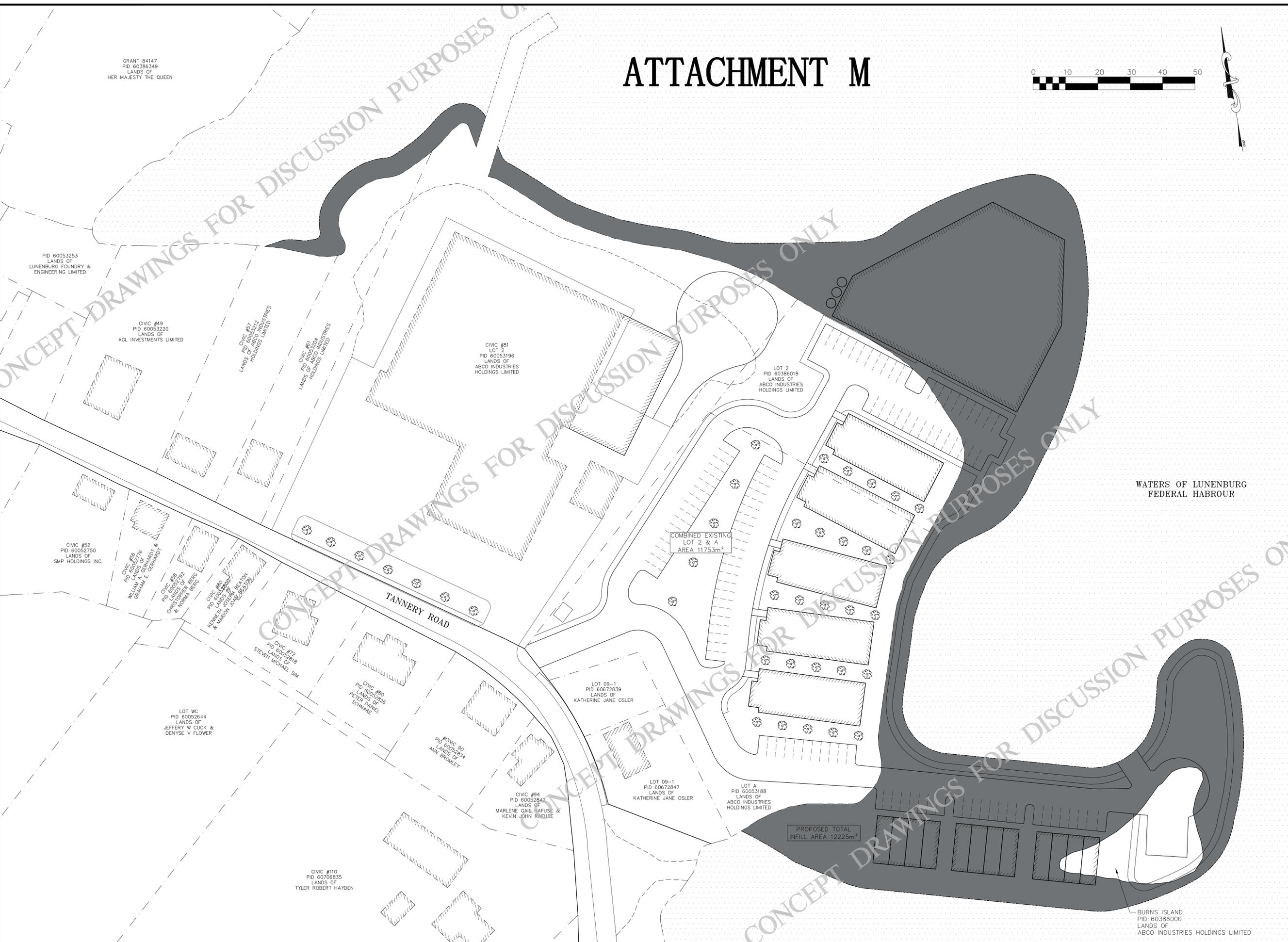


Key Plan NOT TO SCALE

**LEGEND**

	STREET TREE
	CONCRETE CURB & GUTTER
	SIDEWALK
	DRIVEWAY
	PEDESTRIAN RAMP
	PROPOSED & ALIGNMENT
	PROPERTY LINE
	EXISTING PROPERTY LINE
	PARKING STALL LINE
	PROPOSED BUILDING OUTLINE
	EXISTING BUILDING OUTLINE
	PROPOSED OHWM
	EXISTING OHWM

- NOTES:**
- EXISTING ORDINARY HIGH WATER MARK IS BASED ON PUBLIC WORKS AND GOVERNMENT SERVICES CANADA REAL ESTATE SECTOR, PLAN S-5918 SHEET 7 OF 11, LIMIT OF FEDERAL HARBOUR DATED JANUARY 6, 2016.
  - THIS PLAN SHALL NOT BE USED FOR BOUNDARY DEFINITION OR AS A REFERENCE DOCUMENT FOR THE PREPARATION OF LEGAL DESCRIPTIONS.
  - INFORMATION SHOWN AS TO EXISTING WORKS IS APPROXIMATE. EXACT LOCATION, IF REQUIRED, SHALL BE DETERMINED IN THE FIELD BY CONTRACTOR.
  - NO WORK TO BE COMPLETED BELOW THE EXISTING ORDINARY HIGH WATER MARK WITHOUT PROPER PERMITS AND APPROVALS.



**Strum CONSULTING**

Project  
LUNENBURG HARBOUR  
DEVELOPMENT

Drawing  
DISCUSSION PLAN

Scale 1:500

Date	Mar 22, 2019	Drawn	MMH
Design	NS	Check	NS
Project No.	18-6580	Sheet	1 Of 1
Drawing No.	SK01	Rev.	0

## ATTACHMENT O

Forgotten Corner  
267 Pelham Street  
LUNENBURG  
B0J 2C0

06 November 2019

Lunenburg Town Council  
119 Cumberland Street  
Lunenburg

FAO Mayor Bailey  
(By email) [rbailey@explorelunenburg.ca](mailto:rbailey@explorelunenburg.ca)

Dear Mayor Bailey

### **Re: Request to remove ABCO Industries Tannery Road properties from Municipal Planning Strategy (MPS) Architectural Control Area**

I am writing to you to express my concern and alarm that the Town Council have over the last several months been considering a number of strategic requests and proposals from ABCO Industries in relation to their business and property on Tannery Road.

#### **01 - ABCO request to be excluded from the MPS Architectural Control Area**

I attended the Town of Lunenburg Council Meeting held on Tuesday, October 22 and refer to the agenda item 7a. and 'Schedule B' under New Business: '*Request to remove ABCO Tannery Road properties from MPS Architectural Control Area*'. I understand Jason Huskilson, Director of ABCO Industries Holdings Ltd has written to the Town Council '*to request that the lands owned by ABCO Industries Holdings Ltd and ABCO Industries Inc., be removed from the Architectural Control Areas as outlined in the Existing Land Use Bylaw of the Town of Lunenburg*'.

Item 7a refers to Schedule A 'Public Presentation' by The Development and Planning Manager, Dawn Sutherland that explained the request, the process for an MPS (Municipal Planning Strategy) amendment, and the options available to Council at this stage. The summary states:

*In this case, the Town has received a letter requesting to remove certain properties from the MPS's Architectural Control Area map to allow for manufacturing expansion. ABCO would like to expand their current manufacturing footprint, and the Architectural Control Area puts limits on the size of expansion.*

***This is not a request to change planning policy to allow mixed use residential and commercial use in the Marine Industrial Zone, change zoning, nor is it about the harbour seabed.***

Based on the agenda and motions at this Council meeting, and that of previous meetings held on 26 March, 09 April, 28 May and 10 Sept it is extremely hard to imagine that this specific request is not connected to other ABCO proposals that I have highlighted below.

It was noted by attendees in the public gallery and subsequently confirmed in the minutes of the meeting that the first motion by Councillor Risser '*that consideration of the ABCO Industries request be referred to the Project Lunenburg plan review process*' was a 'Failed motion in the absence of a seconder.' This was immediately followed by the Motion moved by Councillor

Mosher, seconded by Councillor Croft 'to invite ABCO Industries to apply to amend Map 2, the Future Land Use Map in the Municipal Planning Strategy, to remove the six identified properties (Schedule "A") from the Architectural Control Area along Tannery Road, and refer the application to the Planning Advisory Committee.' This Motion was carried.

However, it should be noted that Councillor Croft as 'seconded' failed to declare an interest in the motion as an employee of ABCO Industries, as he has done at previous meetings (26 March and 09 April – see 03 below). As a point of order this motion should not have been carried and should now be rescinded for consideration at the next Town Council meeting. Of the three options (Schedule A) presented to the Town Council by The Development and Planning Manager further consideration should be given to submitting this ABCO request to Project Lunenburg for their plan review. The plan review should also extend to include other requests and proposals made by ABCO as noted below.

### **02 - ABCO concept proposals for development**

At the Town Council meeting held on 26 March ABCO concept proposals were presented 'For Discussion Purposes Only'. The concept drawings (Schedule C) included the following development proposals:

- 32 No. residential units
- 4 No. commercial units
- 101 car parking spaces
- Proposed Craft Brewery (2770 sqm)
- Proposed Marina (Waters of Lunenburg Federal Harbour)
- Future building expansion to ABCO Industries (741 sqm)
- Possible Future Truck Loading & Turn Around Area

The letter from Jason Huskison, Director of ABCO Industries Holdings Ltd states:

*The law, as written, demands that any new buildings conform to the style of any structure built pre-1940 within 300 feet. Many of our properties have no buildings that were built before 1940 within 300 feet. This rule will unjustly cause our land ownership rights to be diminished. The current by-law changes the conditions that our waterfront properties currently face. We have planned an expansion to our factory, and we feel that this by-law is detrimental to our growth within the Town of Lunenburg. We understand that another property in Lunenburg is currently in process of having their application to be removed from the same by-law and we ask that we be considered at the same time.*

It is clear from the above that the MPS Architectural Control Area and by-law is not detrimental to the growth of ABCO and their planned factory expansion but it is very much a barrier to their future development intentions and ambitions. If the ABCO concept/proposal does not conform to the intent of the MPS and there is no 'development agreement' in place then Lunenburg Town Council should not be considering the ABCO's request to alter the MPS.

### **03 - ABCO request for letter of Non-Objection on behalf of the Town**

I also understand that ABCO Industries Holdings Ltd have previously asked the Town Council 'to sign the ABCO Letter of Non-Objection on behalf of the Town' to their proposed development concept and the acquisition of the Federal Harbour seabed. This is clearly to facilitate the ABCO concept proposals for the future residential development on their land including the shoreline and a proposed 'marina'. A number of motions for this have been passed and rescinded at the 26 March, 09 April, 28 May and 10 Sept Town Council meetings. NB: Councillor Croft during the 26 March and 09 April Town Council meetings declared an interest in the matter because of his employment with ABCO and left his Council seat and sat in

the public gallery. Based on subsequent letters from the Province and Transport Canada (reference LTC meeting 10 Sept-Schedule F) rejecting the above I understand Lunenburg Town Council is unable 'to sign the ABCO Letter of Non-Objection on behalf of the Town'.

Paragraph 19.9.1 of the MPS outlines 'Criteria For Development Agreements and Land Use By-law Amendments'. The above requests and concept proposals by ABCO do not comply with these criteria and should therefore be rejected by the Town Council.

#### **04 – ABCO expansion plans and heritage**

*'Our Heritage: ABCO was founded in 1947 and occupies the site of 'Camp Norway', a training facility built during WWII. We respect and protect the historical significance of the buildings, which now house our offices. Numerous expansions and modernizations have taken place since our founding.'* <http://www.abco.ca/>

ABCO have expressed their concerns about their ability to future expand within the current Marine Industrial Zone. Rather than seek to amend the rules they should be encouraged to focus on how best to do this in accordance with the established design guidelines. Given the great tradition and precedents of marine industrial architecture and vernacular buildings they should instead be encouraged to embrace the architectural controls and guidelines. This would be an opportunity to develop their proposals to reflect the context and respect the setting of the historical harbour and townscape.

Notwithstanding the environmental and ecological impact on the shoreline any 'exclusions' granted to the current MPS Architectural Control Area would set a dangerous precedent, undermine planning legislation and make way for uncontrolled future development.

I would therefore implore the Town Council to wait until the new architectural bylaws are in place before considering the ABCO factory expansion proposals and any other proposals that may impact the designated Architectural Control Area. The architectural committee has estimated that the new bylaws would be in effect by sometime in April 2020. In the meantime there is nothing to stop ABCO from submitting their feasibility proposals 'for discussion purposes' showing their future factory expansion plans within the current Marine Industrial zone.

In summary I would like to appeal to the Town Council that new development proposals of this nature should be appropriate and sustainable for the future of Lunenburg and be subject to community consultation. The Heritage Committee's bylaws and designated district zoning is essential to ensure the high standards of townscape design and the built environment within this UNESCO Town is maintained.

Yours sincerely,

Blayne Collins

Email: [blaynelcollins@aol.com](mailto:blaynelcollins@aol.com)

CC (by email)

Chief Administrative Officer/Town Clerk Bea Renton [brenton@explorelunenburg.ca](mailto:brenton@explorelunenburg.ca)

Development/Planning Manager Dawn Sutherland [dsutherland@explorelunenburg.ca](mailto:dsutherland@explorelunenburg.ca)

Heritage Officer Arthur MacDonald [amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca)

Sheila Gallagher [saveourlunenburg@gmail.com](mailto:saveourlunenburg@gmail.com)

P.O. Box 1600  
136 Tannery Rd.,  
Lunenburg, NS  
B0J 2C0

**John & Gail Patriarche**

*ATTACHMENT P*

[crown@eastlink.ca](mailto:crown@eastlink.ca)  
Ph: (902) 634-3020

Arthur MacDonald,  
Heritage Manager  
Town of Lunenburg, NS

Nov. 6, 2019

Dear Arthur MacDonald

I am writing this letter as a result of the letter I received from Parks Canada, Nov. 1, 2019, in response to my original letter to UNESCO. Their letter explains their position on our matter, and in relation to UNESCO.

I bring to your attention para. 3, where they bring to our attention that Tannery Rd. is not in the UNESCO designated area. This is well known, however, I wish to impress on you as Heritage Manager, and the Town Council, that it is not only the boundaries of the Designated Area, that must be considered when planning future development, but also the surrounding area that is affected by 'Line of Sight' towards the Designated Area.

I gave as an example, Dresden, Germany. They were initially designated a UNESCO site, but then a few years later upon building a bridge that offended the Line of Site to their Designated Area, they lost their UNESCO designation.

The proposed Development Plan by ABCO does exactly that.

As para. 3 also explains, it is the Town of Lunenburg who are actually the 'Site Managers' for our World Heritage Site, and therefore I would ask that you and members of Town Council be very careful about endorsing any such Development Plan.

Once again we are not against future development, but just not anything that might affect our UNESCO designation. Surely there are other locations within the Town that could be considered for Commercial/Residential Development. Infilling the harbour is also not desirable.

Sincerely,



John Patriarche  
encl: Letter Parks Canada  
cc. Town Council



November 1, 2019

John and Gail Patriarche  
136 Tannery Road  
P.O. Box 1600  
Lunenburg, NS B0J 2C0  
Email: [saveourlunenburg@gmail.com](mailto:saveourlunenburg@gmail.com)

Dear Mrs. and Mr. Patriarche,

I am writing in response to your correspondence of 23 July 2019, regarding your concerns about a proposed commercial and residential development on Tannery Road in Lunenburg. Your letter was forwarded to Parks Canada by the Canadian Commission for UNESCO (150 Elgin Street, Ottawa, ON) to whom you sent your letter. We apologize for the delay in responding.

Your letter was forwarded to our office because Parks Canada is the agency responsible for the implementation of the World Heritage Convention in Canada, therefore we receive correspondence from citizens regarding UNESCO World Heritage sites in Canada.

While Parks Canada ensures implementation of the World Heritage Convention in Canada, responsibility for management of each World Heritage site falls under the relevant site manager's jurisdiction, which in this case is the Town of Lunenburg. I would also like to note that Tannery Road is not within the World Heritage site boundaries.

I recommend you contact Mr. Arthur MacDonald, who is the Heritage Manager at the Town of Lunenburg. He may be of assistance with responding to your concerns or directing you to the appropriate authorities.

Arthur MacDonald, MCIP, LPP, Heritage Manager, Town of Lunenburg  
119 Cumberland Street, PO Box 129, Lunenburg, NS B0J 2C0  
Email: [amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca), Tel: 902-634-4410, ext 234

Thank you for taking the time to share your concerns and I trust this information is helpful.

Sincerely,



Heather MacDonald  
Advisor, International and Intergovernmental Affairs  
Indigenous Affairs and Cultural Heritage, Parks Canada Agency  
30 rue Victoria (PC-03-M), 3-19, Gatineau, QC J8X 0B3  
[heather.macdonald2@canada.ca](mailto:heather.macdonald2@canada.ca) / Tel: 819-420-9796

Cc: Arthur MacDonald, MCIP, LPP, Heritage Manager, Town of Lunenburg

Circulated: \_\_\_\_\_

Document No: 5(b)  
Meeting: HAC – November 18, 2019  
Circulate To: HAC, Council, BR,  
File:

**MEMORANDUM**

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**  
**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**  
**DATE: NOVEMBER 12, 2019**  
**RE: LOT A1 DUFFERIN STREET - REMOVAL FROM ARCHITECTURAL CONTROL AREA**

**1. FACTS**

**A. Background**

The owner of Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, has made a request to amend the Generalized Future Land Use Map (GFLUM) of the Town’s Municipal Planning Strategy (MPS) to remove his lot from the Architectural Control Area. During a Council Meeting on August 27, 2019 Council referred the request to the Planning Advisory Committee for consideration. As one of the intents of the proposed Heritage Conservation District (HCD) Plan and By-law is to incorporate the Architectural Control Areas into the District this request has implications on the proposed HCD.

**B. Proposal**

The proposal is to remove Lot A1 (PID# 60642741), Dufferin Street, as shown on **Attachment A** from the Architectural Control Area of the GFLUM.

**2. ISSUES AND OPTIONS**

The Background Study for the Revised HDC Plan and By-law was approved in March, 2018. This document provided the rationale for the proposed heritage district boundaries which was based on MPS Policy 10.6. This Policy supported the inclusion of the Architectural Control Areas into the Heritage Conservation District. By removing lands from the Architectural Control Area by default the lands should then be removed from the proposed District. However, this may not necessarily be the case.

The Municipal Planning Strategy provisions respecting the Architectural Control Area are enclosed in **Attachment F** and the Land Use By-law Provisions respecting the Architectural Control Area are enclosed in **Attachment G**.

The subject property, PID 60642741, was originally part-in-parcel of 95 Dufferin Street and is a vacant lot. According to the Subdivision of former School Lands, 95 Dufferin Street, a Georgian Style home reminiscing of the Georgian style of the late 18<sup>th</sup> and early 19<sup>th</sup> century was actually built sometime after 1946. Homes located across the street in the Architectural Control Area were built in 1888-1890 (90 Dufferin Street), 1891-1893 (96 Dufferin Street), and 1910 (102 Dufferin Street) all built during the *BLUENOSE* era. When the Town created the Architectural Control Area it attempted to encompass homes that best represented the built environment up to the end of the *BLUENOSE* era (1940's) and delineated the boundaries by following the property boundary lines. The subject lands were included as they were part of 95 Dufferin Street at the time, and its eastern boundary followed in line with the boundaries of the 3 homes located across the street. Any modern developments could have an impact on these historic homes and could change the appearance of the streetscape in a similar fashion as 107 Dufferin Street. The subject property is located directly across the street from 102 Dufferin Street built in 1910.

Policy 10.6 of the Municipal Planning Strategy (MPS) outlines Council's intension to expand the Heritage Conservation District to include other historically and architecturally significant areas including portions of Dufferin Street located within the Architectural Control Area. The Draft Heritage Conservation District Plan and By-law proposes incorporating the subject lands within the Heritage Conservation District. The intent of the Plan is not only to provide conservation provisions regulating the built assets themselves but also their settings. The potential of decreasing the Architectural Control Area, and subsequently the proposed Heritage Conservation District, will create a precedent that may impact the cohesiveness of the Heritage Conservation District. The draft Heritage Conservation District Plan has policy provisions related to the expansion as well as the reduction of the Heritage Conservation District. If the subject lands were currently part of the Heritage Conservation District, Policy 3.2.2 would be relevant for Council's consideration.

**3.2.2** It shall be the intention of Council where application is made or on its own motion to consider the reduction of the Heritage Conservation District's boundaries where:

- the architectural character, landscape character, historical association, scenic quality or other characteristics of the property or area in terms of its value as part of the Heritage Conservation District is no longer apparent and relevant and its removal does not adversely affect the cohesiveness of the District or adversely affects the architectural built environment of the District or its setting;
- the continued inclusion of the property or area within the district places an undue and unreasonable hardship upon the property owner or owners; and
- Council has exhausted any other practical alternatives to the boundary amendment which may be available.

The owners have expressed hardship in their attempt to sell the vacant property.

Though the provisions of the proposed Policy 3.2.2 are for Council's deliberations in considering the request, Staff is of an opinion, at this time, that such approval would set a dangerous precedent and has the potential of adversely affecting the cohesiveness of the District. Once the subject property is removed from the Architectural Control Area and subsequently the proposed Heritage Conservation District a new modern contemporary development would be permitted as-of-right. In light of the above, staff is not in favour of removing the subject property from the Architecturally Control Area at this time.

However, the subject property is a vacant lot on the fringe of the Area as well as on the fringe of the proposed Heritage Conservation District and not in the middle. The movement of the boundary line to exclude the subject property should not affect the integrity of the Area or the proposed District as a whole. Also, the home located at 107 Dufferin Street built in 2003 is a modern contemporary home and is located directly to the west of the subject lands. In light of the above, Council may determine that the exclusion of the subject lands will not have a significant impact on the cohesiveness of the Architectural Control Area and approve the request. Such a decision, in staff's opinion, could also be supported in light of the proposed Policy 3.2.2 intent.

### **3. FINANCIAL IMPACT**

There are no financial costs directly attributed to the Town other than the waiving of the advertising fees for the Public Participation Meeting and the Public Hearing.

As the property is not part of the Old Town UNESCO World Heritage Site its removal from the Architectural Control Area of the Municipal Planning Strategy and by default, its removal from the proposed Heritage Conservation District will not, in staff's opinion, have a significant impact on the UNESCO designation and, as of a result not have a significant impact on the local economy or the local cultural attributes of Lunenburg.

### **4. STRATEGIC PLAN RELEVANCE**

This project is deemed contrary to the Town's Strategic Plan with regards to:

*Strategic Plan Goal #1A* – Promote a high quality of life for residents by enhancing appreciation of Lunenburg's heritage;

This project is in keeping with:

*Strategic Plan Goal #4* – Encouraging business development initiatives;

### **5. RECOMMENDATION - OPTIONS**

It is recommended that the Heritage Advisory Committee review the following options:

- 1) Recommend to the Planning Advisory Committee the refusal of the owner's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to remove Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, from the Architectural Control Area.
- 2) Recommend to the Planning Advisory Committee the approval of the owner's request to amend the Generalized Future Land Use Map (GFLUM) of the Town's Municipal Planning Strategy (MPS) to Lot A1 (PID# 60642741), Dufferin Street, a vacant lot, from the Architectural Control Area.

***Note: Such recommendations will be subject to the review and recommendations of the Planning Advisory Committee who maintains the advisory role to Council on planning matters.***

**ATTACHMENTS:**

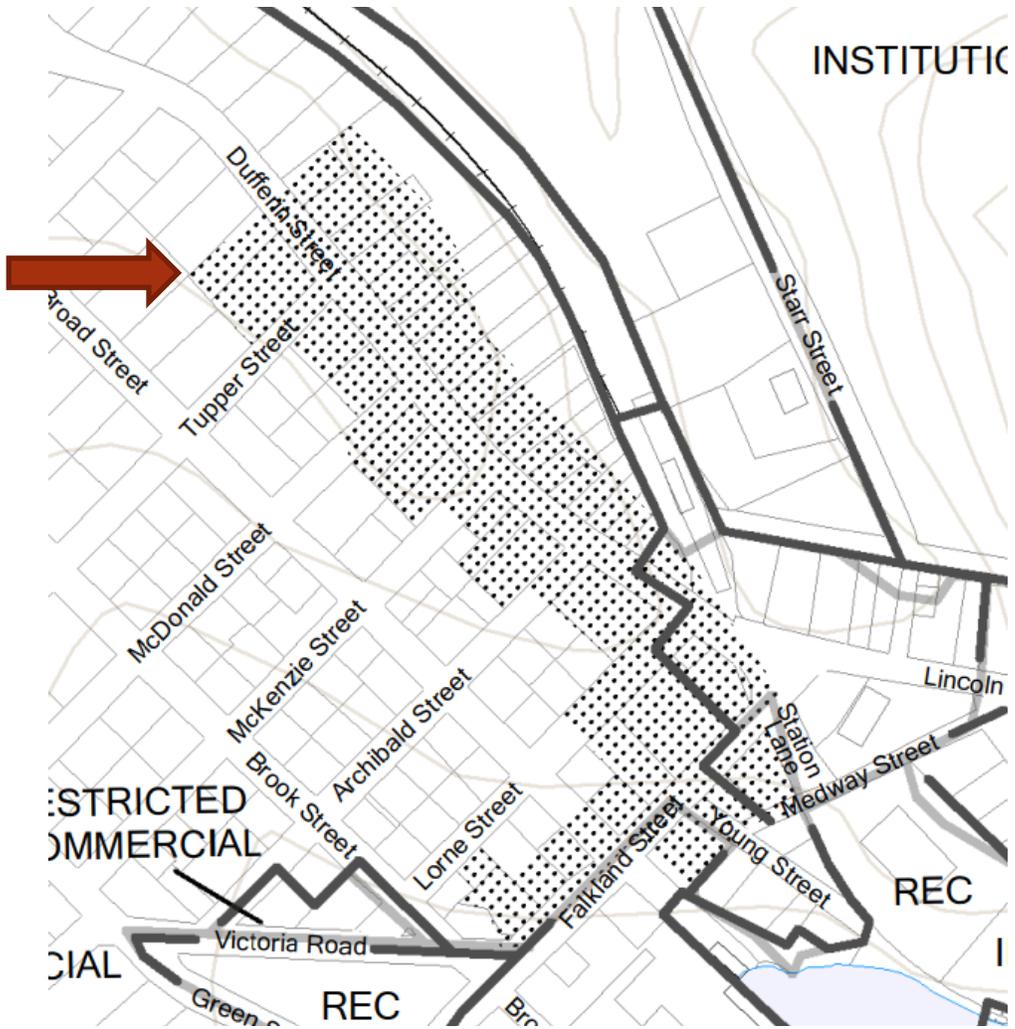
- A.** Lot A1 (PID# 60642741), Dufferin Street – Survey Plan
- B.** Generalized Future Land Use Map (GFLUM)
- C.** Proposed Heritage Conservation District Map
- D.** Pre-1940's Buildings Map
- E.** Aerial Photos – Lot A1, Dufferin Street
- F.** Municipal Planning Strategy Heritage Provisions
- G.** Land Use By-law Architectural Control Area Provisions

Acknowledged by:

Bea Renton  
Town Manager/Clerk



**ATTACHMENT B**  
**Generalized Future Land Use Map (GFLUM)**

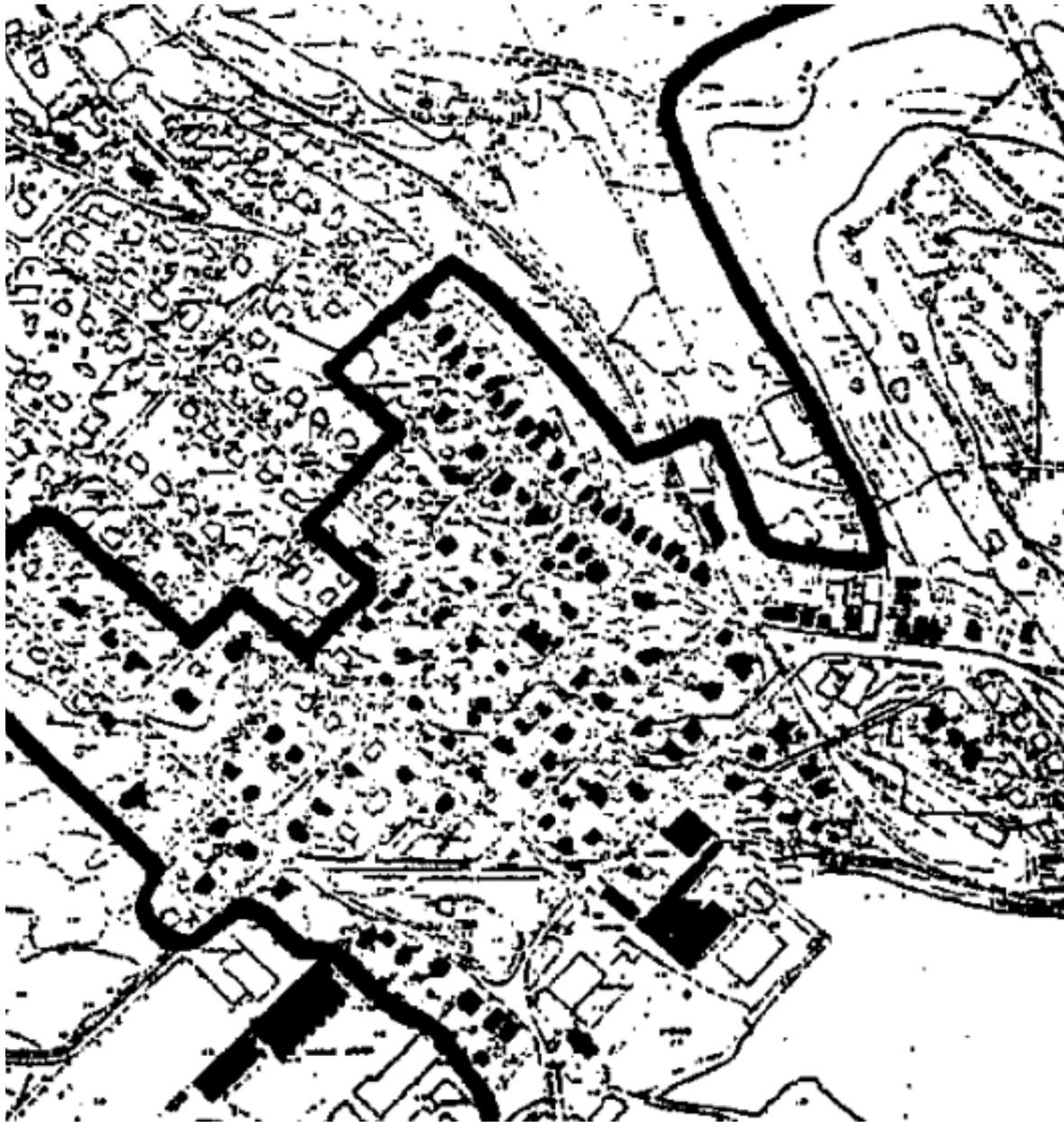


**ATTACHMENT C**  
**Proposed Heritage Conservation District Map**



Proposed Heritage Conservation District Map highlighting the subject property.

ATTACHMENT D  
Pre-1940's Buildings Map



**ATTACHMENT E**  
**Aerial Photos – Lot A1 Dufferin Street**



## **ATTACHMENT ‘F’**

### **MUNICIPAL PLANNING STRATEGY HERITAGE PROVISIONS**

#### **POLICIES**

It shall be the policy of Council to:

#### **Registered Heritage Properties**

**10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

#### **Architectural Control Area Designation**

**10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

#### **Architectural Control Area Provisions**

**10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:

(a) new buildings; and

(b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

#### **Heritage Conservation District**

**10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

#### **Heritage Conservation District Plan and Bylaw**

**10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural

change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

### **Future Expansion of Heritage Conservation District**

**10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

### **General Policies**

**10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main Street Program.

**10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.

**10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

**ATTACHMENT “G”**  
**LAND USE BY-LAW ARCHITECTURAL CONTROL AREA PROVISIONS**

**PART 26G ARCHITECTURAL CONTROL AREA**

**26G.1 New Main Buildings**

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

**26G.2 Additions and Alterations to Existing Buildings**

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3 (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
- (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
- (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

**26G.4 Renovations and Replacements**

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations set out in Section 26G.1.

**HERITAGE ADVISORY COMMITTEE MEETING RECOMMENDATIONS**  
**MONDAY, JANUARY 20, 2020**

1. To recommend that Council approve the adoption of the Heritage Day Proclamation for February 17, 2020 (Schedule "D").

**HERITAGE ADVISORY COMMITTEE MEETING MINUTES**

**MONDAY, JANUARY 20, 2020 AT 5:15 P.M.**

**(LUNENBURG TOWN HALL)**

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**PRESENT:** Councillor Peter Mosher, Chair  
Councillor Ronnie Bachman  
Stephen Ernst  
Nathalie Irving  
David John Lobb  
Oliver Osmond  
Mayor Rachel Bailey, ex officio

**ALSO PRESENT:** Arthur MacDonald, Heritage Manager  
Heather McCallum, Assistant Municipal Clerk

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The Chair called the special meeting to order at 5:15 p.m.

1. Agenda

**Motion:** moved and seconded to approve the agenda, with the addition of a “business arising” item as 5.c. **Motion carried.**

2. November 18<sup>th</sup>, 2019 Heritage Advisory Committee meeting minutes

**Motion:** moved and seconded to approve the November 18, 2019 Heritage Advisory Committee meeting minutes. **Motion carried.**

3. Public Hearings and Presentations

N/a

4. Unfinished Business

a. Heritage Conservation District Plan and By-law Review

The Heritage Manager (HM) reviewed the report (**Schedule “A”**).

The Committee discussed Appendix A on development in the Tannery Road waterfront buildings area. **The Committee agreed by consensus to remove the “commercial” from proposed new provisions 4.13 and 4.14, reserving these provisions for industrial buildings only.**

b. Heritage Conservation District Plan and By-law Review – Submission Review – staff report.

The HM reviewed the report (**Schedule “B”**).

The Committee, by consensus, approved the recommendations in the report regarding painting of railings and posts and fences, paint colour, and boundaries of the Heritage Conservation District.

5. New Business

a. Heritage Recognition Awards Program – Call for Nominations

The HM reviewed the report (Schedule "C"), and advised that he will advertise for nominations beginning February 4th and that the nomination period will close on March 6th. Winners will be presented with their certificates at the Town's 267<sup>th</sup> Anniversary celebration, to be held on Friday, June 5, 2020.

b. Heritage Day Proclamation – February 17<sup>th</sup>, 2020

The HM reviewed the report (Schedule "D").

Motion: moved and seconded to recommend that Council approve the adoption of the Heritage Day Proclamation for February 17, 2020 (Schedule "D"). Motion carried.

c. Business Arising: Heat Pump

It was noted by the Committee that the heat pump installation approved for 112-118 Lincoln Street is still not screened as required. The HM reported that he had contacted the applicant on this matter again last week. It was agreed by consensus to defer this item to the next HAC meeting, and determine next steps if the work has not been completed by that time.

6. Adjournment

The next meeting was re-scheduled to Wednesday, April 20, 2020 at 5:15 p.m.

Motion: moved and seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 6:09 p.m.

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Heather McCallum, Assistant Municipal Clerk

Circulated: \_\_\_\_\_

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Document No: 4(a)  
 Meeting: HAC – January 20, 2020  
 Circulate To: HAC, Council, BR,  
 File:

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## MEMORANDUM

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2020**

**RE: HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW REVIEW**

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1. **FACT**

**A. Preamble**

This report is a running account of discussions with the Heritage Advisory Committee during the Plan and By-law review since the adoption of the “Background Study -Towards a Revised Heritage Conservation District” approved by Council on March 27<sup>th</sup>, 2018. The newer text sections have been highlighted in “purple” to identify the most recent additions to the report since the last submission to the Committee for ease of reference.

**B. Background**

During the regular meeting of March 27<sup>th</sup>, 2018 Council approved the “Background Study - Towards a Revised Heritage Conservation District” complete with a Public Participation Program. In keeping with the Heritage Conservation Districts Regulations, the Background Study was submitted to the Minister of Communities, Heritage and Culture for his determination as to whether further background studies would be required. On May 17, 2018 the Minister advised no further background studies would be required.

The revised Heritage Conservation District Plan was reviewed by the HAC during their meeting of May 15, 2018. During the HAC meeting of July 16<sup>th</sup>, 2018 the HAC initiated the review of the revised Heritage Conservation District By-law. Comments were received and amendments were introduced into the proposed By-law, outlined in “red”. Staff met with the Town Solicitor to review the revised Plan and By-law. The attached draft By-law has incorporated revisions from this legal review. The most significant change is that due to Section 17 of the Heritage Property Act, designated Municipal Heritage Properties undertaking a substantial alteration will still require Council’s approval even though it meets the heritage provisions of the By-law. Part 3.17 of the By-law has been revised to reflect this requirement.

During the HAC meeting of September 17<sup>th</sup>, 2018 the Committee reviewed a table outlining the differences between the MPS/LUB Architectural Control Areas provisions and the proposed provisions under the Heritage Conservation District By-law. It was noted that the MPS/LUB provisions restricted development styles to those existing within 300 feet of the development whereas the proposed Heritage Conservation By-law enabled the development of any style

compatible with Lunenburg's Historic Architecture Styles as outlined in Schedule "C" of the By-law. This provides a greater selection (flexibility) to the applicant with regards to their development plans.

The HAC meeting of September 17<sup>th</sup>, 2018 also reviews a table outlining the differences between the existing Heritage Conservation District By-law and the proposed Heritage Conservation District By-law. The following amendments were noted:

- 1) That the section dealing with "Aprons" under decks and stairs be amended to enable the use of composite materials that have the appearance of wood and to encourage the use of wooden material that are painted or stained in a solid colour or otherwise left to weather in their natural finished state.
- 2) That the section dealing with additions onto existing buildings not to exceed 25% of the existing building's footprint be made more clearer in keeping with the definition of "Existing" to prevent the accumulations of additions over time without triggering the requirement for a public hearing process.

During the HAC meeting of October 29<sup>th</sup>, 2018 the Committee reviewed the Heritage Conservation District By-law, Sections 1.0 through 4.0, as well as Schedule "A", Schedule "B", Schedule "C" and Sections 1.0 and 2.0 of Schedule "D", Design Guidelines.

It was agreed that the HM will make the following revisions to the By-law and Guidelines for further Committee consideration:

1. The trigger for a public hearing for demolition reviews should be set at greater than 25% of the building's footprint rather than the proposed 50% as envisioned in the By-law.
2. Attached solariums, pergolas and trellises should be prohibited on the principal front and flanking facades of buildings.
3. Both canvas and plastic tarp shipyard buildings east of Ship Yard Hill will be further discussed.

During the HAC meeting of November 19, 2018 the Committee was in general agreement with the revisions to reduce the trigger for a public hearing for demolitions from 50% to 25% of the building's footprint as well as the revisions regarding attached solariums, pergolas and trellises being prohibited on the principal front and flanking facades.

The Committee discussed canvas and plastic tarp buildings and was in general agreement to enable them in the Marine Industrial (MI) Zone subject to being "temporary" under a proposed Land Use By-law provision. However, it was agreed that the issue pertaining to whether they should be for the shelter of ships and vessels solely, or if marine related purposes would also be appropriate should be further discussed. The Committee agreed to review this issue at the next meeting. Proposed drafts for the Committee's consideration are outlined below:

#### **4.2 Types of development for which a Certificate of Appropriateness shall not be required**

A Certificate of Appropriateness shall not be required for the following types of development:

- (8) canvas and plastic tarp buildings on lots directly abutting Lunenburg's Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components.

### **5.23 Canvas and Plastic Tarp Shipyard Buildings**

Notwithstanding anything else in this By-law, canvas and plastic tarp buildings may be erected on lots directly abutting Lunenburg's Harbour located in the Marine Industrial (MI) Zone, subject to the requirements of the Land Use By-law, for the enclosure of ships, vessels and/or for the enclosure of other marine related equipment and accessory components without the issuance of a Certificate of Appropriateness.

The Committee then initiated the review of Part 3.0 "New Residential Buildings" of Schedule "D" – Design Guidelines. Overall the Committee was in general agreement with the provisions and agreed to pick-up and continue its review starting with Part 4.0 "New Commercial Buildings" at the next meeting.

During the HAC meeting of January 21, 2019 the committee was in agreement with the wording associated with Part 4.2 and Part 5.23 as submitted. The Committee then focus on Section 4.0 New Commercial Buildings and Section 5.0 New Waterfront Buildings.

Under Section 4.0 the Committee was in agreement that Part 4.6 Set-back should apply to all buildings and agreed to a slight re-wording from the version circulated for the meeting: "New commercial buildings shall have," to "New buildings in the GC zone shall have..." to be applicable for all new buildings along the streetscape, not just commercial buildings.

Under Section 5.0 the Committee recommended a re-wording of Part 5.22. Discussion arose about concerns about encasing concrete in traditional wood re: cost, aesthetic, maintenance, and safety. It was agreed that (a) concrete pilings are acceptable; and (b) above the waterline, it is preferred that concrete decking be encased in wood but will not be required.

### **5.22 Wharves**

The preferred material for wharves and wharves' decking is wood. However, wharves may be constructed of modern materials such as reinforced concrete piles with concrete decking or with modern composite materials. It is preferred when modern materials are used the modern material above the water line are encased with traditional wooden materials. However, modern materials above the water line not encased in traditional wooden materials are acceptable.

Overall the Committee was in agreement with the provisions of Part 4.0 and Part 5.0 and agreed to pick-up and continue its review starting with Part 6.0 "New Institutional Buildings" at the next meeting.

During the HAC meeting of March 18, 2019 the Committee reviewed Part 6.0 "New Institutional Buildings", Part 7.0 "Accessory Buildings (Outbuildings)" and Part 8.0 "Fences" and agreed to begin the next meeting with Part 9.0 "Signs" at the next meeting.

The Committee had a general discussion on what happens when a proposal does not meet the Design Guidelines. Currently there is no mechanism to allow approval of a development that does not meet the design guidelines, but it may be in Lunenburg's best interest to consider a mechanism to enable Council to consider the proposal rather than refusing the development outright or undertaking an amendment process to the By-law which requires a Public Hearing and Provincial approval, roughly a 3-6 month process. The HM will consider adding a "notwithstanding" clause to allow for a less onerous mechanism in consultation with the Town's Solicitor.

The illustrations in Part 7.15 dealing with “roof top Decks” for accessory buildings will be deleted to avoid confusion.

Under Part 8.0 “Fences” the Committee discussed whether it was appropriate to enable “Wooden Post and Iron Pipe fences”. It was agreed that the option should still remain with the inclusion of “Wooden or concrete post and iron pipe fences”.

Under Part 9.0 “Signs” it was agreed to add signage definitions from the Land Use By-law.

The Committee agreed to pick-up and continue its review starting with Part 9.0 “Signs” at the next meeting.

During the HAC meeting of May 27, 2019 the Committee reviewed Part 9.0 “Signs”, Part 10.0 “Utility Structures” and Part 11.0 “Retaining Walls”.

It was agreed that Part 10.1 be amended to ensure that utility structures located on or supported by the ground are prohibited from being located in the principal front yard or flanking yard of a property.

The HM submitted his memo regarding the inclusion of 5 additional Accessory Buildings that would require a Public Hearing prior to the issuance of a demolition permit. It was agreed that this concept will be reviewed again at the following meeting.

The HM introduced his memo regarding a general “Notwithstanding Clause” that would enable applicants the ability to go through a Public Hearing process for those developments that are not in compliance with the Heritage Conservation District By-law provided there is a significant community benefit. It was agreed that this provision would not be included in the proposed Plan and By-law but was identified as a provision that we would keep in mind in case a situation arises in the future where Council may be so inclined to implement at a later date.

This completed the HAC’s review of the proposed Heritage Conservation District Plan and By-law. It was agreed that the entire Plan and By-law will be submitted to the Committee during the following HAC meeting schedule for September 16<sup>th</sup>, 2019.

During the HAC Meeting of September 16<sup>th</sup>, 2019 the Committee reviewed the staff report regarding Accessory Buildings. Though all five accessory buildings were worthy of special protection requiring Council’s permission prior to the issuance of a demolition permit, it was agreed to accept those whose owners had agreed to the special protection measures, namely 120 Tannery Road and 160 Tannery Road. It was agreed that these two accessory buildings be added to the existing list of 36 Pelham Street and 56 Prince Street, pursuant to the Heritage Conservation District Plan and By-law review.

The Committee reviewed the draft Heritage Conservation District Plan and By-law and agreed to proceed with two Public Participation Meetings. The first scheduled for October 15<sup>th</sup>, 2019 which will focus on the Plan and By-law provisions and a second meeting scheduled for October 21<sup>st</sup>, 2019 focusing on the Design Guidelines.

#### **Public Participation Meeting Review:**

Two Public Participation Meetings were held (October 15<sup>th</sup> and October 21<sup>st</sup>, 2019) to obtain public feedback concerning the draft of the proposed Heritage Conservation District Plan and By-law.

During the Public Participation Meetings, the HAC heard comments that the requirement to paint or stain railings and fences should be removed. There was agreement from the committee

members that this was a reasonable request and the Design Guidelines have been amended to reflect this notion.

Comments were received regarding the extension of the District's boundaries along the shoreline of Lunenburg's harbour, including the Foundry lands, the Golf Course as well as an extension along Bruma Road. Concepts Drawings A through F outlining the areas are attached for discussion. A further submission was received and is attached as Attachment D.

Though the Heritage Conservation Districts Regulations do not shed any light on whether a new background study would be required if the boundaries change, it should be noted that the Province may wish the Town to undertake a new Background Study if the proposed boundaries do change significantly. Note if the Province requires a new Background Study the Plan and By-law's approval and implementation may not happen until after the municipal elections in the fall of 2020.

### **Part 7(1) of the Heritage Conservation Districts Regulations - Background Study:**

#### **Background studies and information**

**7 (1)** In the preparation of a conservation plan and by-law, the council as a minimum shall undertake studies relating to the following:

- (a)** the rationale or justification for heritage conservation measures in the district;
- (b)** the rationale for the boundaries of the district;
- (c)** the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
- (d)** an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

**(2)** After acceptance by a council of background studies prepared pursuant to this Section, the council shall provide public access to the studies and provide two copies of the studies to the Minister.

**(3)** Within sixty days of the receipt of the studies, the Minister may prescribe additional background studies.

**(4)** The Minister shall advise the council when no additional studies are required.

Fees were raised as a concern. Though Certificates of Appropriateness and Development Permits are free, it is recommended that Council consider waiving the advertising costs associated with any required Public Hearing pursuant to the revised Heritage Conservation District Plan and By-law.

The Town received four (4) written submissions with regards to the Public Participation process. They are attached in Attachment C, D and E.

During the HAC meeting of November 18<sup>th</sup>, 2019 the public comments as well as the written submissions received through the Public Participation Meetings were discussed. Conversations during the Public Participation Meetings as well as the written submissions indicated a desire to extend the District's boundaries around the harbour to protect the aesthetics of the historic working waterfront. There was a desire of the committee members to keep the Review in line with a timetable that would enable Council to approve the District Plan and By-law prior to municipal elections in the fall of 2020 and maintain its approval in-line with the approval timetable of the proposed Comprehensive Community Plan, Municipal Planning Strategy and Land Use By-law. It was acknowledged that the extension of the boundaries would require the submission of a new Background Study which would require provincial review and may cause the process to be delayed beyond the municipal elections. Therefore, there was agreement to maintain the district

boundaries as they were and consider the boundaries extension when deemed appropriate at a later date.

The Committee also discussed the ABCO's proposal in light of the proposed District Plan and By-law. There was agreement that industrial buildings along the New Town Waterfront Area should be able to use metal siding, particularly if the area had other existing buildings nearby clad with metal siding.

The triggers requiring a Public Hearing for certain developments such as new industrial buildings in the Waterfront Area was discussed and whether such requirement could be relaxed in the Tannery Road Waterfront Buildings Area to encourage industrial developments. These concepts are further explored in Appendix "A" for your consideration.

### **C. Proposal**

Throughout the By-law review the Committee discussed the restrictions on the use of materials. Staff recommended the status quo with regards to the restriction on wooden cladding materials but acknowledge the need to recognize issues pertaining to the longevity and maintenance of wooden materials. For example the By-law currently enables the use of vinyl insert windows, the use of metal roofing materials and the use of composite materials that have the appearance of wood in limited cases such as curved posts and aprons under decks and stairs. The By-law also enables the use of non-combustible materials where required under the Building Code.

Providing provisions that recommends materials but may include others, essentially enables the others as-of-right. This creates a slippery slope that may have dire consequences in the long run and is not recommended. Council does have the ability to incorporate provisions such as a "notwithstanding anything contained in this by-law" clause which could require, for example, the approval of modern composite materials through a public hearing process. This type of provision put the onus of approval on Council, the resolution of which may prove difficult at the best of times due to competing viewpoints between the needs of the applicant, neighbours, citizen groups, etc. Council's approval through the public hearing process may also be appealed to the Public Utility and Review Board pursuant to Section 19H (1A) of the Heritage Property Act. This may cause animosity between groups of competing viewpoints and could result in a no win situation. Rather than open Pandora's Box at this time, it is recommended that we do not implement a notwithstanding clause of this nature at this time.

## **2. ISSUES AND OPTIONS**

The submission of the draft Heritage Conservation District Plan and By-law is intended for information purposes to aid in the further development of the District's Plan and By-law. Once the HAC and the Town Solicitor are comfortable with the draft, the HAC will then advertise for a Public Participation Meeting in keeping with the Public Participation Program.

The Public Participation Meetings were held on October 15<sup>th</sup> and 21<sup>st</sup>, 2019. It is the intention of the HAC to review the comments received.

## **3. FINANCIAL IMPACT**

There is a financial cost associated with undertaking a Revised Heritage Conservation District Plan and By-law. Sufficient funds have been allocated to proceed with the development of the Revised Heritage Conservation District Plan and By-law in the 2019/20 fiscal year's budget.

There would also be additional costs associated with waiving the advertisement fees for required Public Hearings associated with the revised Heritage Conservation District Plan and By-law.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

Strategic Plan Goal #1 – To enhance appreciation of Lunenburg’s heritage;

Strategic Plan Goal #2 – To promote our UNESCO designation;

Strategic Plan Goal #5 – To develop and update Town By-laws;

**5. RECOMMENDATION AND DRAFT MOTION**

For discussion purposes only.

**ATTACHMENTS:**

**A.** Draft of the proposed Heritage Conservation District Plan and By-law

**B.** Appendix “A” – Developments in the Tannery Road Waterfront Buildings Area

Acknowledged by:

Bea Renton  
Town Manager/Clerk

## **Appendix “A” – Developments in the Tannery Road Waterfront Buildings Area**

### **1. Metal Cladding in the Waterfront Buildings Area: (New Provision 4.13)**

#### **“4.13 Metal Cladding in the Tannery Road Waterfront Buildings Area**

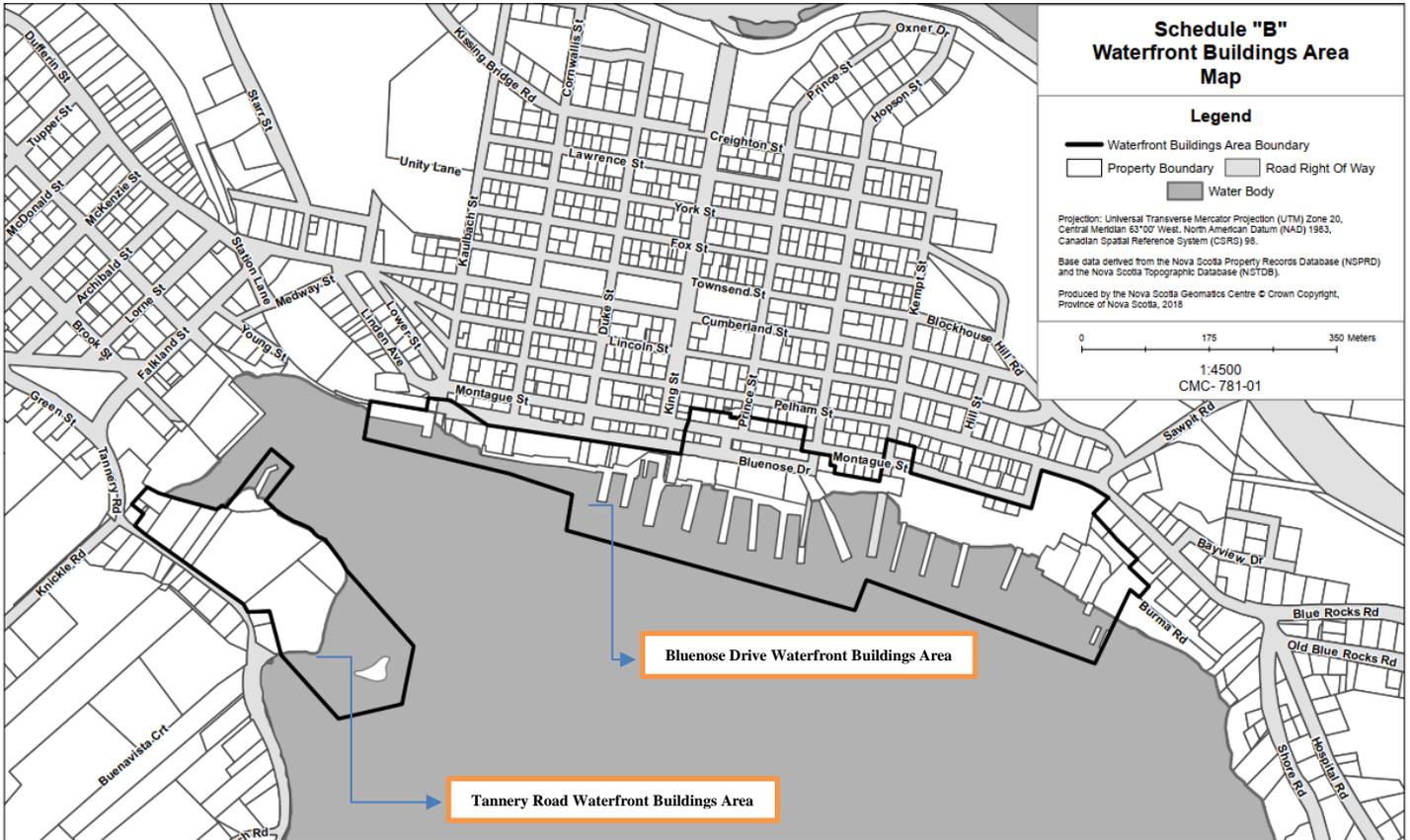
Notwithstanding anything contained in Schedule “D” Design Guidelines of this By-law, metal cladding may be used on commercial and industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on Schedule “B”, the Waterfront Buildings Area Map provided the metal cladding materials have a matte dark or medium-toned colour. Exposed bare metal cladding, bright reflective shiny metal, and light coloured metal cladding materials shall be prohibited. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on Schedule “B”, the Waterfront Buildings Area Map.”

### **2. New Commercial and Industrial Buildings in Waterfront Area without Public Hearing: (New Provision 4.14)**

#### **“4.14 New Commercial and Industrial Buildings in the Tannery Road Waterfront Buildings Area**

Notwithstanding anything contained in Part 4.3 of this By-law new commercial buildings and new industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on Schedule “B”, the Waterfront Buildings Area Map may receive a Certificate of Appropriateness by the Heritage Officer without a Public Hearing process provided the development conforms with all other provisions of this By-law. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on Schedule “B”, the Waterfront Buildings Area Map.”

## Appendix "A" – Waterfront Buildings Area Map



Circulated: \_\_\_\_\_

Document No: 4(b)

Meeting: HAC – January 20, 2020

Circulate To: HAC, Council, BR,

File:

**MEMORANDUM**

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2020**

**RE: HERITAGE CONSERVATION DISTRICT PLAN AND BY-LAW REVIEW  
SUBMISSION REVIEW**

**1. FACTS****A. Background**

Two Public Participation Meetings were held (October 15<sup>th</sup> and October 21<sup>st</sup>, 2019) to obtain public feedback concerning the draft of the proposed Heritage Conservation District Plan and By-law. We received comments respecting the following:

**Painting of Railings and Posts and Fences:**

During the Public Participation Meetings, the HAC heard comments that the requirement to paint or stain railings, posts and fences should be removed. There was agreement from the committee members that this was a reasonable request and the Design Guidelines have been amended to reflect this notion. However, it has been suggested that the Committee reconsider this aspect.

The proposed By-law now enables the wood to weather naturally as outlined below:

“The railings and posts of stairs and decks shall be painted or stained with a solid colour or otherwise left to weather in their natural finished state.”

**Colour:**

The Committee previously talked about colour in the Plan and By-law review and it was felt that it would be better not to regulate colour but assist people with colour choices as part of their application review. I have discussed colour options with applicants and have sent them a copy of Newfoundland's Historic Colours Booklet attached in **Attachment A** for their information.

Historically residential homes were generally white with black trims, or had subdued, muted colours. However, I do not feel a majority of people would wish to have all our homes painted in such a fashion. Bright colours help to living the place up in a similar fashion as Jelly Bean Row has done in St. John's and Saint John. The buildings along King Street for example are one of the most photographed group of buildings in Lunenburg. Bright colours enable the details of a

building's facades come to life and helps people understand and appreciate the craftsmanship that went into these creations.

The Old Town National Historic District Statement of Significance notes the bright colours of Lunenburg buildings. Even though it could be argued that historically these bright colours are not accurate they have, over time, been entrenched into the fabric of Lunenburg. The Old Town National Historic District Statement of Significance is attached in **Attachment B** for your review.

On an administration side, many municipalities have decided not to regulate colour in their Heritage Conservation Districts as it would become too cumbersome. For example Annapolis Royal does not regulate colour in their Heritage District. Grand Pre Heritage Conservation District does not regulate colour. Maitland's Heritage Conservation District By-law has a general statement that the colours are to be compatible but do not list a colour chart requiring only those colours to be used. The Town of Truro's Heritage Conservation District does not regulate colour. The Collins Heritage Conservation District in Yarmouth does not regulate colour type but rather requires them to be compatible as outlined below:

"Any change in colour or application of colour to any exterior facade of any main building, accessory building, fence or sign located within the Collins Heritage Conservation District shall not require a Certificate of Appropriateness. However, the colour shall be uniform and consistent throughout and enhance rather than detract from the character-defining elements of the facade. Multi-colour applications of the cladding materials shall be prohibited. However, trims and articulated details of the facade may be multi-colour to enhance their physical appearance."

The administration is too cumbersome for the following reasons:

- 1) People are accustomed to undertaking general maintenance and painting of their properties without a permit. No development permit or building permit is required to paint. One would not assume that they would require a Certificate of Appropriateness in order to undertake the painting of their structures; and
- 2) The Town of Lunenburg does not have the staff resources to implement, educate or enforce such provisions. The ability to photo copy or produce and re-produce colour charts is very expensive and would be costly on an on-going basis. We currently issue roughly 100 Certificates/Development Permits per year and one can only assume this number would significantly rise if a Certificate is required for painting. Other Heritage Conservation Districts in Nova Scotia are much smaller than Lunenburg's and they do not regulate colour type. With over 500 structures within its District's boundaries this provision would be overwhelming for staff to administer.

#### **Boundaries of the District:**

The rationale for the District Boundaries was approved by means of a Background Study approved by Council in March 2018, attached in **Attachment C**. Basically the mandate was to incorporate the Architectural Control Areas of the Municipal Planning Strategy and Land Use By-law as part of the Heritage Conservation District. The committee reviewed several requests with regards to the possibility of extending the boundaries during their meeting of November 18<sup>th</sup>, 2019. However, in the end, the Committee decided to proceed with the proposed boundaries as envisioned as any significant alterations would delay the approval beyond the municipal elections in the Fall of 2020. After the elections, the HAC was open to the possibility of reviewing the boundaries once the revised Plan and By-law becomes effective.

## **B. Proposal**

It is recommended that the Committee maintains the current provisions of the revised Heritage Conservation District By-law. That is:

### **Painting of Railings and Posts and Fences:**

"The railings and posts of stairs and decks shall be painted or stained with a solid colour or otherwise left to weather in their natural finished state."

### **Colour:**

Not regulate the type of colour as per Policy 3.5.1 outlined below:

#### **"3.5 Building Colour**

Part of the visual appeal of the Town comes from the diverse and often unique colour combinations chosen by property owners. The Town is particularly well-known for its brightly coloured waterfront buildings, painted in primary reds and blues. Many houses are also painted in vibrant blues, greens and yellows. While some colours may not be "historically correct" there can be no doubt that they contribute to the rich variety for which the Town is widely known.

Although Council has the authority to regulate building colour under the Heritage Property Act, it has chosen not to do so, in order to preserve individual freedom of expression.

**3.5.1** It shall be the intention of Council to regard building colour as a minor development for which no Certificate of Appropriateness shall be required. Notwithstanding the foregoing, it shall be the intention of Council to include in the Heritage Conservation District By-law provisions regulating metal installations so that they have a dark or medium tone matte finish as well as provisions regulating the consistency of colour with regards to design elements such as, but not limited to, fascia boards, soffits, gutters and downspouts."

### **Boundaries of the District:**

Not alter the District Boundaries from those envisioned in the approved Background Study unless Council alters the Architectural Control Areas boundaries of Map 2 Future Land Use Map of the Municipal Planning Strategy prior to Council's motion to approve the Revised Heritage Conservation District Plan and By-law.

## **2. ISSUES AND OPTIONS**

This report is for discussion proposes only. The Committee has the option of directing staff to maintain the status quo as envisioned in the current draft of the Heritage Conservation District Plan and By-law; or alternatively, direct staff to make alterations to the above noted provisions.

## **3. FINANCIAL IMPACT**

There are no financial costs directly attributed with maintaining the status quo. However, as stated above, there would be a significant on-going costs associated with administering and regulating colour in the Heritage Conservation District. In addition to the concerns noted above, the Town may have to hire a consultant to create a colour chart appropriate for the Town of Lunenburg in addition to the costs associated with creating the paper material and web-based materials associated with the colour chart.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:  
Strategic Plan Goal #5 – To develop and update Town By-laws;

**5. RECOMMENDATION AND DRAFT MOTION**

For discussion purposes only.

**ATTACHMENTS:**

- A.** Newfoundland's Historic Colours Booklet
- B.** Old Town Lunenburg – Statement of Significance
- C.** Background Study – March 2018.
- D.** Submission Received – Susan Pratt

Acknowledged by:

Bea Renton  
Town Manager/Clerk

ATTACHMENT A



# *Historic*

COLOURS OF NEWFOUNDLAND





# Traditional Palette

Clay Pigeon	DB224-32
White Gold	P210-00
American Red	242

Heart's Content	H701-32
Brushed Cotton	C117-10
Oak Brown	209

Little Heart's Ease	H803-21
Misky Rain	H803-40
Medium Grey	137

Ferryland Downs	H204-12
Logy Beige	H201-10
Persian Red	2015

Mollyfodge	H806-22
Egyptian Cotton	C128-10
Indian Red	277

Bakeapple Jam	H705-52
Sheilagh's Brush	H203-30
Sable	2017

Heaven's Gate	C202-32
Crushed Linen	C117-31
Bright Red	1309

Blasty Bough	H204-32
Bubbly Squall	H204-40
Red Ochre	

Moldow	C206-12
Hard Tack	H702-50
Bark	280

Duntara	H705-12
Snow Dwhigh	H101-10
Signal Red	702

Duckish	C128-41
Foggy Dew	P224-00
Cherry Pink	1525

Mussels in the Corner	H104-42
Beachy Cove	P113-20
Acorn Brown	104



please note: chart colours may vary slightly from paint colours due to the limitations of the printing process



Red Cliffe	H204-22
Whiteway	H803-50
Dory Buff	1302

Bonne Bay	H401-42
Mauzy	H805-20
Buff	203

Loyal	A222-24
Iceberg Alley	P208-10
Sea Spray Green	1316

Carnelian	DB224-12
Moon Pond	DB117-10
Aqua	216

Red Island	H703-22
Chalker Grey	H705-20
Black	

Christmas Syrup	DA223-33
Charmer	DB118-10
Old Ivory	805

May Bush Blue	C108-41
Glitter Storm	P222-00
Robin Egg Blue	45

Burnt Islands	B233-12
Like the Swallow	C118-31
Emerald Green	263

Harbour Deep	H104-52
Doughboy	H802-20
Colonial Ivory	212

Bristol's Hope	H206-42
Nanny-Goat	C126-20
Maise	2011

Belgian Chocolate	C228-22
Haystack	H103-30
Turquoise	116

Cupids	H802-32
Tea Bun	H502-50
Bright Green	244



Plumboy	H805-42
Bobby-Rooter	H203-22
Chrome Green 231	

Dark Tickle	H805-52
Genuine White	B206-00
Tahitian Blue 2014	

Emerald Green	63
Signal Red	706
Colonial Ivory 212	

Chrome Green	31
American Red	42
White	

Scrunchions	H802-10
Lassie Buns	H805-11
Royal Blue 208	

Point Amour	H806-32
Sugar Cube	P223-00
Grey 141	

Rising Sun	B223-12
Sleepwalker	C202-22
Silver Grey 221	

Memories of Brazil Street	B222-42
Milky Tea	C118-42
Charcoal 2012	

# Jelly Bean Palette

yellow	717
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orange	720
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orchid	723
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aqua	1656
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vernon	702
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red	702
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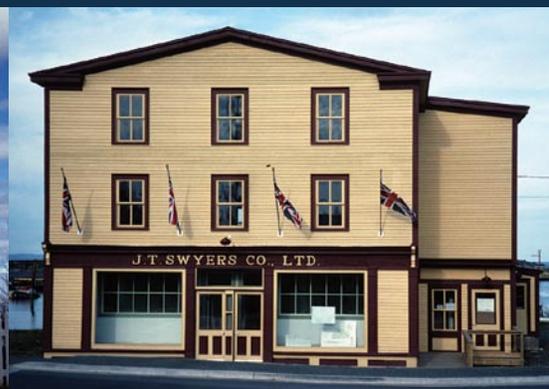
# Paint History

Visitors to Newfoundland and Labrador often remark on the brilliantly painted houses and outbuildings. Traditionally, however, the colour palette in use in the province was very limited. In outport communities, most houses were white, with trimwork picked out in one of a very few colours. Stages, stores and netlofts were painted with homemade ochre paint, with trim usually painted white. By the early twentieth century, commercially-made paints became available, particularly with the establishment of the Standard Manufacturing Limited's paint division in 1907.

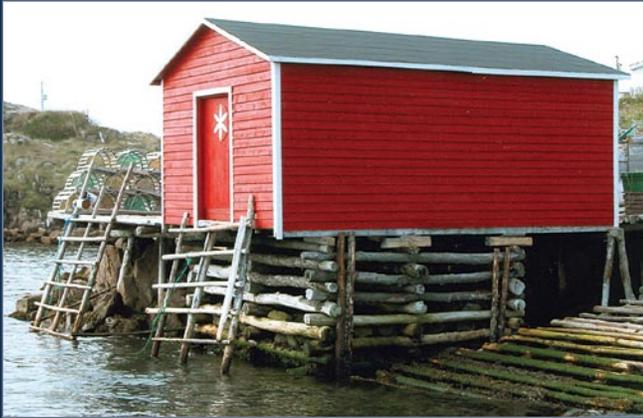
Standard Manufacturing Ltd. of St. John's was established by Marmaduke Winter in 1902. Originally started as a soap factory, Standard stopped making soap in 1938. In 1949, Newfoundland's entry into Confederation brought a drop in local sales, due to the dropping of import restrictions, but the company also expanded into mainland markets. In 1957 Standard established a distribution base in Dartmouth, Nova Scotia.

Colour choices, however, remained limited, and paint schemes remained fairly simple. In St. John's, downtown row houses were often painted one solid colour, with little attention paid to trimwork. Beyond St. John's, the paint colour of choice for private residences remained white.

Changes to paint technology in the 1950s and 1960s, and the introduction of tintable paint, saw great changes to the paint colours available to homeowners. Urban revitalization in St. John's in the 1970s and 1980s saw the introduction of more vibrant colours from the mainland, and the more widespread use of two-colour and three-colour paint schemes. The "jelly bean row" image of Newfoundland and Labrador is a fairly recent phenomenon, given the long history of painted structures in the province.



# Red Ochre



ochre is a substance composed of powdered hematite, or iron ore. The word "ochre" comes from the Greek meaning "pale yellow," and it can range in colour from orange to yellow, and from brown to red. Deposits of ochre are found throughout Newfoundland, notably near Fortune Harbour and at Ochre Pit Cove. While earliest settlers may have used locally collected ochre, people were later able to purchase pre-ground ochre through local merchants. Much of this ochre was probably imported from outside of Newfoundland and Labrador.

The dry ochre was mixed with fish oil, seal oil, or sometimes linseed oil to make paint; the smell of ochre paint being prepared is remembered by many. Variations in local recipes, shades of ore, and type of oil resulted in regional colour differences.



HERITAGE FOUNDATION OF NEWFOUNDLAND AND LABRADOR  
The Newman Building / P O Box 5171, 1 Springdale Street  
St. John's, Newfoundland Canada A1C 5V5  
709 739-1892 709 739-5413 fax 1 888 739-1892 tollfree  
[www.heritagefoundation.ca](http://www.heritagefoundation.ca) [www.fisherierheritage.ca](http://www.fisherierheritage.ca) [www.historicplaces.ca](http://www.historicplaces.ca)



paint chart created with assistance from R A Templeton Ltd. and Société Laurentide

for more paint information: 1-800-567-9481 • [www.paintcafe.com](http://www.paintcafe.com)



# Attachment B

## Old Town Lunenburg Historic District National Historic Site of Canada

Bluenose Drive, Lunenburg Harbour, Lunenburg, Nova Scotia, Canada

Formally Recognized: 1991/06/10



General view



Panorama



General view

### OTHER NAME(S)

Old Town Lunenburg Historic District National Historic Site of Canada

Old Town Lunenburg Historic District

Arrondissement historique du Vieux Lunenburg

### LINKS AND DOCUMENTS

[Website for the Old Town Lunenburg Historic District](#)

[Section on the Parks Canada website specifically for this National Historic Site](#)

[Link to Old Town Lunenburg site on the UNESCO World Heritage Web Site](#)

### **CONSTRUCTION DATE(S)**

1753/01/01 to 1991/01/01

**LISTED ON THE CANADIAN REGISTER: 2007/10/03**

### STATEMENT OF SIGNIFICANCE

#### **DESCRIPTION OF HISTORIC PLACE**

The Old Town Lunenburg Historic District covers the core area of the town of Lunenburg, a well-preserved example of 18th-century colonization and settlement patterns with numerous outstanding examples of vernacular architecture spanning more than 240 years. It occupies the side of a hill and a narrow area along a natural harbour and includes the town's original parade square, as well as a waterfront area that is associated with the fishing and shipbuilding industries. The formal recognition consists of contributing buildings and lands contained within the boundaries of the original town plan of 1753. Old Town Lunenburg has also been designated a World Heritage Site.

#### **HERITAGE VALUE**

The Old Town Lunenburg Historic District was designated a national historic site in 1991 by virtue of its gridiron layout, one of the earliest and most intact British model plans in Canada, its strong historical associations especially with the Atlantic fisheries, and the richness and homogeneity of its architecture.

The heritage value of the Old Town Lunenburg Historic District resides in the original plan, the built forms and open spaces within the plan, the physical and cultural manifestations of the off-shore fishing and shipbuilding industries and the harmonious integration of the town and the seascape. Laid out by Charles Morris at the time of his landing on June 8, 1753, Lunenburg's Old Town Plan was the second British model plan created in present-day Canada, a gridiron plan type which had a direct and important relationship to British imperial settlement policy.

Sources: Historic Sites and Monuments Board of Canada, Minutes, 1991; World Heritage List Nomination (Appendix 3: Character Statement).

#### **CHARACTER-DEFINING ELEMENTS**

The character-defining elements that relate to the townsite as a whole are:

- its gridiron, "model town" plan, as evidenced in its geometrically regular streets and blocks, its allocation of public spaces, and its distinction between urban and non-urban areas;

- its small lots;
- the densely built nature of the townsite;
- its comprehensive collection of 18th to 20th-century buildings and works, including residences, churches, institutional buildings, shops and wharves;
- the continuing tradition of painting buildings in bright colours;
- the unity and cohesiveness created by the predominance of wood construction and exterior finishes among all building types and styles;
- the general orientation of the town and its major institutional buildings towards the harbour;
- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, and all painted in bright colours;
- its skyline punctuated by the spires of its churches;
- the heritage characters of St. John Anglican Church and the Knaut-Rhuland House National Historic Site of Canada.

The character-defining elements that relate to 18th-century construction are:

- a number of houses of "coulisse" construction, now clad in clapboard or shingles;
- single-storey Cape Cod dwellings;
- two-storey houses constructed in the British classical tradition;
- the former Court House;
- pre-fire surviving elements of St. John's Anglican Church.

The character-defining elements that relate to 19th-century construction are:

- the larger and more elaborate buildings that continued earlier building traditions;
- traditional Cape Cod and British classical residences;
- modifications to 18th and early 19th-century houses;
- Second Empire-style residences of families associated with the fishing and shipbuilding industries;
- the frequent use of the Lunenburg "bump" dormer in all its variations;
- pre-fire surviving elements of St. John's Anglican Church;
- St. Andrew's Presbyterian Church and the Lunenburg Lutheran Church, buildings associated with the oldest continuing worshipping Presbyterian and Lutheran congregations in Canada.

The character-defining elements that relate to 20th-century construction are:

- its 20th-century housing stock, including simple post-World War II bungalows, "Four-Square" houses, and Dutch Colonial Revival-style houses, that continue earlier wood construction traditions on a modest scale;
- sympathetically scaled commercial buildings located along Lincoln Street that help create a cohesive streetscape.

The character-defining elements associated with the history of the shipbuilding and fishing industries in Canada are:

- waterfront shipyards, including those still used for shipbuilding and retrofitting;
- buildings and facilities associated with the work and community life of people who worked in the fishing industry, including the Adams & Knickle waterfront complex and the Smith and Rhuland shipyard.

## RECOGNITION

### **JURISDICTION**

Federal

### **RECOGNITION AUTHORITY**

Government of Canada

### **RECOGNITION STATUTE**

Historic Sites and Monuments Act

### **RECOGNITION TYPE**

National Historic Site of Canada

### **RECOGNITION DATE**

1991/06/10

## HISTORICAL INFORMATION

### **SIGNIFICANT DATE(S)**

1753/01/01 to 1753/01/01

1753/06/08 to 1753/06/08

### **THEME - CATEGORY AND TYPE**

Expressing Intellectual and Cultural Life

Architecture and Design

Peopling the Land

Settlement

### **FUNCTION - CATEGORY AND TYPE**

**CURRENT**

**HISTORIC**

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

**LOCATION OF SUPPORTING DOCUMENTATION**

National Historic Sites Directorate, Documentation Centre, 5th Floor, Room 89, 25 Eddy Street, Gatineau,  
Quebec

**CROSS-REFERENCE TO COLLECTION****FED/PROV/TERR IDENTIFIER**

307

**STATUS**

Published

## Attachment C

# TOWN OF LUNENBURG



## BACKGROUND STUDY

### Towards a Revised Heritage Conservation District

March 5<sup>th</sup>, 2018

Prepared by: Arthur MacDonald MCIP, LPP  
Prepared for: Town of Lunenburg  
Heritage Advisory Committee and Town Council

# TOWN OF LUNENBURG

## BACKGROUND STUDY TOWARDS A REVISED HERITAGE CONSERVATION DISTRICT

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## **1.0 INTRODUCTION**

### **1.1 Purpose of the Report**

The purpose of this report is to develop a rationale for the development of a revised Heritage Conservation District Plan and By-law for the Town of Lunenburg in keeping with the Nova Scotia Heritage Property Act and its corresponding Heritage Conservation Districts Regulations.

Pursuant to the Heritage Conservation Districts Regulations, Section 7 requires Council to undertake a background study which addresses:

- (a) the rationale or justification for heritage conservation measures in the district;
- (b) the rationale for the boundaries of the district;
- (c) the relationship of a conservation plan and conservation by-law with any municipal planning strategy, land-use by-law or provincial land-use policy or regulation in effect for the district; and
- (d) an analysis of the social and economic implications of the establishment of the district, as these relate to clause (a).

The establishment of a Heritage Conservation District is accomplished by the adoption, by Town Council, of a Heritage Conservation District Plan and By-law. The Heritage Conservation District Plan is a policy document which addresses issues, opportunities, expenditures and initiatives concerning heritage conservation in the District. A Heritage Conservation District By-law is the administrative document which implements the Plan.

The Act requires that a Heritage Conservation District Plan and By-law must be supported by a background study sufficient to describe the rationale for heritage conservation measures. In this particular case, the Town of Lunenburg has an existing Heritage Conservation District Plan and By-law which was supported by a background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” authored by Bill Plaskett in September of 1994. This document led towards the adoption of the Old Town Heritage Conservation District Plan and By-law by Council on May 11, 2000 as approved by the Minister of Municipal Affairs on September 4, 2000.

The revised Heritage Conservation District intends to encompass the area of the Old Town Conservation District as well as the two (2) Architectural Control Areas as identified in the Town’s Municipal Planning Strategy. It is intended that these Architectural Control Areas will become part-in-parcel of the Heritage Conservation District and be regulated according to the design guidelines of the Heritage Conservation District By-law rather than pursuant to the architectural control provisions of the Town’s Land Use By-law. The main purpose of the Background Study is to reinforce the rationale for incorporating the Architectural Control Areas as part of the Town’s Heritage Conservation District.

The Heritage Property Act requires the adoption of a Public Participation Program to ensure public participation in the creation of a Heritage Conservation District Plan and By-law. The Plan and By-law must also be consistent with the Town's other planning policies and regulations.

The current Heritage Conservation District covers the UNESCO Old Town Lunenburg World Heritage Site, proclaimed in 1995, as well as a buffer area surrounding the site.

## **1.2 Architectural Significance of Lunenburg**

The Town of Lunenburg has a rich and diverse built heritage as documented in the following:

- *Understanding Lunenburg's Architecture*, Lunenburg County District Planning Commission and Lunenburg Heritage Society, 1979. (Analysis of architectural design features).
- *Lunenburg: An Inventory of Historic Buildings*, Lunenburg County District Planning Commission and Town of Lunenburg, 1984. (Detailed histories of all old buildings in the town)
- *A Series of Maps Illustrating Lunenburg Buildings by Age, Architectural Character and Historical Association* Lunenburg County District Planning Commission, 1985.
- *"Old Town" Lunenburg*, Historic Sites and Monuments Board of Canada, Agenda Paper, 1991. (Historic significance in Canada)
- *World Heritage List Nomination: Old Town Lunenburg*, Department of Canadian Heritage, September, 1994. (Historic significance on the international context).
- *Towards the establishment of a heritage conservation district in the Town of Lunenburg*, Bill Plaskett for N.S. Department of Municipal Affairs and Town of Lunenburg, September, 1994. (Background study for establishing a heritage district under the Heritage Property Act)
- *Lunenburg World Heritage Community Strategy*, Roy Eugene Graham and Associates, October, 1998. (Heritage conservation and community economic development in the context of World Heritage Listing)
- *Town of Lunenburg Heritage Sustainability Strategy*, TCI Management Consultants, April 30, 2010.

For the purpose of this Background Study there is no need to recap these findings. The fact that Old Town has been designated as a National Historic District as well as an UNESCO World Heritage Site means that its built heritage is significant and worthy of being designated as a Municipal Heritage Conservation District. Instead, this study will focus upon the inclusion of the Architectural Control Areas into the Heritage Conservation District.

## **2.0 RATIONALIZATION FOR DISTRICT**

### **2.1 History of the Architectural Control Areas**

The Town of Lunenburg had a vision to implement architectural design standards to maintain and preserve the traditional “Lunenburg” architecture for future generations to enjoy. During the early 1990’s the Town recognized that it had a special built environment that was endearing for locals and visitors alike. However, modern design elements and the use of modern materials began to affect the traditional built environment, having a drastic impact on the traditional “Lunenburg” vernacular style and the Town’s streetscapes.

The Town embarked on a mission to protect its traditional architecture. Old Town was designated as a National Historic Site in 1991 under the Historic Sites and Monuments Act and became a UNESCO World Heritage Site in 1995. The Town then initiated the development of an Old Town Heritage Conservation District Plan and By-law which was adopted by Council on May 11, 2000 and approved by the Minister of Municipal Affairs on September 4, 2000.

The Municipal Planning Strategy adopted in 1996 recognized three (3) Architectural Control Districts; Old Town Lunenburg, Dufferin Street Area and the Tannery Road area. Old Town Lunenburg was removed from the Municipal Planning Strategy and Land Use By-law when the Old Town Heritage Conservation District was created in 2000. The following excerpt from the Heritage Conservation District Plan provides some background information:

“Although the Municipal Planning Strategy and Land Use Bylaw (MPS & LUB) have acknowledged the importance of heritage conservation since 1978, when policy amendments were introduced contemplating the future adoption of architectural controls, it was not until 1996 that such controls were actually adopted. The 1996 version of the MPS & LUB establishes three architectural control areas - one which coincides with the Old Town National Historic District and World Heritage Site, one which includes portions of the New Town along Falkland and Dufferin Streets, and one which encompasses the Tannery Road area. Within these areas, new buildings are required to be similar to any substantially intact pre-1920 building within 300 ft. on the same street. Additions and alterations to pre-1920 buildings must be architecturally similar to the main building, and are limited to a maximum of 25% of the existing building volume.”

### **2.2 Rationalization to Incorporate the Architectural Control Areas**

The Municipal Planning Strategy and its corresponding Land Use By-law are limited by the authority enabled through the Municipal Government Act with respect to design guidelines, demolition controls and financial incentives. The inclusion of the two (2) remaining Architectural Control Areas under the Heritage Conservation District Plan and By-law will enable the Town to properly address heritage policies and by-law provisions under one document. The inclusion of these areas within the Heritage Conservation District is in keeping with Policy 10.6 of the Town’s Municipal Planning Strategy.

The Old Town Heritage Conservation District Plan also recognized the expansion of the District to incorporate the two (2) Architectural Control Areas, as outlined in the excerpt below:

“It shall be the intention of Council to consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street and Tannery Road architectural control areas designated under the Municipal Planning Strategy and Land Use Bylaw ...”

### **2.3 Rationalization for Heritage Conservation Measures in the District**

The Architectural Control Areas design provisions are regulated under the Municipal Planning Strategy and Land Use By-law administered by the Town’s Planner/Development Officer. The incorporation of the Architectural Control Areas under the Heritage Conservation District Plan and By-law will streamline the application and review process through the issuance of a Certificate of Appropriateness administered by the Town’s Heritage Officer. In this fashion both areas, Old Town Lunenburg as well as the Architectural Control Areas will be administered through the Heritage Officer providing a certain level of consistency in the interpretation and administration that apply to these areas.

The need for heritage conservation measures is well documented in the previous background study entitled “Towards the establishment of a Heritage Conservation District in the Town of Lunenburg” as well as the existing Old Town Heritage Conservation District Plan and By-law. To recap, the identified issues are:

- (1) the loss of traditional wooden cladding materials, which are steadily being replaced by modern substitutes, particularly vinyl siding;
- (2) the loss of historic architectural trim, cornerboards, cornices, window hoods (top caps), brackets, etc., which are steadily being removed or covered over;
- (3) the loss of traditional facade features, which are slowly being altered through window and door renovations and the addition of stairs and decks;
- (4) the loss of the traditional historic architectural forms, which are being altered by modern additions and roof changes;
- (5) the loss of the historic building context, which continues to be affected by modern developments of significantly different design.

## **2.4 Rationalization for the District Boundaries**

The rationalization of the Old Town Heritage Conservation District boundaries is well documented as outlined in the excerpt from the Heritage Conservation District Plan below:

“It shall be the intention of Council that the Old Town heritage conservation district shall include the designated Old Town National Historic District and the World Heritage Site as well as adjacent areas, including Gallows Hill and the Lunenburg Academy site; selected properties abutting the north side of Creighton Street; Blockhouse Hill; the eastward extensions of Montague, Pelham, Lincoln, Cumberland and Townsend Streets; the westward extension of Montague, Pelham, Lincoln and Cumberland Streets to their point of intersection; and the old French Cemetery. These adjacent areas have an architectural, historical and contextual continuity with the Old Town and are, for all intents and purposes, a part of it, even though they were not part of the original 1753 town site and are not included in the National Historic District or the World Heritage Site. It is intended that these adjacent areas shall be included within the heritage conservation district as a “buffer” to ensure that both the Old Town and its surroundings are protected from unsympathetic development.”

It is intended that the Architectural Control Areas boundaries are to be wholly contained within the proposed Heritage Conservation District as they are defined in the Town’s Municipal Planning Strategy and Land Use By-law with two (2) exceptions. The District is intended to include the Old New Town School located at 17 Tannery Road (PID #60053261). This property is owned by the Town of Lunenburg and is an existing municipally registered Heritage Property. A copy of its Statement of Significance is attached in the appendix.

The second exception is the two (2) small islands (PID #60386000) off of Tannery Road located in Lunenburg’s harbour. These lands are zoned Marine Industrial (MI) and any development on the islands will have a visual impact not only on the area adjacent to Tannery Road but also from Old Town, and particularly, from the Town’s historic waterfront. These lands will be defined as part of the Waterfront Buildings Area and be regulated in the same fashion as waterfront buildings along Lunenburg’s historic waterfront.

The proposed new boundaries of the Heritage Conservation District as well as a map defining the Waterfront Buildings Area are attached in the schedules.

## **3.0 RELATIONSHIP WITH LAND USE PROVISIONS AND POLICIES**

### **3.1 Relationship with the MPS and LUB**

The Town’s Municipal Planning Strategy and Land Use By-law will be revised to ensure that there are not two (2) over-lapping by-laws governing the aesthetics of developments within the Heritage Conservation District. The removal of the Architectural Control Areas from the Town’s Municipal Planning Strategy and Land Use By-law will enable a clear distinction between “land use” provisions and “heritage conservation” provisions. Significant alterations to any building located in the Heritage Conservation District will require the issuance of a Certificate of Appropriateness in

keeping with the provisions of the Heritage Conservation District By-law. In cases where a development requires a development permit in accordance with the Town's Land Use By-law, both a Certificate of Appropriateness and a Development Permit may be required.

The Municipal Planning Strategy will still govern support for heritage conservation measures through the Heritage Conservation District Plan and By-law as well as through the Town's Heritage By-law. For example, the existing Municipal Planning Strategy provides the following objective:

“Encourage preservation of the architectural and cultural heritage of the Town and minimize any negative impact that may result from new development or redevelopment.” (*Objective #3 of MPS*)

Though both the Land Use By-law and the Heritage Conservation District By-law provisions will have to work in unison to ensure compatible developments occur, the Land Use By-law will focus on provisions related to lot size, lot frontages and building height, whereas the Heritage Conservation District By-law will focus primarily on design guidelines. Where there is a conflict the higher or more stringent regulation shall prevail.

### **3.2 Relationship with Provincial Land Use Policy**

Other than the Statements of Provincial Interest, the province has granted the authority to regulate land use to municipal units. The Statements of Provincial Interest do not directly address built heritage or cultural landscapes and as such have minimal effect on the Town's proposed Heritage Conservation District.

It is however important to note that the Waterfront Development Corporation, a crown agency of the Province, does manage a significant portion of Lunenburg's waterfront. Under their guiding development principles they strive to plan and coordinate developments that:

“preserve and interpret historical uses, activities and forms of the waterfront, and conserve lands with marine industrial use potential;”

Therefore the Waterfront Development Corporation has an interest in preserving Lunenburg's historic waterfront built environment. Council has and will continue to work cooperatively with the Waterfront Development Corporation to ensure a balance between the needs of a working waterfront and the need to conserve the traditional aesthetic values of Lunenburg's waterfront.

The Town of Lunenburg has adopted the Nova Scotia Building Act which essentially adopts the National Building Code of Canada. Under the Act the Province has adopted the Nova Scotia Building Code Regulations which enables existing buildings to use alternate compliance measures pursuant to Schedule “D” - Alternate Compliance Methods for Existing Buildings. The Town intends to use the Alternate Compliance Methods for Existing Buildings as a means of preserving the historic fabric of its built heritage when appropriate and practical.

### 3.3 Relationship with Heritage By-law

The inclusion of the Architectural Control Area as part of the proposed Heritage Conservation District will incorporate the following municipal designated Heritage Properties:

<b>Civic Address:</b>	<b>Name:</b>	<b>PID #:</b>
<b>64 Dufferin Street</b>	<b>James Brown House</b>	<b>60056074</b>
<b>56 Dufferin Street</b>	<b>Griffith House</b>	<b>60056058</b>
<b>48 Dufferin Street</b>	<b>McKittrick House</b>	<b>60056025</b>
<b>36 Dufferin Street</b>	<b>Captain W.M. Boehner House</b>	<b>60055985</b>
<b>26 Dufferin Street</b>	<b>The Lunenburg Inn</b>	<b>60501210</b>
<b>56 Broad Street</b>	<b>Captain Samuel Herman House</b>	<b>60055134</b>
<b>75 Dufferin Street</b>	<b>Mizpah Cottage</b>	<b>60055472</b>
<b>10 Falkland Street</b>	<b>Bluenose Lodge</b>	<b>60055688</b>
<b>18 Falkland Street</b>	<b>James D. Elsenhauer House</b>	<b>60055696</b>
<b>21 Falkland Street</b>	<b>John B. Young House</b>	<b>60055902</b>
<b>42 Falkland Street</b>	<b>Ashlea House</b>	<b>60589751</b>
<b>17 Tannery Road</b>	<b>Old New Town School</b>	<b>60053261</b>
<b>37 Tannery Road</b>	<b>Captain Angus Walters House</b>	<b>60053246</b>
<b>66 Tannery Road</b>	<b>Conrad House</b>	<b>60052800</b>

In keeping with the Heritage Property Act and the Heritage Conservation District Regulations, no further properties in the Heritage Conservation District will be enabled to be registered as Municipal Heritage Properties. All properties located in the Heritage Conservation District will be regulated with respect to the provisions of the Heritage Conservation District Plan and By-law.

The addition of the Architectural Control Area into the Town's Heritage Conservation District will not impact provincially registered Heritage Properties as there are none in the proposed inclusion area. Therefore, the Minister responsible for the Heritage Property Act will not have to determine how said properties will be regulated.

### 4.0 SOCIAL AND ECONOMIC IMPLICATIONS

Section 7 of the Heritage Conservation District Regulations requires an analysis of the social and economic implications of the establishment of the District. The economic implications of owning a building in the Heritage Conservation District relates mostly to the costs associated with complying with the design guidelines. The Architectural Control Area is already regulated pursuant to the design provisions of the Land Use By-law as outlined in the appendix. Therefore, the social and economic implications are anticipated to be minor. There is however a financial benefit which could help offset any potential increased costs of construction/renovations through the form of heritage financial incentives available through both the municipality and the provincial governments. The Town of Lunenburg has recently approved a Heritage Financial Incentives Program to help low income families conserve and maintain their properties in keeping with the applicable heritage conservation design guidelines.

## **5.0 PUBLIC PARTICIPATION PROGRAM**

Section 6 of the Heritage Conservation District Regulations requires Council to adopt, by resolution, a public participation program. As part of the adoption of this Background Study, Council will adopt the Public Participation Program attached as Appendix “A”.

## **6.0 CONCLUSION**

After acceptance by Council of this Background Study complete with its associated Public Participation Program, Council shall provide public access to the Study and provide two copies to the Minister. The Minister shall advise Council when no additional studies are required.

## **APPENDIX “A”**

### **TOWN OF LUNENBURG PROCEDURAL POLICY**

#### **HERITAGE CONSERVATION DISTRICT PUBLIC PARTICIPATION PROGRAM**

Council hereby adopts the following Heritage Conservation District Public Participation Program pursuant to Section 6 of the Heritage Conservation Districts Regulations made under Section 26 of the Heritage Property Act (RSNS 1989, Chapter 199) to identify opportunities and establish ways and means of seeking the opinions of the public concerning the review, adoption and amendment of a Heritage Conservation District Plan and By-law:

1. Before holding any public hearing under the authority of subsection (3) of Section 19A of the Heritage Property Act, Council shall ensure that the Heritage Advisory Committee conduct at least one public participation meetings which are advertised in a local newspaper at least four days in advance, and by a notice posted at the Town Hall.
2. The Heritage Advisory Committee may conduct opinion surveys, request written briefs or submissions, or use any other appropriate means of seeking the views and opinions of residents and ratepayers.
3. The Heritage Advisory Committee shall make every reasonable effort to seek the opinions of the public on all matters relevant, and shall reserve time for commentary, questions or presentations by the public.
4. The Heritage Advisory Committee shall provide public access to all reports, studies, maps, air photographs and other materials that are relevant, and where it is feasible, provide copies of such material for distribution, purchase or loan.
5. The Heritage Advisory Committee shall consider the views, expressions and opinions obtained from the Public Participation Meeting prior to making a recommendation to Council.

**APPENDIX "B"**  
**OLD TOWN LUNENBURG NATIONAL HISTORIC SITE**  
**STATEMENT OF SIGNIFICANCE**

**Old Town Lunenburg Historic District National Historic Site of Canada**

Bluenose Drive, Lunenburg Harbour, Lunenburg, Nova Scotia, Canada

**Formally Recognized: 1991/06/10**



General view



Panorama



General view

**OTHER NAME(S)**

Old Town Lunenburg Historic District National Historic Site of Canada

Old Town Lunenburg Historic District

Arrondissement historique du Vieux Lunenburg

## LINKS AND DOCUMENTS

[Website for the Old Town Lunenburg Historic District](#)

[Section on the Parks Canada website specifically for this National Historic Site](#)

[Link to Old Town Lunenburg site on the UNESCO World Heritage Web Site](#)

## CONSTRUCTION DATE(S)

1753/01/01 to 1991/01/01

**LISTED ON THE CANADIAN REGISTER: 2007/10/03**

## STATEMENT OF SIGNIFICANCE

### DESCRIPTION OF HISTORIC PLACE

The Old Town Lunenburg Historic District covers the core area of the town of Lunenburg, a well-preserved example of 18th-century colonization and settlement patterns with numerous outstanding examples of vernacular architecture spanning more than 240 years. It occupies the side of a hill and a narrow area along a natural harbour and includes the town's original parade square, as well as a waterfront area that is associated with the fishing and shipbuilding industries. The formal recognition consists of contributing buildings and lands contained within the boundaries of the original town plan of 1753. Old Town Lunenburg has also been designated a World Heritage Site.

### HERITAGE VALUE

The Old Town Lunenburg Historic District was designated a national historic site in 1991 by virtue of its gridiron layout, one of the earliest and most intact British model plans in Canada, its strong historical associations especially with the Atlantic fisheries, and the richness and homogeneity of its architecture.

The heritage value of the Old Town Lunenburg Historic District resides in the original plan, the built forms and open spaces within the plan, the physical and cultural manifestations of the off-shore fishing and shipbuilding industries and the harmonious integration of the town and the seascape. Laid out by Charles Morris at the time of his landing on June 8, 1753, Lunenburg's Old Town Plan was the second British >model plan= created in present-day Canada, a gridiron plan type which had a direct and important relationship to British imperial settlement policy.

Sources: Historic Sites and Monuments Board of Canada, Minutes, 1991; World Heritage List Nomination (Appendix 3: Character Statement).

### CHARACTER-DEFINING ELEMENTS

The character-defining elements that relate to the townsite as a whole are:

- its gridiron, "model town" plan, as evidenced in its geometrically regular streets and blocks, its allocation of public spaces, and its distinction between urban and non-urban areas;
- its small lots;
- the densely built nature of the townsite;
- its comprehensive collection of 18th to 20th-century buildings and works, including residences, churches, institutional buildings, shops and wharves;
- the continuing tradition of painting buildings in bright colours;
- the unity and cohesiveness created by the predominance of wood construction and exterior finishes among all building types and styles;
- the general orientation of the town and its major institutional buildings towards the harbour;
- the larger-scaled waterfront buildings, including wooden warehouses, lofts, boatshops, and industrial buildings, many with their gable end turned to the harbour, most of a large scale, and all painted in bright colours;
- its skyline punctuated by the spires of its churches;
- the heritage characters of St. John Anglican Church and the Knaut-Rhuland House National Historic Site of Canada.

The character-defining elements that relate to 18th-century construction are:

- a number of houses of "coulisse" construction, now clad in clapboard or shingles;
- single-storey Cape Cod dwellings;
- two-storey houses constructed in the British classical tradition;
- the former Court House;
- pre-fire surviving elements of St. John's Anglican Church.

The character-defining elements that relate to 19th-century construction are:

- the larger and more elaborate buildings that continued earlier building traditions;
- traditional Cape Cod and British classical residences;
- modifications to 18th and early 19th-century houses;
- Second Empire-style residences of families associated with the fishing and shipbuilding industries;
- the frequent use of the Lunenburg "bump" dormer in all its variations;
- pre-fire surviving elements of St. John's Anglican Church;
- St. Andrew's Presbyterian Church and the Lunenburg Lutheran Church, buildings associated with the oldest continuing worshipping Presbyterian and Lutheran congregations in Canada.

The character-defining elements that relate to 20th-century construction are:

- its 20th-century housing stock, including simple post-World War II bungalows, "Four-Square" houses, and Dutch Colonial Revival-style houses, that continue earlier wood construction traditions on a modest scale;
- sympathetically scaled commercial buildings located along Lincoln Street that help create a cohesive streetscape.

The character-defining elements associated with the history of the shipbuilding and fishing industries in Canada are:

- waterfront shipyards, including those still used for shipbuilding and retrofitting;
- buildings and facilities associated with the work and community life of people who worked in the fishing industry, including the Adams & Knickle waterfront complex and the Smith and Rhuland shipyard.

## RECOGNITION

### **JURISDICTION**

Federal

### **RECOGNITION AUTHORITY**

Government of Canada

### **RECOGNITION STATUTE**

Historic Sites and Monuments Act

### **RECOGNITION TYPE**

National Historic Site of Canada

### **RECOGNITION DATE**

1991/06/10

## HISTORICAL INFORMATION

### **SIGNIFICANT DATE(S)**

1753/01/01 to 1753/01/01

1753/06/08 to 1753/06/08

### **THEME - CATEGORY AND TYPE**

Expressing Intellectual and Cultural Life

Architecture and Design

Peopling the Land

Settlement

### **FUNCTION - CATEGORY AND TYPE**

**CURRENT**

**HISTORIC**

### **ARCHITECT / DESIGNER**

n/a

### **BUILDER**

n/a

## ADDITIONAL INFORMATION

### **LOCATION OF SUPPORTING DOCUMENTATION**

**APPENDIX “C”**  
**OLD NEW TOWN SCHOOL – 17 TANNERY ROAD**  
**DESIGNATED MUNICIPAL HERITAGE PROPERTY**  
**STATEMENT OF SIGNIFICANCE**

**Old New Town School**

17 Tannery Road, Lunenburg, Nova Scotia, B0J, Canada

**Formally Recognized: 2000/07/13**



Front and North West Facades

**OTHER NAME(S)**

Old New Town School

School Annex

Arts and Crafts Building

**LINKS AND DOCUMENTS**

[Overview of Lunenburg, including architectural tour and town history provided by the Town of Lunenburg.](#)

**CONSTRUCTION DATE(S)**

1883/01/01 to 1883/12/31

**LISTED ON THE CANADIAN REGISTER: 2004/03/22**

**STATEMENT OF SIGNIFICANCE**

**DESCRIPTION OF HISTORIC PLACE**

The Old New Town School is a one-and-a-half storey wooden structure, simple in design and rectangular in form with a protruding enclosed porch. The building is located in the New Town area of Lunenburg, NS, with substantial green space surrounding the building. Designation covers both the building and the surrounding land.

**HERITAGE VALUE**

The Old New Town School is valued as a reminder of the era of one-room school houses in Nova Scotia. These schools were eventually supplanted by the Academy system, a new academic system implemented province-wide, and consequently the Lunenburg Academy replaced this building. The building was built in 1883 and remains in excellent condition. It retains many original features, including the windows and entrance. The school remains in use by the modern Lunenburg High School located across the road as extra classroom space, making it a rare example of continuous use of a one-room school building from the nineteenth century to the present day.

Source: Heritage Designation File 66400-40-53, Town of Lunenburg.

## **CHARACTER-DEFINING ELEMENTS**

Character-defining elements of the Old New Town School relate to its architecture and use as an educational facility, and include:

- original enclosed porch, with transom and sidelight windows, and original six-over-six windows;
- simple, symmetrical design, augmented by a steeply pitched gable roof, cornerboards, and simply detailed fascia and eaves;
- location at a central junction in New Town with green space surrounding the building on all sides;
- interior layout of the building into two classrooms reflecting its continued use as an education facility.

## **RECOGNITION**

### **JURISDICTION**

Nova Scotia

### **RECOGNITION AUTHORITY**

Local Governments (NS)

### **RECOGNITION STATUTE**

Heritage Property Act

### **RECOGNITION TYPE**

Municipally Registered Property

### **RECOGNITION DATE**

2000/07/13

## **HISTORICAL INFORMATION**

### **SIGNIFICANT DATE(S)**

n/a

### **THEME - CATEGORY AND TYPE**

Building Social and Community Life

Education and Social Well-Being

**FUNCTION - CATEGORY AND TYPE**

**CURRENT**

Education

Special or Training School

**HISTORIC**

Education

One-Room School

**ARCHITECT / DESIGNER**

n/a

**BUILDER**

n/a

 **ADDITIONAL INFORMATION**

**LOCATION OF SUPPORTING DOCUMENTATION**

Town of Lunenburg, 119 Cumberland Street, P.O. Box 129, Lunenburg, Nova Scotia, B0J 2C0, FILE 66400-40-53

**CROSS-REFERENCE TO COLLECTION**

**FED/PROV/TERR IDENTIFIER**

37MNS0053

**STATUS**

Published

**RELATED PLACES**

n/a

## **APPENDIX “D”**

### **MUNICIPAL PLANNING STRATEGY HERITAGE PROVISIONS**

#### **POLICIES**

It shall be the policy of Council to:

#### **Registered Heritage Properties**

**10.1** regard the Heritage Property By-law as the principal means of control of substantial alteration to registered Municipal Heritage Properties.

#### **Architectural Control Area Designation**

**10.2** designate the areas shown as Architectural Control Areas on Map 2, the Future Land Use Map, as the areas in which the appearance of buildings will be controlled through the Land Use Bylaw. These areas include the areas of Dufferin Street, Falkland Street, and Tannery Road.

#### **Architectural Control Area Provisions**

**10.3** incorporate special provisions in the Land Use By-law for the area designated Architectural Control with respect to:

- (a) new buildings; and
- (b) additions or alterations to buildings built prior to 1940, in order to ensure the compatibility of new buildings and additions and alterations with the established character of the Town.

These special provisions shall control architectural style, building length to width ratio, the appearance of exterior cladding and roofing materials, height, shape and the size and ratio of windows and doors.

#### **Heritage Conservation District**

**10.4** designate the area shown as Heritage Conservation District on Map 2, Future Land Use Map as the area within which demolition of pre-1940 buildings, the architectural design of new buildings and alterations to existing buildings, including outbuildings, and the design and placement of signs, fences, and utility structures will be controlled through the heritage conservation district plan and bylaw with design guidelines. This area includes the Old Town National Historic District and World Heritage Site and adjacent historic areas.

#### **Heritage Conservation District Plan and Bylaw**

**10.5** regard the heritage conservation district plan and bylaw with design guidelines as a guiding policy and regulatory document with regard to architectural conservation and architectural change in the designated heritage conservation district, in parallel with the applicable provisions of this municipal planning strategy.

## **Future Expansion of Heritage Conservation District**

**10.6** consider the future expansion of the heritage conservation district outside of the Old Town to include other historically and architecturally significant areas including the Falkland Street, Dufferin Street, and Tannery Road architectural control areas, the remainder of the historic New Town and adjacent parts of Green Street, and the eastward extension of Pelham Street. The inclusion of such areas shall be preceded by background studies and public consultation, as required by sections 6 and 7 of the Regulations for Heritage Conservation Districts and shall be governed by the applicable policies of the conservation plan.

## **General Policies**

**10.7** encourage the preservation of Lunenburg's heritage through cooperation with the Fisheries Museum of the Atlantic, the Lunenburg Heritage Society, the Lunenburg Academy Foundation, and other heritage and cultural organizations and through continued involvement in programs similar to the Provincial Main street Program.

**10.8** maintain Town owned public buildings, streets and signs in a state of good repair and to carry out any alterations to them in a manner which enhances the historic character of the Town.

**10.9** ensure that when considering development agreements, the architectural character of any proposed new main building, or addition to or alteration of a main building will be compatible with the established architectural character of other buildings in the area in terms of relationships of height, bulk, scale, roof shape, materials, relationships of windows and doors and architectural details.

## APPENDIX “E”

### LAND USE BY-LAW ARCHITECTURAL CONTROL AREA PROVISIONS

#### PART 26G ARCHITECTURAL CONTROL AREA

##### 26G.1 New Main Buildings

In addition to all requirements governing land use, new main buildings within the Architectural Control Area, as shown on Map 2, the Future Land Use Map, shall be similar to any substantially intact pre-1940 main building located within 91 metres (300 feet) of the new building and fronting on the same street, with respect to:

- (a) architectural style; and
- (b) building length to width ratio; and
- (c) height; and
- (d) roof shape; and
- (e) appearance of exterior cladding and roof materials; and
- (f) architectural details and trim; and
- (g) shape and size of porches, doors and windows; and
- (h) window area to wall area ratio; and
- (i) location, type, bulk and appearance of chimneys.

New main buildings located on corner lots may use either street as the street on which they front.

##### 26G.2 Additions and Alterations to Existing Buildings

In addition to all requirements governing land use, additions and alterations to any main building constructed prior to 1940 within the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building with respect to the considerations set out in Section 26G.1.

- 26G.3
- (a) The total ground floor area (footprint) of all additions shall not exceed 25% of the ground floor area (footprint) of the building existing prior to 13 June 1996.
  - (b) For the purposes of this section, the calculation of ground floor area (footprint) does not include decks or verandas which do not enclose interior space.
  - (c) An addition, less than ten per cent of which (by volume) is visible from the street directly in front of the main building, or from any other street abutting the property, in the case of a corner lot, and which is not higher than the main building, is permitted provided it does not exceed 100% of the footprint of the existing structure. **Adopted October 2, 2012**

##### 26G.4 Renovations and Replacements

Any renovation or replacement of any part of an existing building in the Architectural Control Area as shown on Map 2, the Future Land Use Map, shall be similar to the main building as it existed prior to the renovation or replacement in terms of the considerations set out in Section 26G.1.

# Schedule "A" Heritage Conservation District Map

## Legend

-  Heritage Conservation District Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

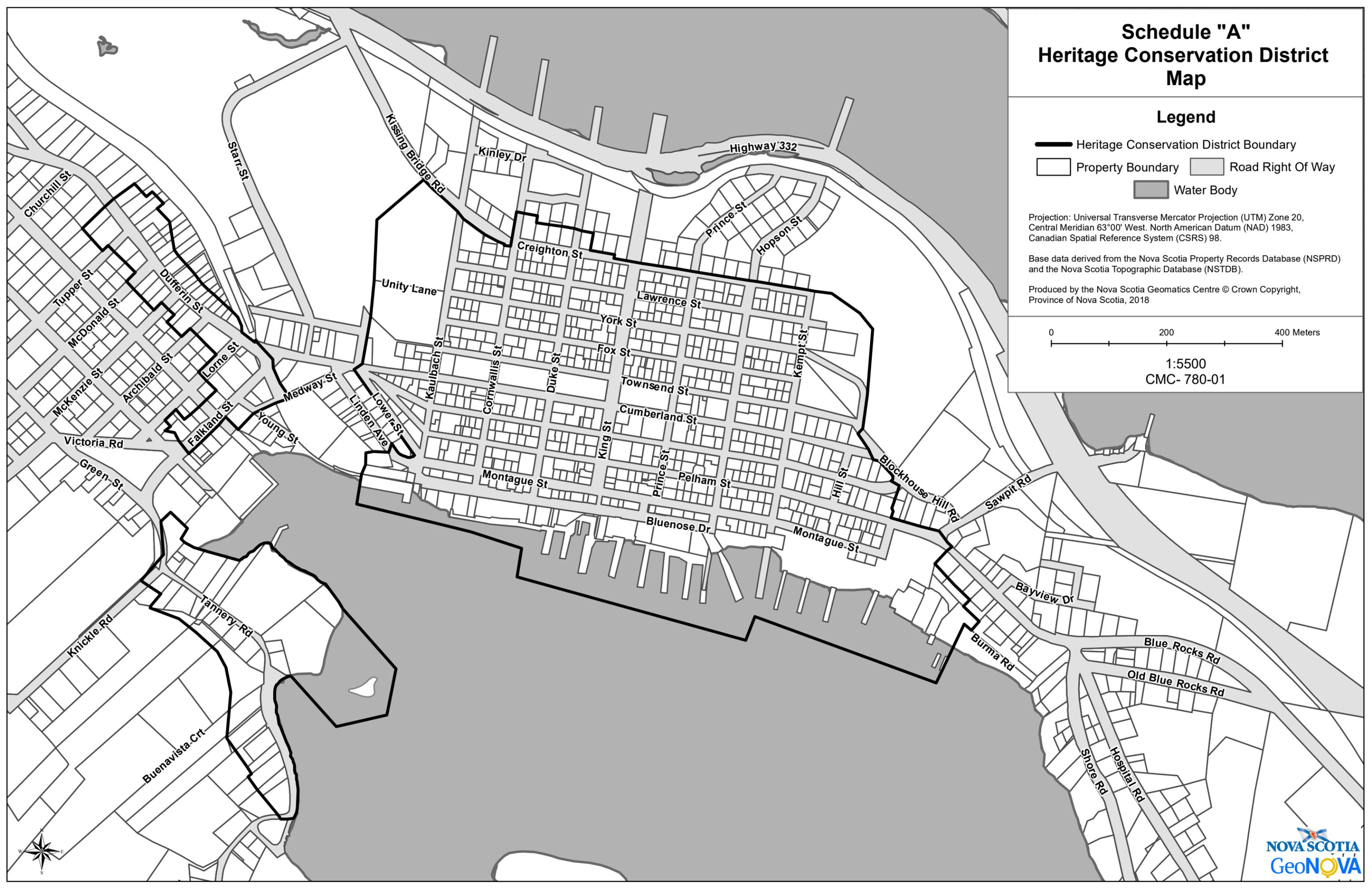
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia Topographic Database (NSTDB).

Produced by the Nova Scotia Geomatics Centre © Crown Copyright, Province of Nova Scotia, 2018



1:5500  
CMC-780-01



# Schedule "B" Waterfront Buildings Area Map

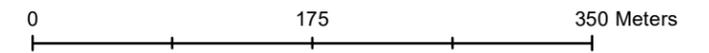
## Legend

-  Waterfront Buildings Area Boundary
-  Property Boundary
-  Road Right Of Way
-  Water Body

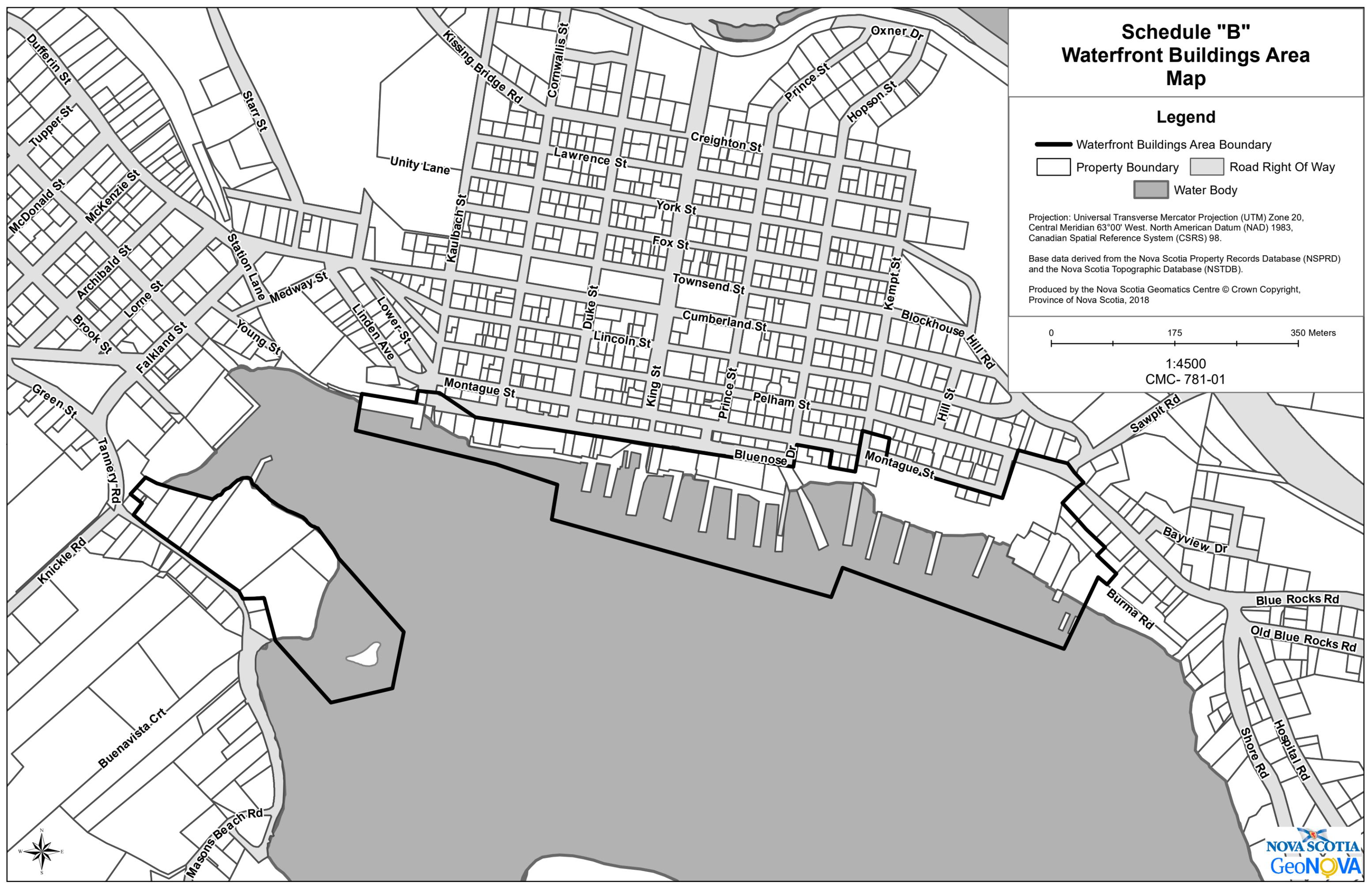
Projection: Universal Transverse Mercator Projection (UTM) Zone 20, Central Meridian 63°00' West, North American Datum (NAD) 1983, Canadian Spatial Reference System (CSRS) 98.

Base data derived from the Nova Scotia Property Records Database (NSPRD) and the Nova Scotia Topographic Database (NSTDB).

Produced by the Nova Scotia Geomatics Centre © Crown Copyright, Province of Nova Scotia, 2018



1:4500  
CMC- 781-01



# Attachment D

**SUSAN S. PRATT**  
PO Box 597  
208 Adams Street  
Lunenburg, N.S. B0J 2C0

October 23, 2019

Town of Lunenburg  
Heritage Advisory Committee  
Peter Mosher, Chair  
Ronald Bachman, Oliver Osmond, Natalie Irving, Steven Ernst, David John Lobb  
Arthur MacDonald, Heritage Manager

Dear members of the Committee:

Thank you for your efforts in updating the Heritage District By-Law and new Heritage Conservation District Plan.

I attended the second public participation meeting held on October 21, and would like to follow up by offering some comments for the Committee to consider:

I did not read nor hear anything about the criteria you used to designate what streets, area would be included in the historic district.

Perhaps you did not use any specific criteria (such as age) in your deliberations but I wonder why the properties on Dufferin and the corner of Tupper are included—perhaps to make an even side to the area? What was known as the Powers house is included and is younger than for example, some houses on the lower part of Green Street which are not included in an historic district.

Perhaps, your reasoning may have included that you did not wish to enlarge the historic district too much thereby increasing the number of affected households? So, I do wonder about how borders of historic areas were determined.

May I suggest that you consider including the east side of Falkland Street and Young Street in the historic district?

At the meeting, I raised the question which to me is just as important as the suggested architectural guidelines – and that is colour. Many historic districts have strict guidelines concerning colour. Lunenburg has none. In my opinion, one of the glaring omissions in the original bylaw was colour. Many of us only discovered this omission in the by-law when one individual property owner decided that Lunenburg's colours were too dull, and then chose to paint her buildings colours that were not historically appropriate. When we raised our concerns to the Town, we were told that nothing could be done because the by-law did not include provisions about colour. Lime green, azure blue, raspberry pink, brown mustard were colours never in Lunenburg's historic home palette. Perhaps, since I am in my mid-80s and can remember how the houses used to be, I find these colours totally incompatible with the architecture. Unfortunately, weird colours have proliferated – I mean really - lavender??

Waterfront, commercial properties were often painted strong, primary, vivid colours but residential homes were generally white with black trim, or had subdued, muted colours. Perhaps, the committee is

not opposed to jelly-bean St. John's colours on our streets, but if so, do not pretend to yourselves and others that homes are being maintained with historic appropriateness and accuracy.

I would urge that since many guidelines are being established, that the committee seriously consider arriving at suggested appropriate colour options. I believe that Lunenburg historic colours have been recorded and would not be difficult to research. Whether these guidelines would be followed is perhaps difficult to foresee or enforce, but at least it would give homeowners some historically accurate suggestions. Choosing house colours can be challenging and providing colour samples may prove very welcome by owners. Because colour is so predominant and plays such an important role in our view plains, omitting it from the by-law guidelines leaves them truly incomplete historically.

I offer these points which I hope that the Committee will duly and seriously consider.

Respectfully submitted,



Susan S. Pratt

P.S. I offer the following comments in a postscript because they rate lower in priority for me than colour. Regarding Stairs and Railings: there was some discussion at the meeting re the not permitted unpainted or unstained stair railings. Unfortunately, it appears common practice locally to leave them untreated and become weathered. As such, they are unattractive, obtrusive and stick out like a sore thumb. Although possibly more difficult to maintain, painted or stained railings blend much more successfully and pleasingly into the appearance of a home.

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Document No: 5(a)  
Meeting: HAC – January 20, 2020  
Circulate To: HAC, Council, BR  
File:

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**M E M O R A N D U M**

**TO: HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2019**

**RE: HERITAGE RECOGNITION AWARDS PROGRAM  
CALL FOR NOMINATIONS - ADVERTISEMENT**

---

**1. FACTS**

**A. Background**

In keeping with the Town's Heritage Recognition Awards Program, the Town will advertise for nominations in the Progress Bulletin announcing nominations are now open for the Heritage Recognition Awards beginning on February 4<sup>th</sup>, 2020. A media release will also announce a call for nominations through the Town's website.

The nomination period will closed on March 6<sup>th</sup> and the results will be submitted to the Committee for their review.

Winners of the Heritage Recognition Awards will be invited to the Town's 267<sup>th</sup> Anniversary on Friday June 5<sup>th</sup>, 2020 (Sunday June 7<sup>th</sup>, 2020 is the actual historic date) to accept their Heritage Recognition Awards Certificates.

**B. Proposal**

The Heritage Recognition Awards is intended to recognize the fine work of property owners and developers in enhancing Lunenburg as a UNESCO World Heritage Site and to heighten public awareness of Lunenburg's rich built heritage.

The approved nomination recipients will be invited to the Town's 267<sup>th</sup> Anniversary Ceremony where they will be presented with their Heritage Recognition Certificates.

**2. ISSUES AND OPTIONS**

This memo is to notify the Committee as well as Council so that they are aware that the nomination period for the Heritage Recognition Awards will open on February 4<sup>th</sup>, 2020.

**3. FINANCIAL IMPACT**

There is a financial cost associated with the Heritage Recognition Awards Program. The proposed 2020-21 fiscal year budget has sufficient funds to cover the costs associated with advertising for nominations as well as the manufacturing of the certificates.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:

Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;  
Strategic Plan Goal #2 – To promote our UNESCO designation;

**5. RECOMMENDATION AND DRAFT MOTION**

There is no recommendation at this time. Upon receiving and reviewing the nominations, the Heritage Advisory Committee will be making a recommendation to Council for their consideration.

**ATTACHMENTS:**

- A. Heritage Recognition Awards Program
- B. Copy of Advertisement
- C. Copy of Web-site Notice

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# **ATTACHMENT “A”**

## **Town of Lunenburg Heritage Recognition Awards Program**

### **Purpose:**

To recognize property owners and developers for a “job well done” in outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape in which they are located. It is intended the Program recognize small as well as large projects and consider nominations from throughout the Town.

### **Recognition Categories:**

The Heritage Advisory Committee will accept nominations or will nominate from information provided by the Town’s Heritage Manager that fall under the following categories:

- preserving or restoring the original character of a building;
- rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure;
- successfully blending an addition and/or adaptive reuse of a building that contributes positively to the design of the original structure;
- new infill developments that successfully blend into and contribute positively to the streetscape in which it is located; and
- the long term preservation stewardship of a building.

### **Review:**

Nominations will be reviewed by Staff and forwarded to the Heritage Advisory Committee (HAC) for consideration. The HAC will provide their recommendations for Council’s consideration. Upon considering the HAC’s review, Council will approve those nominations they deem appropriate.

# ATTACHMENT “B”

## TOWN OF LUNENBURG HERITAGE RECOGNITION AWARDS

The Town of Lunenburg’s Council and Heritage Advisory Committee is pleased to recognize property owners and developers for a “job well done” in outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape.

The Heritage Advisory Committee will accept nominations that meet one or more of the following categories:

- preserving or restoring the original character of a building;
- rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure;
- successfully blending an addition and/or adaptive reuse of a building that contribute positively to the design of the original structure;
- new infill developments that successfully blends into and contributes positively to the streetscape; and
- the long term preservation stewardship of a building.

The Program applies to all works throughout the Town of Lunenburg, whether it is a small or large development project.

The deadline for nominations is **March 6, 2020**. Further information on the Town’s Heritage Recognition Awards Program may be obtained at <https://www.explorelunenburg.ca/heritage-recognition-awards-2.html>

Nominations should include photos (before and after if available). For more information, please contact:

Arthur MacDonald, Heritage Manager, Town of Lunenburg, 119 Cumberland Street  
PO Box 129, Lunenburg, Nova Scotia Canada B0J 2C0  
Email: [amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca)  
Tel: 902-634-4410, ext 234  
Fax: 902-634-4416  
[www.explorelunenburg.ca](http://www.explorelunenburg.ca)

Progress Bulletin, insertions Tuesdays - February 4<sup>th</sup> and 11<sup>th</sup>, 2020.

# ATTACHMENT “C” - Town Website Information

## Town of Lunenburg’s Heritage Recognition Awards

### Nominations Open for the Town of Lunenburg’s Heritage Recognition Awards

*February 4, 2020* - The Town of Lunenburg is now accepting nominations for the annual Heritage Awards - Certificates of Recognition for outstanding restoration and/or rehabilitation work as well as well-designed infill developments that contribute positively to the streetscape.

The Heritage Recognition Awards Program applies to all works throughout the Town of Lunenburg whether it is a small or large development project.

“Our architectural built heritage is a contributing element of our UNESCO World Heritage designation and a featured attraction enjoyed by visitors and treasured by residents. We want to celebrate it and nurture the sense of pride it generates. We look forward to recognizing property owners for their work in rehabilitating, restoring and contributing to our rich built heritage,” said Mayor Bailey.

“We are pleased to announce that we are now accepting nominations for the 2020 awards”, added Councillor Peter Mosher, and Chair of the Heritage Advisory Committee, “we encourage all citizens to nominate properties you feel deserves this recognition, and we also encourage property owners to nominate their own property.”

“There are many examples of restorations and new buildings that blend well into our built heritage,” Mayor Bailey stated, “and that’s the kind of effort we wish to recognize.”

**The deadline for nominations is March 6<sup>th</sup>, 2019.**

Further information on the Town’s Heritage Recognition Awards Program may be obtained at <https://www.explorelunenburg.ca/heritage-recognition-awards-2.html>

**Nominations should include photos (before and after if available).** For more information, please contact:

Arthur MacDonald  
Heritage Manager  
Town of Lunenburg  
119 Cumberland Street  
PO Box 129  
Lunenburg, Nova Scotia  
Canada B0J 2C0  
Email: [amacdonald@explorelunenburg.ca](mailto:amacdonald@explorelunenburg.ca)  
Tel: 902-634-4410, ext 234  
Fax: 902-634-4416  
[www.explorelunenburg.ca](http://www.explorelunenburg.ca)

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Document No: 5(b)  
 Meeting: HAC – January 20, 2020  
 Circulate To: HAC, Council, BR  
 File:

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## M E M O R A N D U M

**TO: TOWN COUNCIL/HERITAGE ADVISORY COMMITTEE**

**FROM: ARTHUR MACDONALD, HERITAGE MANAGER**

**DATE: JANUARY 7, 2020**

**RE: HERITAGE DAY PROCLAMATION – FEBRUARY 17<sup>th</sup>, 2020**

---

### 1. FACTS

#### A. Background

Every year the third week of February is celebrated as Heritage Week throughout Canada. Heritage Day is known as the third Monday in February and the National Trust for Canada encourages municipalities to celebrate by passing a Heritage Day proclamation. This year's theme is *Bringing the Past Into the Future*.

#### B. Proposal

**The following is from the National Trust for Canada's website:**

In 2020, Heritage Day is February 17, 2020, and Heritage Week runs from February 17 to 23, 2020 with the theme ***2020 Vision: Bringing the Past Into the Future***.

Why celebrate Heritage Day? Because Canada's collective story is told through our special places, whether they are historic lighthouses or schools, places of faith, industrial complexes, or cultural landscapes. Our shared heritage in all its forms has the power to bring people together and create a sense of belonging. Gathering places like town squares, and pow wow grounds, and cultural objects such as artifacts, regalia and family memorabilia are tangible touchstones with the past that can root us in place and nourish the spirit. Intangible heritage – languages, traditional rituals, music, dance, storytelling and more – is at the heart of family and community.

In celebration of our past and our future, we encourage all Canadians – young and old, deeply rooted or new to Canada – to visit museums, historic sites and heritage destinations, cultural landscapes and cultural centers, and connect with traditional knowledge keepers, educators, parents and grandparents to experience heritage on Heritage Day and beyond.

**2. ISSUES AND OPTIONS**

There are no issues pertaining to the Town's endorsement of the Heritage Day Proclamation. As a UNESCO World Heritage Site it is recommended that the Town join other municipalities throughout Canada by approving the Heritage Day Proclamation attached.

**3. FINANCIAL IMPACT**

There is no financial cost associated with the Heritage Day Proclamation.

**4. STRATEGIC PLAN RELEVANCE**

This project is in keeping with:  
Strategic Plan Goal #1 – To enhance appreciation of Lunenburg's heritage;  
Strategic Plan Goal #2 – To promote our UNESCO designation;

**5. RECOMMENDATION AND DRAFT MOTION**

It is recommended that Council approves the adoption of the Heritage Day Proclamation for February 17<sup>th</sup>, 2020.

**ATTACHMENTS:**

**A.** Heritage Day Proclamation

Acknowledged by:

Bea Renton  
Town Manager/Clerk

# Heritage Day Proclamation

## February 17<sup>th</sup>, 2020

### *Bringing the Past Into the Future*

WHEREAS, the third Monday in February is recognized provincially as Heritage Day; and

WHEREAS, Heritage Day is a time to reflect on the achievements of past generations and to accept responsibility for protecting our heritage; and

WHEREAS, our citizens should be encouraged to celebrate Nova Scotia's uniqueness and to rejoice in their heritage and environment; and

WHEREAS, in 2020 the residents of Nova Scotia and the Town of Lunenburg will celebrate their rich and diverse heritage.

THEREFORE, I, Mayor Rachel Bailey, on behalf of the Town of Lunenburg do hereby proclaim February 17<sup>th</sup>, 2020 as Heritage Day, and call upon all citizens to celebrate the richness of our past and the promise of our future.

---

Mayor, Town of Lunenburg



## Lunenburg County Seniors' Safety Program - December 2019

The LCSSP is community-based & operated under the umbrella of Safe Communities Lunenburg County, a non-profit organization. The program works collaboratively with Bridgewater Police Service, RCMP, & many community partners to address the safety concerns of seniors residing in Lunenburg County. Programs are typically offered at no cost to ensure that all seniors can participate. Staffing complement includes one full-time & one part-time Seniors' Safety Coordinator. The LCSSP operates out of Bridgewater Police Service.

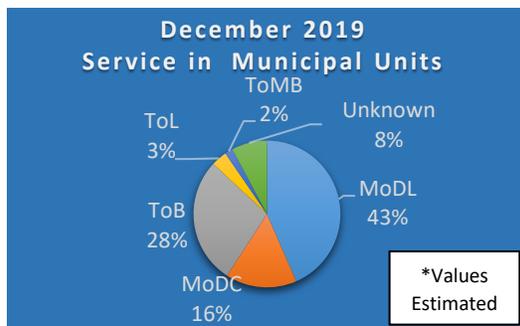
### SSC schedule:

Carole Hipwell, PT SSC – 1 day/week

Chris Acomb, Flex Schedule – 5 days/week (Dec. 25 – 31, 2019 – Holiday Vacation)

### Monthly stats & information:

- Thank you so much to all the Secret Santa's of *Santa's for South Shore Seniors, Shannon Stewart & Santa's for Seniors, Robyn Carruthers*. The LCSSP has delivered 17 Secret Santa gifts to clients!
- Referrals received from healthcare professionals, law enforcement, public officials, seniors/their loved ones & anonymous sources
- Nature of referrals include, unpaid house taxes, health/wellness, driving concerns, housing/food insecurity, elder abuse, home take over, fall risk, help to complete forms, connect with supports, information seeking, financial hardship, transportation needs, social isolation/loneliness, assistance with moving, impacts of hoarding behavior, mental health & addictions
- This month our program was called upon to assist an older person living alone after their primary caregiver had to leave unexpectedly
- The LCSSP has been actively supporting several clients who have returned home after hospitalization
- We have helped three clients find new homes just in time for the holidays!
- The LCSSP Annual Report will be made available by January 31, 2020



### Stats:

Data	December
Total # of clients	106
# of active clients receiving service	53
# of new referrals	14
# of home visits	46
# of closed files	1
One time needs	9

### Projects ongoing include:

- Seniors' Helping Tree
- Lun. Co. Housing Directory
- SSP Safety Recommendations
- Research on Consent to Service & Sharing Information

### LCSSP Client Emergency Contingency Fund (CECF) Report,

Opening Balance: \$1011.78 (including gift cards)

- \$3.43 for a dosette (pill box) for an older adult
- \$32.06 groceries & a hot meal for an older adult
- \$50.00 gift card – Seniors' Secret Santa gift

Month-end Balance: \$926.29 (including gift cards)

Anyone interested in learning more about the details of meetings, events &/or presentations please contact the LCSSP.

Submitted by: Chris Acomb, SSC, December 24, 2019

*2019 marks the 10<sup>th</sup> Anniversary of the Lunenburg County Seniors' Safety Program!*

## Lunenburg County Seniors' Safety Program - January 2019

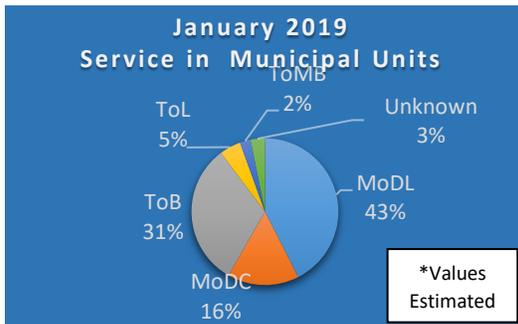
The LCSSP is community-based & operated under the umbrella of Safe Communities Lunenburg County, a non-profit organization. The program works collaboratively with Bridgewater Police Service, RCMP, & many community partners to address the safety concerns of seniors residing in Lunenburg County. Programs are typically offered at no cost to ensure that all seniors can participate. Staffing complement includes one full-time & one part-time Seniors' Safety Coordinator. The LCSSP operates out of Bridgewater Police Service.

### SSC schedule:

Carole Hipwell, PT SSC – 1 day/week (on 6-week leave)  
 Chris Acomb, Flex Schedule – 5 days/week (January 1<sup>st</sup> – 5<sup>th</sup> – Holiday/Vacation)

### Monthly stats & information:

- Referrals received from healthcare professionals, law enforcement, 211, spiritual leaders, fellow SSP, political offices, seniors/their loved ones & anonymous sources
- Nature of referrals include, pet care needs, possible animal abuse, outstanding property taxes, health/wellness, driving concerns, housing/food insecurity, elder abuse, home take over, fall risk, help to complete forms, connect with supports, information seeking, financial hardship, transportation needs, social isolation/loneliness, assistance with moving, impacts of hoarding behavior, snow removal, mental health & addictions and several referrals requiring adult protection involvement
- The LCSSP continues to actively support several clients who have returned home after hospitalization and others waiting placement in long term care
- The LCSSP Annual Report will be made available by January 31, 2020



### Stats:

Data	January
Total # of clients	131
# of active clients receiving service	56
# of new referrals	30
# of home visits	26
# of closed files	1
One time needs	1

### Meetings & Presentations:

- January 21<sup>st</sup> – SSC presented on the *LCSSP & Fighting Fraud Together*, to the Prime Timers in Bridgewater
- January 24<sup>th</sup> – SSC will be attending the NS Alzheimer Society Breakfast
- January 29<sup>th</sup> – SSC will be presenting to RCMP members at the Chester Dispatch along with Adult Protection & Project Lifesaver

### Projects ongoing:

- Seniors' Helping Tree
- Lunenburg Co. Housing Directory
- SSP Safety Recommendations
- Research on Consent to Service & Sharing Information

### LCSSP Client Emergency Contingency Fund (CECF) Report,

Opening Balance: \$926.29 (including gift cards)  
 - \$19.06 (Client did not have funds to make grocery purchase on outing)  
 Month-end Balance: \$907.23 (including gift cards)

## MEMORANDUM

**TO: TOWN COUNCIL**

**FROM: LISA DAGLEY, CPA, CGA, FINANCE DIRECTOR  
AND KATHLEEN RAFUSE, ACCOUNTANT**

**DATE: JANUARY 21, 2020**

**RE: REVIEW OF THE CAP ASSESSEMENT PROGRAM**

---

### **1. FACTS**

At the October 10, 2019 meeting Council passed the following motion:

*Motion: That a staff report be prepared providing an analysis of whether or not the CAP program is beneficial for Town of Lunenburg home owners. Motion carried.*

### **2. ISSUES AND OPTIONS ANALYSIS**

There are currently two assessment values calculated for Residential and Resource properties by Property Valuation Service Corporation (PVSC).

#### **Market value:**

- Is the most probable price, not the highest, lowest or average price.
- Is expressed in terms of money.
- Implies a reasonable exposure time to the market.
- Assumes an “arm’s length” transaction in the open market, which is assuming a willing buyer and a willing seller with no advantage being taken by either buyer or seller.

#### **Capped value:**

In Nova Scotia, provincial legislation places a ‘cap’ on the amount that residential property assessments can increase year over year. Usually the amount ‘capped’ is based on the percentage change in Nova Scotia Consumer Price Index.

**Properties that are not eligible for CAP include:**

- Majority owned by an out of province resident.
- Commercial property.
- New construction.
- Transfer in ownership during the year unless to a close family member.
- Non-owner occupied condominium.

The data used to compile this report was based on the 2019 and 2020 assessment rolls and the deed transfer tax information for the 2019/20 fiscal year.

The 2019 Assessment Roll for the Town of Lunenburg contained 1,140 residential assessments with a value of \$245,581,200. There were 591 of these assessments capped in 2019 which equals 52% of the total residential accounts. The residential assessment CAP applied to properties in 2019 equalled \$14,455,300 of assessed value or 6% of the total residential assessment value for the Town of Lunenburg. The assessment roll contained 53 resource property assessments of which 9 assessments were capped or 17%, the resource CAP was \$106,800 which equates to 17% of the total resource assessment value.

In our analysis of the impact of eliminating the CAP the Finance Department eliminated the CAP in one year, the proposed elimination period is 13 years as such the change in rates would be dependent on the number of years over which the CAP will be phased out. If eliminated in one year the following assumptions have been made:

1. With the additional assessment of \$14,562,100 (2019 CAP) there could be a reduction in the existing tax rate if all costs and other revenue remained the same.
2. The additional assessment may generate an additional \$61,000 in additional education expense. However, this assumes no impact from the broad changes that would occur with Uniform Assessment across the province and any potential impact that could have on the education rate.
3. The residential and resource properties that currently do not get the CAP will also have their residential tax rate reduced to the \$1.29 per one hundred dollars of assessment rate using in this modelling, which equates to approximately \$69,000 in savings for those tax payers.

For the 2019 **CAP properties** the following is an overview of the analysis of a one year elimination of the CAP:

Number of Accounts	Amt <b>Less</b> than 2019 Billing
203	\$100

Number of Accounts	Amt <b>More</b> than 2019 Billing
86	\$45
58	\$160
61	\$250
52	\$350
62	\$495
37	\$720
12	\$960
20	\$1,300

The additional taxpayer burden on the Capped properties would be \$141,450.

For the 2019 **Non-CAP properties** the following is an overview of the analysis of a one year elimination of the CAP:

Number of Accounts	Average Savings
201	\$43
273	\$136
64	\$235
4	\$330
2	\$435
2	\$555
1	\$885
1	\$1,360
1	\$2,900

The savings in taxpayer burden on the Non-Capped properties would be \$86,950.

Using the 2019/20 Approved Operating Budget data an eliminated CAP scenario would have 752 (66%) residential taxpayers paying either the same or less than they would pay under the Capped Assessment program.

In late 2019 an all-party committee was established to review the provincial assessment CAP program.

### **3. FINANCIAL IMPACT**

As noted above.

**4. STRATEGIC PLAN RELEVANCE**

#5 - Operate the Town efficiently and effectively by:

C. Developing and updating Town bylaws, policies, procedures and plans.

**5. RECOMMENDATION AND DRAFT MOTION**

This report is provided for Council information only.

Acknowledged only by:

Bea Renton  
CAO



NOVA SCOTIA FEDERATION  
OF MUNICIPALITIES

## MEDIA ADVISORY

### **All-Party Committee to Review Capped Assessment Program**

**DATES:** January 29, January 30, February 3

**LOCATION:** Halifax Westin Hotel, 1181 Hollis Street

An All-Party Committee to review the Capped Assessment Program gets underway 9 a.m.-12 p.m. **Wednesday, January 29** in the Halifax Westin Hotel.

The committee will review NSFM's proposal to phase-out the program and work to achieve consensus with representatives from Nova Scotia's three sitting parties.

The findings of the committee will then be delivered to Municipal Affairs and Housing Minister Chuck Porter.

The committee will be chaired by NSFM President Pam Mood and has representatives from each party, including MLAs Keith Irving, Tim Houston, Elizabeth Smith-McCrossin, Gary Burrill, and Lisa Roberts.

The CAP was introduced in 2005 to protect Nova Scotians who were experiencing sudden and dramatic increases to their property tax bills.

Over time, distortion in the system has resulted in a situation where a majority of Nova Scotians (54%) are overpaying on their taxes and subsidizing the municipal services of others.

NSFM members, which include 379 mayors, wardens and councillors from across Nova Scotia, have voted for the removal of the CAP as a top priority since 2011.

Sessions are also scheduled for 1-4 p.m. on Thursday, January 30 and Monday, February 3.

For more information on NSFM's advocacy role, click on <https://www.nsfm.ca/capped-assessment-program.html>

**NOTE:** *The committee will meet 9-12 p.m. January 29 in **Commonwealth B**, 1-4 p.m. January 30 in **Lunenburg Room** and 1-4 p.m. February 3 in **Harbour Suite B**. There will be space for Media.*

For more information, contact:

Amy Pugsley Fraser | Communications Advisor

902.483.1194

**TOWN OF LUNENBURG PROCEDURAL POLICY # -  
COMPLAINTS PROCESS POLICY**

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**PURPOSE**

1. The purpose of this Policy is to enable the Town of Lunenburg (“Town”) to promptly and effectively address complaints by members of the public about Town program and service delivery and other operational concerns raised by members of the public. The Policy will assist the Town in providing service to the public and contribute to continuous improvement of Town operations. The Town strives to address public concerns by:
  - providing a timely and accurate response to complaints; and
  - using complaints as an opportunity to improve program and service delivery issues.
2. This Policy is not meant to address:
  - (1) Issues already covered by legislation, or an existing Town bylaw, Policy or procedure;
  - (2) A decision of Council or a decision of a Committee of Council;
  - (3) Complaints brought by Council members or staff against Council members or staff; or
  - (4) A grievance covered by a Town collective agreement and/or Personnel Policy, except that complaints about staff or Council Members brought by members of the public which would also constitute a Code of Conduct complaint under applicable Policies or Personnel Policy of the Town should be acknowledged and the Complainant advised that the matter is being referred to Council in camera or to the Designated Officer as the case may be to be addressed under the applicable Code of Conduct policy in a manner respectful of any privacy interests of the Complainee and Complainant.

**DEFINITIONS**

3. In this Policy:
  - (1) “**Complainant**” means the individual filing a complaint with the Town;

- (2) **“Complainee”** means any individual Council member or Employee identifiable by name, title or context whose conduct or whose act or omission is complained about in a complaint;
- (3) **“Complaint”** means an issue or concern raised with a municipal program, service, or operation which is not resolved at the time of the incident and for which the complainant submits their concerns to the Town in accordance with this Policy;
- (4) **“CAO”** means the Chief Administrative Officer of the Town;
- (5) **“Council”** means the elected municipal Council of the Town;
- (6) **“Council Member”** includes the Mayor and Councillors;
- (7) **“Councillor”** means an elected Town Council member other than the Mayor;
- (8) **“Designated Officer”** means the CAO, except when a complaint is filed against the CAO, in which case it means the Mayor; and except when the complaint is against a Council Member, in which case the matter shall be referred to Council in camera as set out herein;
- (9) **“Employee”** means an employee of the Town, but includes for purposes of this Policy a volunteer Firefighter; and
- (10) **“Mayor”** means the Mayor of the Town, or the Deputy Mayor in the event of absence or unavailability of the Mayor.

## **PROCEDURE**

### **DESIGNATED OFFICER**

4. The Designated Officer may delegate the authority to investigate a complaint to another Town employee or to a qualified external person, such as a lawyer or mediator.
5. If the Complainee is a Council Member, Council in camera may determine how it wishes to investigate or delegate the investigation of a complaint to a qualified external person, such as a lawyer or mediator.
6. A Designated Officer may not delegate the authority to investigate a complaint to a Complainant or Complainee, and neither the Complainant nor the Complainee shall participate as a voting Council member in any determination of a complaint before Council or Council in camera.
7. Complainees shall be promptly provided with a copy of a complaint, including a copy of a Complaint Form, made against them and given a reasonable opportunity to explain or respond to the complaint in writing and/or verbally. Where the Complainee is employed by the Town, the applicable collective agreement and/or

personnel policy shall be followed before any discipline or sanction is considered if the complaint is substantiated.

8. All Complainees shall have their privacy interests respected and no public statement of disciplinary or other action shall be made, except after due consideration of those privacy interests, including, at the option of the Designated Officer or Council in camera, the obtaining of legal advice regarding such privacy interests. Normally disciplinary sanctions against employees will not be made public.

### **FRONT LINE RESOLUTION**

9. It is the responsibility of the Complainant and Designated Officer to make reasonable front line efforts to resolve complaints informally, including, where appropriate, by preliminary dismissal of complaints not eligible to be pursued under this Policy or otherwise not warranting the process of a formal complaint.
10. The Designated Officer shall record efforts to reach front line resolution and may choose to write to the Complainant confirming that the matter is considered to be resolved or that a formal complaint will be accepted for handling under this Policy.

### **FILING A FORMAL COMPLAINT**

11. Where front line resolution cannot be achieved, complaints should be submitted to the Designated Officer, on the Complaint Form attached in Schedule A, providing particulars of the Complaint. The Designated Officer may waive the use of a Complaint Form by the Complainant where the complaint was already presented in writing with sufficient particularity. **A copy of a formal complaint filed will be copied to Council for information.**

### **RECEIPT AND ACKNOWLEDGEMENT**

12. The Designated Officer shall acknowledge in writing that the complaint has been received within seven business days of receipt of the complaint. The Designated Officer shall maintain a file of written complaints and documents relating to the complaint, in accordance with the Town's Record Management Policy.

### **INVESTIGATION**

13. The Designated Officer shall review the issues identified by the Complainant and in doing so shall, as necessary having regard to the circumstances:
  - (1) Attempt front line resolution where it has not already been attempted;
  - (2) Review relevant Municipal and Provincial legislation;
  - (3) Review the Town's relevant Policies, procedures and practices;

- (4) Review existing file documents relating to the matter;
- (5) Interview the Complainant, Complainee and other persons identified as relevant to the complaint;
- (6) Provide a copy of the written complaint to any person(s) complained against and ensure they have a reasonable opportunity to be heard regarding the complaint as described in section 7 herein;
- (7) If the complaint does not identify a particular Complainee and is of a general nature regarding the Town, elected officials and/or employees, the Designated Officer may conduct a general review of the complaint to determine what, if any, action needs to be taken to address the complaint;
- (8) Identify and take actions that in the opinion of the Designated Officer should be taken to resolve or handle the complaint and improve municipal services as a result of matters raised by the complaint.

### **DECISION**

14. Within thirty business days of receipt of a complaint the Designated Officer shall provide a response in writing to the Complainant and to the Complainee where a Complainee has been able to be identified. Subject to the due consideration of applicable privacy interests, the response may include:
  - (1) Whether further time is needed to resolve or handle the complaint, and if so, why;
  - (2) Whether the complaint was substantiated;
  - (3) If the complaint is not substantiated, the reason(s) why it is not considered substantiated; and
  - (4) Any processes or actions the Town has or will take as a result of the complaint including that the matter has been referred for disciplinary consideration to the CAO or to Council in camera, as the case may be.
15. For complaints which are substantiated, the Designated Officer shall attempt to identify and implement opportunities to improve municipal services.
16. Subject to the due consideration of privacy interests, a summary of the complaint and its disposition may be circulated to the relevant staff and Council where appropriate to effect general municipal service improvements.
17. No disciplinary or other retaliatory action shall be taken against Complainants for complaints made in good faith under this Policy.





## ICE RESURFACER CAPITAL PURCHASE 2020/21

### INFORMATION SUMMARY

KELLY CUNNINGHAM, RECREATION DIRECTOR

#### OVERVIEW

- Approximately **\$55,300 reserved** for this capital purchase.
  - **\$51,100** in the ice resurfacer reserve fund
  - **\$4,200** anticipated from the Arena rental surcharge in 2019/20.
- **Need** approximately **\$70,000**, based on the predicted \$125,000 capital amount.
- Efficiency NS and Clean Foundation NS are not aware of any rebates available for electric ice resurfacers.
- The type of machine will determine how much money is required for the purchase. Zamboni quoted approximate amounts: **Propane \$110,000 and Electric \$165,000**. An Electric machine would also require additional funds for room renovations and electric upgrades.
- A new ice resurfacer takes approximately 5 to 6 months, or in some cases up to a year, for a new machine to be delivered.

#### RECOMMENDATION AND DRAFT MOTION

It is recommended that Council adopt the following motions to move forward with the ice resurfacer purchasing in the fiscal 2020/21 year:

***Draft motion:*** Motion: moved and seconded that Council approves the formation of a Fundraising Committee to raise funds for an ice resurfacer purchase.

***Draft motion:*** Motion: moved and seconded that Council pre-approves a propane ice resurfacer purchase in fiscal 2020/21 estimated to be approximately \$125,000.

**MEMORANDUM**

**TO:** LWMCC RECREATION COMMITTEE  
**FROM:** KELLY CUNNINGHAM, RECREATION DIRECTOR  
**DATE:** DECEMBER 6, 2019  
**UPDATED:** JANUARY 24, 2020  
**RE:** LUNENBURG WAR MEMORIAL ARENA: ICE RESURFACER  
CAPITAL PURCHASE 2020/21

1. **FACTS**

In the Town of Lunenburg 10 year Capital Budget for the Recreation Department, the Lunenburg War Memorial Arena Ice Resurfacer is anticipated to be replaced in the 2020/21 budget for \$125,000. The following information is referenced in the 2019/20 budget:

*Ice Resurfacer (89) (2020/21)*

*The existing ice resurfacer is a 1989 Olympia. It has given us good service over the past twenty nine years but we have had issues over that time with the transmission, the hydraulic system, the starter motor (replaced four times), and the fuel carburetion system. The conditioner, the blade and auger system mounted at the rear of the machine, have also been replaced. We are fortunate that our staff are well versed in mechanical repairs plus we have had the benefit of hydraulic/automotive technicians in the local area to call upon when the problem is beyond the scope of our own staff. We are reaching the point where nursing the machine along from year to year is becoming more challenging.*

In the Ice Resurfacer reserve fund, there is currently \$50,000, plus interest of \$1,100, for a total of \$51,100. In the 2019/20 fee schedule, a “resurfacer surcharge” has been added onto the hourly rental rate of \$4.00/hour, which was anticipated to gain approximately \$4,200 in the 2019/20 fiscal year. The Arena closes for the season on Monday, March 30, 2020.

2. **ISSUES AND OPTIONS**

**MONETARY**

As noted in the Capital Expenditures Description, the current ice resurfacer has provided us good service but we have had recent mechanical issues. We are fortunate that our staff are well versed in mechanical repairs; however, the machine is near the

end of its lifespan. Staff are concerned that a major parts failure could put the ice resurfacers out of service for an extended period of time during the next ice season.

There is currently \$51,100 in the ice resurfacers reserve fund plus an anticipated \$4,200 from the Arena rental surcharge. This approximates a total of **\$55,300** reserved for this capital purchase. Based on the predicted \$125,000 capital amount, we are in need of approximately **\$70,000**.

Options:

Staff were anticipating on applying for the province's "Recreation Facility Development Capital Grant", which could support up to one-third of the total capital project up to a maximum of \$150,000. Since, Council included the installation of a Splash Pad in the 2020/21 budget at \$200,000 under Recreation Infrastructure. The Lunenburg Community Development Group, on behalf of the Town, is currently in the process of applying for the same grant in the 2020/21. Only one application is accepted per municipal unit and it is highly anticipated that the Splash Pad would receive the funding over an Ice Resurfacers Replacement.

A funding request was sent to the Municipality of the District of Lunenburg (MODL) in March 2019 to provide funding for the replacement of the Ice Resurfacers in the amount of \$40,000. MODL decided to wait until next fiscal year to make a decision as the purchase was to be made in 2020. It should also be noted that MODL provides the Town with an operating grant to assist with operational funding; however, this amount was reduced in 2019/20 when MODL supported the Community Centre structural roof repairs with a \$40,000 grant payable over 4 years (\$10,000 per year). The operating grant offsets is important annual funding.

An option is to inquire for corporate sponsorship(s) from businesses.

There is a potential resale value of \$3,000 to \$5,000 for the current 1989 Olympia at an auction. However, it was recommended by Monarch Enterprise (the local Olympia dealer) that the Town keeps the older machine as a backup.

The Sportsnet "Kraft Hockeyville" contest begins in January 2020 with applications due February 10, 2020. The Canadian winner receives \$250,000 in arena upgrades and the second place winner receives \$25,000 in arena upgrades. An application form could be considered for this.

#### TYPE OF MACHINE

Ice resurfacers are powered by either propane or electric, with the top two brands being Olympia and Zamboni. The cost of a propane machine is significantly cheaper in the initial purchase in comparison to an electric machine; however, it is anticipated that over a 12 year duration, the cost could be comparable. The Zamboni life cycle for both electric vs. propane are relatively the same and, for a rink similar in size to Lunenburg, is approximately 15-20 years. The Olympia life cycle is said to be approximately 20-30 years. There are also natural gas powered machines; however, professionals have said

this would not be an option in Lunenburg. Please see APENDIX A for an “Electric vs. Propane” financial review compiled by Saunders Equipment Ltd (Zamboni suppliers).

The decision between a propane and electric machine is a significant choice. Staff compiled an internal propane vs. electric pros and cons list for reference:

<b>PROPANE MACHINE</b>	
<b>PROS</b>	<b>CONS</b>
Cheaper in initial purchase.	Potential for emissions/odor.
Town Staff are highly experienced with a propane machine.	Propane fuels are on site at Arena which could be a potential hazard.
If there is an issue with a machine, there is a local (Bridgewater) professional that is dependable to look at our issue the day of. There are more experienced professionals that work with propane, and many do not like to work on the electric machines as they are new.	Increase staff safety when handling propane.
Propane has been dependable on hand to run the machine and does not require charging (i.e. if the cord is not plugged in correctly or is forgotten overnight, the machine might not operate properly).	Possibility of propane shortage.
Would not need to install a charging station in the Ice Resurfacer room, which could require electrical upgrades and room renovations.	
Consistent and predictable annual cost for propane.	
New machine should have minimal to zero smell or odor.	

<b>ELECTRIC MACHINE</b>	
<b>PROS</b>	<b>CONS</b>
Considered to be eco-friendly and no emissions.	New batteries (3-4) required every 8-10 years, approximately \$27,000.
Claims to have less maintenance due to not having to do service on engine or fuels.	Ice resurfacer room will likely require electrical upgrades to withhold charging station and installation of new exhaust fan from gases produced by recharging.
Potential to be safer due to not requiring propane on site.	Room renovations would be required to install the charging station. Requirements include: mount charger off the floor (4ft in height), a safety zone of 4 ft where all equipment or other matter cannot be

	kept, and charger must be close to the breaker.
Technology for electric machines has come a long way in recent years.	Uncertain how the old batteries are recycled.
The machine itself is quieter when running.	Maintenance professionals are currently trained in Halifax. No local service provider.
Olympia Supplier has said per flood the electric costs \$0.50 and the propane is \$3.00/flood.	Town Staff would not be as familiar and fixing/repairs could take longer to complete.
	Charging is critical and machine would not run if plugged in incorrectly or forgotten.
	Lower re-sale value in compared to propane.
	A single ice cleaning takes longer (approximately 3-5 minutes longer) compared to propane.

I have consulted with many other Arena Managers in Nova Scotia who have recently purchased new ice resurfacers. Please see the chart below:

<u>MUNICIPALITY</u>	<u>NEW MACHINE PURCHASED</u>
Town of Trenton	Zamboni propane (~2018)
Municipality of Barrington	Olympia propane (2018)
Town of Kentville	Zamboni propane ( <i>currently being shipped</i> )
Acadia University	Zamboni propane (2019)
Halifax: BMO and RBC Centres	6x Zamboni propane ( <i>purchased 4 new in 2017</i> )
Town of Berwick	Olympia electric ( <i>purchased when new facility was built</i> )
Lunenburg County Lifestyle Centre	Olympia electric ( <i>purchased when new facility was built</i> )
<b>UPDATED: Yarmouth Mariners Centre</b>	<b>Zamboni propane (2018)</b>

The Recreation Staff have agreed that a propane ice resurfacer is the preferred purchase for a new machine.

OTHER IMPORTATION INFORMATION

A few important notes from the Ontario Recreation Facilities Association Inc. document titled “Safe Ice Resurfacer Room Battery Charging Unit Installation and Use Guidelines” (June 2014):

“Often, the primary shift toward battery powered equipment is based on indoor air quality issues caused by fossil fuels. Shifting to battery technology may in fact

significantly reduce the potential for poor indoor air, however, it is important to understand that hazardous gases can be generated during the charging process, and as such, must be properly controlled” (page 1).

“Facilities that are considering switching from fossil fuels to battery powered equipment must consider a variety of construction and operational issues beyond equipment selection” (page 4). These requirements for the ice resurfacer room includes the ceilings, lightings, fixtures, and other equipment close in proximity. As well as electrical upgrades to withhold the charging station.

UPDATED: The battery on a Zamboni machine is located ahead of the driver on the left side (driver’s side). The cable from the charge unit is approximately 10’ long. This would need to be install in a dry area (not wet floor) near where Zamboni parks. You will require 3 phase 220 volt to power charger. In the current Lunenburg Arena ice resurfacer room, there is zero space on the left side of the machine, which would require room reconstruction in order to install a charging station.

UPDATED: According to Efficiency NS, Clean Foundation NS and the Zamboni providers, there are no rebates in Nova Scotia for electric ice resurfacer purchases.

It should also be noted that a new ice resurfacer typically takes approximately 5 to 6 months, or in some cases up to a year, for a new machine to be delivered.

### 3. **FINANCIAL IMPACT (prepared by the Finance Director)**

Based on a capital purchase of \$125,000, approximately \$70,000 is required to fund a new ice resurfacer in fiscal 2020/21. If an electric ice resurfacer is selected to be purchased, additional funds will be required for renovations and electrical upgrades to the ice resurfacer room to meet regulations. If external funding is not received, Council will need to consider a capital borrowing for this important piece of equipment.

### 4. **STRATEGIC PLAN RELEVANCE**

Goal 5B: Continually and strategically maintaining and upgrading community infrastructure.

Goal 3B: Facilitating and encouraging healthy lifestyles.

Goal 5A: Making best use of Town-owned buildings and land.

### 5. **RECOMMENDATION**

It is recommended the LWMCC Recreation Committee discuss ways to raise additional funds for the capital ice resurfacer.

**Draft motion:** Motion: moved and seconded that Council approves the formation of a Fundraising Committee to raise funds for an ice resurfacer purchase.

***Draft motion:*** Motion: moved and seconded that Council pre-approves a propane ice resurfacer purchase in fiscal 2020/21 estimated to be approximately \$125,000.

Acknowledged only by:

Bea Renton  
Town Manager/Clerk

## APPENDIX A:

Electric vs. Propane Financial Review by Saunders Equipment Ltd (Zamboni suppliers)

### Electric vs Propane Lithium Battery

Propane Zamboni 446 - \$110,000.00

Cost of interest over a 7 year term at an interest rate of 6.00% is \$23,850.00

Total cost of the Zamboni plus interest - \$133,850.00

Propane cost over a 12 year period – 5 tanks per week – 7 months/yr. @

\$50.00/tank.  $\$50.00 \times 5 = \$250.00/\text{week} \times 4 = \$1,000.00/\text{month} \times 7 \text{ months} =$   
 $\$7000.00 \times 12 \text{ years} = \underline{\$84,000.00}$

Tune up on propane portion only -  $\$1,000.00/\text{year} \times 12 \text{ years} = \underline{\$12,000.00}$

**Total Cost over 12 years = \$229,850.00**

**Electric Zamboni 450 - \$165,000.00**

Cost of interest over 7 yr. term at an interest rate of 6.00% is \$38,610.00

Total cost of the Electric Zamboni plus interest - \$203,610.00

New battery after 8 - 10 years is \$27,000.00. (Can municipal arenas budget or save in an account \$2,700.00 - \$2,800.00 per year for a new battery? Operating budget vs capital budget)

Fuel cost - \$0.00

Extra electricity cost to charge the battery/month for 12 years - ?

Extra cost for 3 phase wiring for the charger - ?

Extra cost for explosion proof ventilation in Zamboni room - ?

**Total cost over 12 years - \$230,610.00**

**Difference in cost over 12 years - \$760.00 more for the electric Zamboni**

**Cost difference would be higher if the above 3 (?) costs were known.**

**The resale value, today, of a propane Zamboni is higher than the resale value of an electric Zamboni.**

Circulated: \_\_\_\_\_

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Document No:

Meeting: January 28, 2020 Council

Circulate To: Council, BR, DH's, KR,

Dist's 1&2, LFD, JG-Audit Committee

File: Budget 2019/20

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**MEMORANDUM**

**TO: TOWN COUNCIL**

**FROM: LISA DAGLEY, FINANCE DIRECTOR**

**DATE: JANUARY 21, 2020**

**RE: 2019/20 CAPITAL AND OPERATING VARIANCE REPORT –  
TO NOVEMBER 30, 2019**

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Please find enclosed the variance report to **November 30, 2019**. The period ending November 30<sup>th</sup> represents 66.67% (8 months) of the fiscal year. Town General expenditures are currently on budget at 68.5%.

**Index to Reports**

Capital Budget Status Report	Page 1
Operating Financial Statements Summary	Page 7
Deed Transfer Tax, Tax & Sewer Report, Parking Meter Revenue and Snow Control	Page 8
Grants to Organizations Information Update	Page 9

Acknowledged only by:

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Bea Renton  
Town Manager/Clerk

Encls.

**Capital Status Report to November 30, 2019**

\*\*Any comments in BOLD are changes from the previous report\*\*

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
<b>Buildings &amp; Structures</b>					
	<i>Town Hall</i> Town Hall - Snow Load Assessment	\$15,000	\$0	\$15,000	PW
	<i>Comment:</i> <b>Project was awarded, draft report received and follow-up is ongoing with contractor.</b>				
	<i>Lunenburg Academy</i> Lunenburg Academy Interpretive Panels	\$6,000	\$4,333	\$1,667	AM
	<i>Comment:</i> Carry-forward project from 17-18. Completed in early spring.				
	<i>Lunenburg Academy</i> Lunenburg Academy Beautification Project	\$40,000	\$32,107	\$7,893	AM
	<i>Comment:</i> Carry-forward project from 18-19. Completed in early spring.				
	<i>Lunenburg Academy</i> Lunenburg Academy Exterior Capital Repairs Phase II	\$1,500,000	\$78,593	\$1,421,407	AM
	<i>Comment:</i> Phase II of the Restoration Project on October 18th with the installation of the scaffolding on the North end of the East (Front) Elevation.				
	<i>Captain Angus Walters House</i> Capital Maintenance Repairs	\$11,000	\$0	\$11,000	PW
	<i>Comment:</i> <b>Staff re-evaluated the project, work is going to be carried out under operating repairs and maintenance.</b>				
<b>Environmental Development</b>					
	Comprehensive Community Plan	\$229,300	\$123,166	\$106,134	DS
	<i>Comment:</i> Project began in fiscal 18-19. Total budget of \$229,300 approved Dec. 11, 2018.				
<b>Equipment</b>					
	Parking Meters	\$14,100	\$14,075	\$25	BR
	<i>Comment:</i> Order received and installed by PW staff in September. Budget was increased from \$5,000 to \$14,100 at the Aug.27/19 Council Meeting.				
	Coin Roller	\$5,000	\$4,599	\$401	BR
	<i>Comment:</i> New roller received and in use. Complete.				
<b>Public Works Infrastructure</b>					
	<i>Wastewater Treatment</i> Brook Street Storm/Sanitary separation infrastructure finalization	\$150,000	\$19,397	\$130,603	PW
	<i>Comment:</i> <b>Council Motion: Dec.19/19 for project to move forward with overflow.</b>				
	<i>Wastewater Treatment</i> Brook Street Overflow prevention equipment	\$119,000	\$31,260	\$87,740	PW
	<i>Comment:</i> Pump purchased in spring.				
	<i>Wastewater Treatment</i> Improve Treatment Process-Pre-Design	\$270,000	\$0	\$270,000	PW
	<i>Comment:</i> PCAP Funding approval received Sept.30, 2019				

**Capital Status Report to November 30, 2019**

\*\*Any comments in BOLD are changes from the previous report\*\*

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
	Wastewater Treatment Spare Ultra Violet Bank <i>Comment:</i> <b>Received and installed, as part of the Dorian plant repairs. Currently no spare on hand. Awaiting insurance approval before re-purchase of this item.</b>	\$18,000	\$0	\$18,000	PW
	Wastewater Treatment Additional UV Bank (Jan. 15/19) <i>Comment:</i> As noted at the Oct.22/19 Council meeting we have advised by Municipal Affairs that we were not successful in our funding application.	\$250,000	\$0	\$250,000	PW
	Wastewater Treatment Variable Frequency Drive <i>Comment:</i> <b>Ordered.</b>	\$8,000	\$0	\$8,000	PW
	Wastewater Treatment New Complete Recycling Pump <i>Comment:</i> <b>Received and installed, as part of the Dorian plant repairs. Currently no spare on hand. Awaiting insurance approval before re-purchase of this item.</b>	\$31,500	\$0	\$31,500	PW
	Wastewater Treatment Voltage Reading Monitor at Pumping Station <i>Comment:</i> <b>Deferred while other Pump Station repairs were carried out.</b>	\$6,500	\$0	\$6,500	PW
	Wastewater Treatment Upgrade to SCADA System-Biofilter/Micro-cool <i>Comment:</i> Projected completed in October. 	\$5,500	\$3,621	\$1,879	PW
	Wastewater Treatment Cell Enhancement Booster <i>Comment:</i> Projected completed in October. 	\$3,600	\$3,635	(\$35)	PW
	Wastewater Treatment Upgrade Rails and Catwalks in Aeration Building <i>Comment:</i> On-going capital maintenance program of aeration building rails and catwalks.	\$10,000	\$2,086	\$7,914	PW
	Wastewater Treatment Macerator <i>Comment:</i> <b>Relocation installation had to be deferred due to Hurricane Dorian repairs, however work was completed in December.</b>	\$17,500	\$3,022	\$14,478	PW
	Wastewater Treatment Replace Lines and Diffusers in Aeration Tanks <i>Comment:</i> Approved an increase to the budget of \$80,000 to \$200,000 and that the total capital project will be financed with Gas Tax funding, at the August 27, 2019 Council meeting. <b>Equipment PO issued in December.</b>	\$200,000	\$9,590	\$190,410	PW

## Capital Status Report to November 30, 2019

\*\*Any comments in BOLD are changes from the previous report\*\*

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
	<i>Wastewater Treatment</i> Biofilter <i>Comment:</i> Carry forward project from 18/19. Original total budget \$1,147,000. Project costs in 18/19 = \$753,815. Finalizing outstanding deficiencies and fencing.	\$393,185	\$250,284	\$142,901	PW
	<i>Wastewater Treatment</i> Scada Packs <i>Comment:</i> Completed in October, awaiting invoicing.	\$5,000	\$0	\$5,000	PW
	<i>Wastewater Treatment</i> WWTP and Collection System Study <i>Comment:</i> <b>Carry forward of 2018-19. Peer review received in December, awaiting CBCL response.</b>	\$75,000	\$66,849	\$8,151	PW
	<i>Renewals - Sidewalks/Curbs</i> Tannery Road Seawall <i>Comment:</i> PW staff scheduled to complete this work in the later part of fiscal 19/20.	\$50,000	\$10,047	\$39,953	PW
	<i>New Sidewalks/Curbing</i> Tannery Road-Knickle Rd. to 97 Tannery Road (E) - (Legal & Prep work carry forward from 17/18 & 18/19) <i>Comment:</i>	\$115,000	\$0	\$115,000	PW
	<i>Chip sealing</i> Kissing Bridge 332 to 332 N/Bypass <i>Comment:</i> Completed in late September.	\$81,000	\$72,583	\$8,417	PW
	<b>Recreation Infrastructure</b> Boat Launch Site <i>Comment:</i> Beautification grant received. Work completed.	\$12,300	\$11,281	\$1,019	PW
	Splash Pad (Detailed Design - Tender) <i>Comment:</i> <b>Council approved location and design at Jan.14/20</b>	\$20,000	\$0	\$20,000	PW
	<b>Equipment</b> <i>Public Works - Equipment</i> Asphalt Roller (Ride-on) <i>Comment:</i> Received. Complete.	\$40,000	\$40,288	(\$288)	PW
	<i>Public Works - Equipment</i> Sewer Camera <i>Comment:</i> <b>Complete.</b>	\$18,000	\$9,716	\$8,284	PW
	<i>Public Works - Equipment</i> Chev Truck (93) & Plow <i>Comment:</i> <b>Tender awarded Nov.12/19 Council meeting.</b>	\$183,000	\$0	\$183,000	PW
	<i>Fire Department</i> Turnout Gear <i>Comment:</i> <b>Received, invoicing finalized in December.</b>	\$120,000	\$114,108	\$5,892	GM

**Capital Status Report to November 30, 2019**

\*\*Any comments in BOLD are changes from the previous report\*\*

TOWN	Project	Budget	YTD Actual	Under/(Over) Budget	DH
Community Centre/Arena	Bathroom Renovations at Community Centre <i>Comment:</i> <b>RFP for this project has been issued and closes January 20, 2020.</b>	\$55,000	\$0	\$55,000	KC/PBR
Community Centre/Arena	Gym Floor Refinish <i>Comment:</i> Project Deferred to another year, funding used for Brine Repairs.	\$0	\$0	\$0	KC
Community Centre/Arena	Roof Structural Repairs <i>Comment:</i> Carry forward from 18/19. Completed in early spring.	\$130,000	\$121,325	\$8,675	KC
Community Centre/Arena	Arena Brine Repairs <i>Comment:</i> These repairs are complete.	\$15,000	\$14,432	\$568	KC
Community Centre/Arena	Welcome Signs <i>Comment:</i> <b>Signs have been received, awaiting installation.</b>	\$20,000	\$0	\$20,000	BR

## Capital Status Report to November 30, 2019

\*\*Any comments in **BOLD** are changes from the previous report\*\*

WATER UTILITY	Project	Budget	YTD Actual	Under/(Over) Budget	DH
<b>General</b>					
	New Services	\$5,000	\$4,707	\$293	PW
	<i>Comment:</i> As required.				
	Armouries-Replace Oil Tank	\$10,650	\$521	\$10,129	PW
	<i>Comment:</i> <b>Approved by Council on November 26, 2019, funded from Water Utility Reserve Funds.</b>				
	Replacement Hydrants	\$10,000	\$0	\$10,000	PW
	<i>Comment:</i> As required.				
	Replacement Meters	\$30,000	\$0	\$30,000	PW
	<i>Comment:</i> As required.				
<b>Building Improvements &amp; Construction</b>					
	Prepare and Paint Water Storage Tank-Garden Lots	\$145,000	\$42,831	\$102,169	PW
	<i>Comment:</i> <b>At the Sept.24/19 Council meeting tender awarded and budget increased to \$145,000. Work was completed early in January.</b>				
	Repair Spillway Dares Lake	\$12,600	\$9,541	\$3,059	PW
	<i>Comment:</i> <b>PO issued in September. This was the background study for the larger project, the background study has now been completed. Capital repair work to be carried out in 2020/21.</b>				

**Capital Status Report to November 30, 2019**

\*\*Any comments in **BOLD** are changes from the previous report\*\*

ELECTRIC UTILITY	Project	Budget	YTD Actual	Under/(Over) Budget	DH
<b>Structures</b>					
	Feeder Transfer Bus	\$82,000	\$0	\$82,000	LD
	<i>Comment:</i> Reviewing project plan with NSP.				
	Capacitor Bank at Substation	\$480,000	\$0	\$480,000	LD
	<i>Comment:</i> Reviewing project with NSP.				
<b>Utility Line Work</b>					
	Meters	\$25,000	\$2,364	\$22,636	LD
	<i>Comment:</i> As required.				
	Overhead Conductors	\$75,000	\$73,701	\$1,299	LD
	<i>Comment:</i> As required.				
	Poles & Fixtures	\$50,000	\$24,389	\$25,611	LD
	<i>Comment:</i> As required.				
	Services	\$10,000	\$19,204	(\$9,204)	LD
	<i>Comment:</i> Higher service requests than anticipated.				
	Street Lighting	\$30,000	\$3,110	\$26,890	LD
	<i>Comment:</i> As required.				
	Transformers - Line	\$70,000	\$60,333	\$9,667	LD
	<i>Comment:</i> As required.				
	Sectionalizing Circuits to Improve Reliability (pre-approved Mar. 12/19)	\$120,000	\$0	\$120,000	LD
	<i>Comment:</i> Work began in late summer.				
	Spare Reclosure and Reclosure Control	\$38,000		\$38,000	LD
	<i>Comment:</i> Reviewing project with NSP.				
	Pothead Replacement at Substation	\$22,000	\$0	\$22,000	LD
	<i>Comment:</i> Reviewing project with NSP.				
	Substation - Switch Replacements	\$10,000	\$0	\$10,000	LD
	<i>Comment:</i> Reviewing project with NSP.				

**Town of Lunenburg Operating Financial Statements**

**November 30, 2019**

**Summary Information**

(YTD Pro-rated Budget = 67.7%)

**TOWN GENERAL**

	<u>YTD Actual</u>	<u>Budget</u>	<u>%</u>		<u>Balance</u>
<u>Revenue</u>					
Taxes	\$5,660,195	\$5,642,300	100.3%	1.	(\$17,895)
Grants In Lieu Of Taxes	-	237,300	0.0%	2.	237,300
Sale of Services	154,194	228,500	67.5%		74,306
Sale of Service Arena/Community Centre	149,460	314,900	47.5%	3.	165,440
Other Revenue/Own Sources	276,725	354,600	78.0%		77,875
Unconditional Transfers/Other Gov'ts	25,113	50,100	50.1%		24,987
Conditional Transfers/Fed or Prov Gov'ts	-	1,500	0.0%		1,500
Conditional Transfers/Other Local Gov'ts	87,863	176,000	49.9%		88,137
	<u>\$6,353,550</u>	<u>\$7,005,200</u>	<u>90.7%</u>		<u>\$651,650</u>
<u>Expenditures</u>					
General Government Services	\$326,721	\$454,400	71.9%	4.	\$127,679
Protective Services	1,050,646	1,576,300	66.7%		525,654
Transportation Services	613,338	972,300	63.1%	5.	358,962
Environmental Health Services	905,908	1,193,800	75.9%	6.	287,892
Public Health Services - Cemetery	41,585	43,300	96.0%	7.	1,715
Environmental Development	272,262	433,500	62.8%	8.	161,238
Recreation & Cultural Services	185,999	301,100	61.8%		115,101
Arena/Community Centre	305,758	506,900	60.3%		201,142
Fiscal Services	1,097,270	1,523,600	72.0%		426,330
	<u>\$4,799,487</u>	<u>\$7,005,200</u>	<u>68.5%</u>		<u>\$2,205,713</u>
<b>TOWN SURPLUS (DEFICIT) **</b>	<u><b>\$1,554,063</b></u>	<u><b>\$ -</b></u>			

**\*\*Please note expenditures occur over a 12 month period however the majority of revenue is received in two semi-annual tax billings. Revenue billed is at 90.7% and 68.5% of expenditures have occurred as of November 30, 2019.**

**Legend:**

- Both the interim and final property and sewer tax bills have been issued.
- Received from Province in January 2020.
- Arena revenues are seasonal, to November 30th is 33% of the Arena season.
- Insurance and Section 71 Tax Exemptions paid for the year.
- Dorian expenses for Storm OT & General Town storm clean-up = \$6,000, road repairs required due to Dorian damage = \$17,800, An application for Provincial Disaster Assistance will be completed.  
  
Equipment maintenance for Trackless, '93 & '02 GMC Topkicks, '02 F150 1/2 ton, Loader and backhoe have been higher than anticipated for repairs, collectively by \$2,300 at Nov.30/19, offset by other departmental savings.
- Expenses for WWTP restoration due to Dorian damage = \$150,700. Insurance claim is being finalized for submission.
- Cemetery operational expenditures are seasonal.
- Insurances paid on all buildings for the year.

	<u>YTD Actual</u>	<u>Budget</u>	<u>%</u>		<u>Balance</u>
<b>WATER UTILITY</b>					
Revenue	\$831,384	\$1,512,000	55.0%	1.	\$680,616
Expenditures	\$879,966	\$1,512,000	58.2%		\$632,034
<b>WATER SURPLUS (DEFICIT)</b>	<u><b>(\$48,582)</b></u>	<u><b>\$ -</b></u>			

**Legend:**

- Two quarterly billings issued. Next billing at December 31, 2019.

	<u>YTD Actual</u>	<u>Budget</u>	<u>%</u>		<u>Balance</u>
<b>ELECTRIC UTILITY</b>					
Revenue	\$4,103,624	\$6,533,200	62.8%	1.	\$2,429,576
Expenditures	\$4,093,298	\$6,585,700	62.2%		\$2,492,402
<b>ELECTRIC SURPLUS (DEFICIT)</b>	<u><b>\$10,326</b></u>	<u><b>\$ (52,500)</b></u>			

**Legend:**

- Electric consumption billings are seasonal in nature.

**TOWN OF LUNENBURG ADDITIONAL FINANCIAL INFORMATION**  
**November 30, 2019**

**DEED TRANSFER TAX REPORT**

	Budget	This Month		Year to Date		Variance to Budget
		(#)	Amount	(#)	Amount	
Revenue this year	\$150,000	(8)	\$32,687	(48)	\$164,341 *	(\$14,341)
2018/19 Reserve Fund (Balance Carried Forward)	\$387,395				\$387,395	
Reserve Fund Balance	<u>\$537,395</u>				<u>\$551,736</u>	<u>109.56%</u>

\*Fiscal 2019/18 actual to November 30, 2018 was \$172,171.

**TAX AND SEWER CHARGES REPORT**

**OUTSTANDING PROPERTY & SEWER TAXES**

	Balance 31-Mar-19	2019/20 Tax Billings	Collected To Date	Balance
2018/19 Taxes & Sewer and Prior	270,367	-	168,160	102,207
2019/20 Tax & Sewer billings	(117,971)	5,450,544	5,061,201	271,372
	152,396	5,450,544	5,229,361	373,579
Interest				33,522
Total Outstanding				<u>407,101</u>

Prepayments for 2020/21 Tax & Sewer \$ 46,844

**PARKING METER REVENUE AND FINES**

	Budget 2019/20	Actual to 30-Nov-19	Variance to Budget	% of Budget
Parking Meter Revenue	\$179,000	\$127,073	\$51,927	70.99%
Parking Meter Fines	6,500	6,703	(203)	103.12%
Court Fines	7,000	6,643	357	94.90%
Total	<u>\$192,500</u>	<u>\$140,419</u>	<u>\$52,081</u>	<u>72.94%</u>

**SNOW AND ICE CONTROL**

**Public Works Labour & Salt Purchases**

	Actual 2014/15	Actual 2015/16	Actual 2016/17	Actual 2017/18	Actual 2018/19	Budget 2019/20	Actual to 31-Dec-19
April to October	1,130	2,091	1,132	724	1,858		3,085
November					1,050		27
December	1,382	409	6,793	3,418	3,789		4,212
January	4,568	13,062	6,613	6,215	4,359		
February	31,837	12,005	17,514	7,410	15,631		
March	32,011	4,132	11,383	7,430	15,217		
Labour Cost	70,928	31,699	43,435	25,197	41,904	53,500	7,324
Salt Purchases	98,879	60,173	81,815	59,886	101,187	83,000	23,945
Contractors/Rentals/ Electric (Salt Shed)	1,784	1,707	223	204	233	500	166
	<u>171,591</u>	<u>93,579</u>	<u>125,473</u>	<u>85,287</u>	<u>143,324</u>	<u>137,000</u>	<u>31,435</u>
% Budget Used							22.95%
<b>BUDGET VARIANCE UNDER (OVER)</b>							<b>\$105,565</b>

Town of Lunenburg		
Grants to Organizations Information Updated November 30, 2019		
Account #01-2-19-5100	2019/20	
	Approved Grants	2019/20 Request Notes
Boxwood Festival Society	\$500	Funds Support Boxwood's Big Ceilidh Dance and Bar-B-Que to be held at the Lunenburg Waterfront on July 26, 2019, free event in cooperation with Fisheries Museum and <b>in-kind request</b> for use of bleachers, including movement and set up at Fisheries Museum.
Bridgewater Baseball Association	\$190	In-kind request to utilize the baseball field for up to 2 teams for the upcoming season.
Burg Classic	\$250	For 2020 Event - annual local community-based recreation hockey tournament and dance fundraising event
Canadian Dory Racing Association	\$750	Grant will be used to host the elimination and International Dory Race Events.
Curl for a Cause	\$125	Annual events (20th year) which supports Fishermen's Memorial Hospital
Fishermen's Memorial Hospital - Golf Tournament	\$100	Annual events which supports Fishermen's Memorial Hospital
Lunenburg & District Fire Dept.-Rusty Blades Event	\$336	Free rental of the arena for this event, approx. 2hrs
Lunenburg & District Music Festival	\$100	Funds will be used to offset hotel expenses to accommodate Festival Adjudicators.
Lunenburg & District Swimming Pool Society	\$1,500	Operate and maintain the outdoor pool, which offers, instructional, recreational & competitive swimming for the residents of the Town of Lunenburg and surrounding areas.
Lunenburg Art Gallery	\$736	Defer costs of Paint Sea on Site - to be applied to the community Centre 2 day rental & set up fee (2 hours) which equals \$736
Lunenburg Board of Trade	\$3,000	For LBOT initiatives such as: Lunenburg Map, Digital Map, Kiosk Panels, Waterfront VIC, RV Route Signs, Tourism Website, Event Support (Street Fest & Yuletide).
Lunenburg Community Christmas Dinner	\$115	The funds requested will cover the rental of the auditorium at the Town Fire Hall. (\$100 + HST)
Lunenburg Doc Fest	\$1,000	The financial contribution will provide assistance in running the 6th annual festival (Sept.19-22, 2019). <b>In-kind</b> request hanging of street banner - <i>no banner hanging support available from TOL.</i>
Lunenburg Dog Park	\$1,000	The funds requested will be used to pay insurance costs and other yearly expenses. <b>In-kind</b> garbage collection.
Lunenburg Folk Harbour Society-2018 Festival Sponsorship	\$1,000	Sponsorship of 2019 Festival & <b>In-kind</b> for preparation of main stage tent grounds , placement of road barriers (parking control).
Lunenburg Folk Harbour Society-Summer Concert Series	\$2,500	This grant will assist in providing funding for the bandstand concerts that are held on 13 Sundays, starting on June 15th and ending on September 15th.
Lunenburg Foundation for the Arts	\$100	<b>In-kind</b> request for the use of one classroom at the Lunenburg Academy for up to 10 days during the fiscal year. The purpose of the use will be that the community will be invited to attend various consultation meetings held as part of the development of the Lunenburg Cultural Plan. <b>TOL to work with group to try to accommodate space for their meetings but not necessarily at the Lunenburg Academy.</b>
Lunenburg Grad Bursary	\$500	Bursary will be issued to a graduating high school student.
Lunenburg Lyme Group	\$500	Grant will be used to offset costs of a national expert on Lyme Disease who will be presenting at the South Shore Lyme Conference being held October 26, 2019 and November 19,2019. <b>In-kind request</b> promote the event in Town Publications, attend the event and photocopying.
Now Lunenburg County	\$500	Funds will be utilized for the development of Doctor Attraction and Retention Strategy.
Safe Communities Lunenburg County	\$1,275	To help fund their program through the next year. There has been a growing need for this program.
Second Story Women's Centre	\$250	Funds will be utilized in the provision of the "Girl Talk" Summer Day Camp Series.
Society of St. Vincent de Paul	\$750	Funds will be utilized for any individual of the Town of Lunenburg who demonstrates genuine need. The society assists individuals who need temporary help with basic needs.
South Shore Theatrical Players	\$750	To offset a portion of the rental costs for their Christmas Production. Requesting 50% discount for the cost using the Community Centre and use of the wheeled scaffolding.
South Shore Tourism Co-operative Ltd.	\$500	The funding will support the tourism sector and incremental small business operators by increasing visitors of our region year-round. Currently this organization is developing a 3 year winter tourism plan to grow off season regional tourism experiences.
Special Olympics Lunenburg Queens	\$300	The funding will support the development of a golf program in Bridgewater and White Point, and a Boccee Program and in Queens. This funding will be utilized to offset transportation costs and coach training.
	<b>\$18,627</b>	
<b>Budget for Additional Grant Requests if Required</b>	<b>\$1,373</b>	
	<b>\$20,000</b>	
<b>Summary of Additional Grant Approvals since 19-20 Budget approved</b>		
Lun. Art Gallery - Jan.14, 2020	1,000	
<b>Balance of Additional Grant Request funds if required</b>	<b>\$373</b>	



# *Lunenburg & District Fire Department*

*25 Medway St., P.O. Box 1478, Lunenburg, N.S. B0J 2C0*

Fire or Emergency 911 Business or Information (902) 634-8343 Fax (902) 634-4145

January 6, 2020

Bea Reaton  
Chief Administrative officer  
Town of Lunenburg  
Lunenburg, N.S.

Dear Bea:

The Lunenburg & District Fire Department has found it necessary to purchase a new defibrillator for our #4 truck. It will also be necessary to purchase a couple of accessories that are essential to operate the new AED. The cost will be \$4 000 so the department would like to request that the \$4 000 come out of our joint account we have with the Town.

We hope this meets with council's' approval. If, however, you have any additional questions, please don't hesitate to contact Chief Romkey.

Sincerely,

Robin Jackson, Secretary  
Lunenburg Fire Department