



TOWN COUNCIL AGENDA

April 12, 2022

7:00 p.m.

YouTube Live

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

Call to Order

1 Approval of Agenda

2 Minutes

2.1 Regular Meeting – March 24, 2022

2.2 Special Meeting – March 29, 2022

2.3 Special Meeting – April 4, 2022

3 Presentations

4 Correspondence – Action Items

4.1 John Davis, Clean Ocean Committee – Regulatory Oversight for Upcoming Offshore Renewable Energy Projects.

- a. COAC22 Letter to Minister Wilkinson NRCAN-ORE Regulatory Oversight
- b. COAC22 Report CNSOPB-ORE
- c. COACC22 Buoy Wind Data Analysis

4.2 First Responders' Wellness Symposium – Sponsorship Opportunities *deferred March 24, 2022

- a. Draft Budget

4.3 Rachel Whynot, Autism Support Coordinator – Request to Share Information about Autism Acceptance Month

- a. Information Package b. Banner c. Poster 1 d. Poster 2

5 Correspondence – Information Items

5.1 John Somers, Environment and Climate Change – Coastal Protection Public Consultation Report

5.2 NSFM – Monday Memo – March 21, 2022

5.3 Nick Barr, DMAH – Extended Fire Fighter Presumptive Coverage

5.4 NSFM – Monday Memo – March 28, 2022

5.5 NSFM – Monday Memo – April 4, 2022

6 Staff Reports

6.1 Staff Report to Council – April 12, 2022

6.2 Staff Report – Solid Waste Management By-law Amendment

6.3 Staff Report – Council Policy Amendment

6.4 Staff Report – Fire Services By-law Process

6.5 Staff Report – Town Logo

6.6 Staff Report – Vaccination Policy Update

6.7 Staff Report – Electrical Utility Rate Study

6.8 Staff Report – Comfort Stations Update

6.9 Staff Report – Power Lines at Sports Field

7 Council Items

7.1 Mayor Devenne – Appointment of Climate and Environment Committee Chair

7.2 Mayor Devenne – Appointment to Lun. County Accessibility Advisory Committee

7.3 Councillor Carver – Communication from Mayors/Wardens, Deputies, and CAOs

7.4 Councillor Wilson – Funding for Seniors’ Safety Advisory Partnership

8 Committee Reports

8.1 Policy and Strategy Committee – Draft Minutes – March 28, 2022

8.2 Planning Advisory Committee – Draft Minutes – April 5, 2022

- a. Staff Report – Rezone Request
- b. Application 66 Clairmont
- c. Map

8.3 Oakland Lake Watershed Advisory Committee – Minutes – April 4, 2022

- a. Presentation from MODL Staff

8.4 Municipal Joint Services Board – Minutes – November 24, 2021

9 New Business

10 Closed Session

10.1 MGA 22(2)(e) - contract negotiations

10.2 MGA 22(2)(a) - acquisition, sale, lease and security of municipal property

10.3 MGA 22(2)(f) - litigation or potential litigation



The Regular Meeting of Town Council for the Town of Mahone Bay was held on Thursday, March 24, 2022 at 7:00 p.m. broadcast via YouTube live.

Present:

Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor A. Burdick
Councillor P. Carver
Councillor R. Nowe
Councillor K. Wilson
CAO, D. Heide
Deputy CAO, M. Hughes

Absent: Councillor J. Feeney (regrets)

Gallery: online

Land Acknowledgement

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1. Agenda

A motion by Councillor Carver, seconded by Councillor Burdick, **"THAT the agenda be approved as amended to add a notice of motion under New Business."**

Motion carried.

2. Minutes

A motion by Councillor Nowe, seconded by Councillor Wilson, **"THAT the minutes of the March 7, 2022 special meeting of Council be approved as presented."**

Motion carried.

A motion by Councillor Carver, seconded by Councillor Nowe, **"THAT the minutes of the March 8, 2022 regular meeting of Council be approved as presented."**

Motion carried.

3. Presentations

David Murdoch and S/Sgt Victor Whalen – Seniors' Safety Advisory Partnership Council received a presentation from Chair David Murdoch of the Lunenburg County Seniors' Safety Partnership Society and S/Sgt Victor Whalen of the Lunenburg District RCMP. The presentation from Mr. Murdoch and S/Sgt Whalen was given to accompany a request for increased funding from the Seniors' Safety Advisory Partnership. Councillor Wilson indicated he would provide a notice of motion in this regard, under new business.

4. Correspondence – Action

4.1 Nick Pavlinic – Reoccurring Graffiti Concerns.

4.2 First Responders' Wellness Symposium – Sponsorship Opportunities.

A motion by Councillor Burdick, seconded by Councillor Nowe, **“THAT Council defer this discussion until the next meeting of Council and that staff gather more information on this organization and funding request for that discussion.”** Motion carried.

4.3 Chris Pelham, Senior Wheels Association – Request for a letter of support.

A motion by Councillor Carver, seconded by Councillor Burdick, **“THAT Council provide a letter of support for the Senior Wheels Association to the Rural Transit Solutions Fund Application.”** Motion carried.

5. Correspondence – Information Items

5.1 NSFM – Monday Memo – March 7, 2022.

5.2 Hon. Kim Masland, Department of Public Works – Request to lower speed limit.

5.3 NSFM – Monday Memo – March 14, 2022.

5.4 Mike Falt – Resignation from the Fire Department.

5.5 Elvis Hirtle – Resignation from the Fire Department.

A motion by Councillor Nowe, seconded by Deputy Mayor Kangata, **“THAT correspondence items number 5.1 to 5.5 be received and filed.”** Motion carried.

A motion by Councillor Burdick, seconded by seconded by Councillor Carver, **“THAT the correspondence from Hon. Kim Masland be forwarded to the Provincial Traffic Authority and that the Town request a town-wide reduction of the speed limit to 40km/hr.”** Motion carried.

6. Staff Reports

6.1 Council Report

Council received the Staff Report to Council for March 24, 2022.

A motion by Councillor Carver, seconded by the Deputy Mayor, **“THAT Council direct staff to advise MODL of the Town of Mahone Bay’s intent to make Town residents aware of the availability of the ProKIDS program and that this direction replaces prior direction regarding the ProKIDS program.”** Motion carried.

A motion by Councillor Nowe, seconded by Councillor Carver, **“THAT Council accept the Staff Report to Council as presented.”** Motion carried.

6.2 Public Participation in Planning Policy

Council received a staff report to accompany a draft Public Participation in Planning Policy, as amended following the March 8, 2022 regular Council meeting.

A motion by Councillor Wilson, seconded by Councillor Burdick, **“THAT Council adopt the amended Public Participation in Planning Policy as amended.”** Motion carried.

6.3 Video Surveillance Policy

Council received a staff report and accompanying a draft Video Surveillance Policy, which was first presented at Council on March 8, 2022.

A motion by Councillor Burdick, seconded by Deputy Mayor Kangata, **“THAT the draft Video Surveillance Policy and the letter from Mr. Pavlinic be forwarded to an upcoming agenda of the Policy and Strategy Committee.”** Motion carried.

A motion by Councillor Carver, seconded by Councillor Burdick, **“THAT Council direct staff to reply to Mr. Pavlinic thanking him for his concern and advising that his letter has been forwarded for further discussion.”** Motion carried.

6.4 2021/22 Write Offs

Council received a staff report in response to Council’s direction to prepare a report concerning the clearing of snow around fire hydrants.

A motion by Councillor Burdick, seconded by Councillor Wilson, **“THAT Council write-off accounts in the amount of \$2,118.49 (\$1,701.87 from the Electric Utility and \$416.62 from the Water Utility) as presented.”** Motion carried.

6.5 Strategic Plan Review – Public Engagement

Council received the Report of the Clerk regarding the March 24, 2022 Hearing to receive comments from the Public on the 2021-2025 Strategic Plan and a staff report with a follow-up on the Strategic Plan Public Engagement Plan.

A motion by Deputy Mayor Kangata, seconded by Councillor Carver, **“THAT Council set the agenda for the April meeting of the Policy and Strategy Committee to be solely focused on the discussion of the Strategic Plan Review and associated public engagement.”** Motion carried.

6.6 Town Owned Electric Vehicle

Council received a staff report with information relating to purchasing an electric vehicle for Town use.

A motion by Deputy Mayor Kangata, seconded by Councillor Wilson, **“THAT Council direct staff to prepare a report on an Electric Vehicle car sharing program to be presented to the Climate and Environment Committee.”** Motion carried.

6.7 Town Council Policy Amendment

Council received a staff report regarding changes in the way that virtual meetings are permitted and a draft amended Council Policy for the review of Council. This report will be added to the regular meeting agenda for April 12, 2022.

7. Council Items

7.1 Mayor Devenne – Appointments to Climate and Environment Committee

A motion by Councillor Wilson, seconded by Deputy Mayor Kangata, **“THAT the Terms of Reference for the Climate and Environment Committee be amended to include six members of the public and that Sam Battaglia, Vervan Haysom, Gregg Little, Jamie Stephen, James Tilley, and Richard Wilson be appointed to the committee.”** Motion carried.

7.2 Councillor Carver – Donation to the Red Cross Ukraine Humanitarian Crisis Appeal

A motion by Councillor Carver, seconded by Councillor Burdick, **“THAT Council approve a \$2,500 donation to the Red Cross Ukraine Humanitarian Crisis Appeal.”** Motion carried.

8. Committee Reports

8.1 Asset Management Committee

Council received the draft minutes of the March 17, 2022 meeting of the Asset Management Committee.

8.2 Oakland Lake Watershed Advisory Committee

Council received the draft minutes of the March 14, 2022 meeting of the Oakland Lake Watershed Advisory Committee.

8.3 Cemetery Committee

Council received the draft minutes of the March 4, 2022 meeting of the Cemetery Committee.

8.4 Electric Utility Resource Sharing Advisory Committee

Council received the draft minutes of the March 11, 2022 meeting of the Town of Mahone Bay and Riverport Electric Light Commission Electric Utility Resource Sharing Advisory Committee.

A motion by Councillor Nowe, seconded by Councillor Carver, **“THAT the Committee Reports be received as submitted.”** **Motion carried.**

9. New Business

Notice of Motion

Councillor Carver provided a notice of motion that at the next regular meeting of Council she will move or cause to be moved a motion in relation to sharing communication from the Lunenburg County Mayors/Wardens, Deputies, and CAOs.

Notice of Motion

Councillor Wilson provided a notice of motion that at the next regular meeting of Council she will move or cause to be moved a motion to authorize a payment to the Seniors Safety Advisory Partnership in the amount of \$1,000.

10. Closed Session

A motion by Councillor Burdick, seconded by Deputy Mayor Kangata, **“THAT Council go into closed session at 10:16 pm to discuss contract negotiations and personnel matters as permitted by MGA section 22(2)(c) and (e) respectively.”** **Motion carried.**

Council returned to open session at 11:09 pm.

Business Arising from Closed Session

A motion by Councillor Wilson, seconded by Councillor Burdick, **“THAT Council approve the Public Works Technician as a five day a week position.”**

Motion carried.

Council adjourned upon motion at 11:10 pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Mayor, David Devenne

Clerk, Maureen Hughes



A Special Meeting of Town Council for the Town of Mahone Bay was held on Tuesday, March 29, 2022 at 7:00 pm via video conference.

Present:

Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor J. Feeney
Councillor A. Burdick
Councillor P. Carver
Councillor R. Nowe
Councillor K. Wilson
CAO, D. Heide
Town Clerk & Dep. CAO, M. Hughes

Absent:

Gallery: online

Land Acknowledgement

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1. Agenda

A motion by Councillor Feeney, seconded by Councillor Carver, "THAT the agenda be approved as presented." Motion carried.

2. Pre-Budget Discussion

Council discussed anticipated revenues and expenditures to be addressed in the upcoming 2022/23 budget and ways in which they would like staff to approach the 2022/23 budget process to mitigate the tax burden for rate payers in Mahone Bay.

A motion by Deputy Mayor Kangata, seconded by Councillor Carver, "THAT Council direct staff to present the 2022/23 Budget with no increase in tax rate or fire tax rate and general operating expenditures increased by not more than 10% over prior year." Motion carried.

3. ICIP Priorities Resolution

A motion by Councillor Wilson, seconded by Councillor Burdick,

BE IT RESOLVED THAT the *Town of Mahone Bay* submit the project titled: *Main Street East Water and Wastewater Rehabilitation and Extension (Priority #1)* for funding through the *Investing in Canada Infrastructure Program – Green Environmental Quality Stream*; and

BE IT FURTHER RESOLVED THAT Council supports the project and commits to provide its share \$462,725 + HST toward the \$1,735,000 + HST project cost.

AND, BE IT RESOLVED THAT the *Town of Mahone Bay* submit the project titled: *Main Street West Water and Wastewater Rehabilitation and Improvement (Priority #2)* for funding through the *Investing in Canada Infrastructure Program – Green Environmental Quality Stream*; and

BE IT FURTHER RESOLVED THAT Council supports the project and commits to provide its share \$1,422,845 + HST toward the \$1,735,000 + HST project cost.

and directs staff to submit the necessary applications to the Nova Scotia Department of Municipal Affairs by the April 1, 2022 deadline. Motion carried.

4. Federal Active Transportation Fund Application

Council received a staff report regarding a proposed application to the Federal Active Transportation Fund Application.

A motion by Councillor Carver, seconded by Deputy Mayor Kangata,

“BE IT RESOLVED THAT the *Town of Mahone Bay* submit the project titled: *Edgewater Street Active Transportation Trail Project* for funding through the *Federal Active Transportation Fund*; and

BE IT FURTHER RESOLVED THAT Council supports the project and commits to provide its share \$571,200+HST toward the \$1,428,00 + HST project cost.”

Motion carried.

5. Closed Session

A motion by Councillor Wilson, seconded by Councillor Nowe, “THAT Council go into Closed Session at 8:58 pm to discuss contract negotiations as permitted by MGA section 22(2)(e).” Motion carried.

Council returned to open session at 9:14 pm.

Business Arising from Closed Session

A motion by Councillor Feeney, seconded by Deputy Mayor Kangata, “THAT Council direct staff to accept the proposal from BFL for cyber-security insurance in the amount of \$12,743.” Motion carried.

A motion by Councillor Burdick, seconded by Councillor Wilson, “THAT Council approve change orders 27, 28, and 29 on the Fire Hall project.” Motion carried.

Council adjourned upon motion at 9:19 pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Mayor, David Devenne

Clerk, Maureen Hughes



A Special Meeting of Town Council for the Town of Mahone Bay was held on Monday, April 4, 2022 at 12:00 pm via video conference.

Present:

Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor J. Feeney
Councillor A. Burdick
Councillor P. Carver
Councillor R. Nowe
Councillor K. Wilson
CAO, D. Heide
Town Clerk & Dep. CAO, M. Hughes

Absent:

Gallery: online

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1. Agenda

A motion by Councillor Nowe, seconded by Councillor Feeney, "THAT the agenda be approved as presented." Motion carried.

2. Discussion of Old Fire Station Building

A discussion of plans for the old fire station was forwarded to a special Council meeting by motion at the March 8, 2022 regular Council meeting.

A motion by Deputy Mayor Kangata, seconded by Councillor Wilson, "THAT Council direct staff to issue a request for Proposals for pre-design and estimation services in relation to a proposed new Public Works garage." Motion carried.

A motion by Deputy Mayor Kangata, seconded by Councillor Carver, "THAT Council direct staff to assess the potential for subdivision of the old fire station from the remaining Town property and resolution of any title issues as may need to be resolved for divestiture." Motion carried.

A motion by Councillor Carver, seconded by Councillor Wilson, "THAT Council direct staff to obtain a comparative review of the old fire station building and an associated valuation for potential divestiture." Motion carried.

Council adjourned upon motion at 12:54 pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Mayor, David Devenne

Clerk, Maureen Hughes

Maureen Hughes

Subject: FW: Regulatory oversight for upcoming "Offshore Renewable Energy" projects.
Attachments: COAC 22 letter to Minister Wilkinson NRCan-ORE Regulatory Oversight-FINAL.pdf; COAC 22 report CNSOPB-ORE revised-Minister Final 02-17-2022.pdf; COAC 22 Buoy Wind Data Analysis-Stantec Misinformation article 8-26-2015.pdf

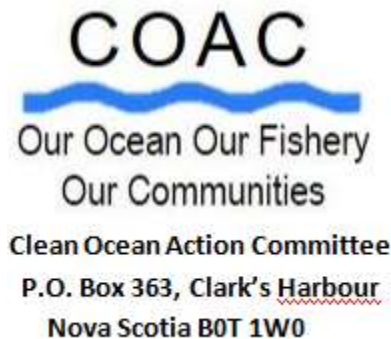
From: John Davis <jbdavis@eco-nova.com>

Sent: March 22, 2022 12:17 PM

To: mayor@halifax.ca; dubej@halifax.ca; awebber@chester.ca; David Devenne <David.Devenne@TownofMahoneBay.ca>; Dylan Heide <Dylan.Heide@TownofMahoneBay.ca>; Tom MacEwan <Tom.MacEwan@modl.ca>; mrisser@townoflunenburg.ca; dnorman@regionofqueens.com; cmcneill@regionofqueens.com; cory@lockeport.ns.ca; warden@municipalityofshelburne.ca; trudy.payne@municipalityofshelburne.ca; harold.locke@shelburnens.ca; enickerson@barringtonmunicipality.com; cfrotten@barringtonmunicipality.com; mayor@clarksharbour.com; dmuise@munargyle.com; admuisse@munargyle.com; mayor.mood@townofyarmouth.ca; admin@townofyarmouth.ca; johnc@district.yarmouth.ns.ca; district8@munclare.ca; cao@munclare.ca; lgregory@digbymun.ca; jsunderland@digbymun.ca; bcleveland@digby.ca; eossinger@digby.ca; mayorboyer@annapolisroyal.com; cao@annapolisroyal.com; aparrish@annapoliscountry.ca; ddick@annapoliscountry.ca; Mayor@cbrm.ns.ca; bruce.morrison@countyvictoria.ns.ca; mayor.muttart@countyofkings.ca; robert.parker@munpict.ca; bettyanne.macquarrie@invernesscounty.ca; vpits@modg.ca; bcarroll@modg.ca; Michael.mosher@saint-marys.ca

Subject: Regulatory oversight for upcoming "Offshore Renewable Energy" projects.

CAUTION: This email originated from an external sender.



March 22, 2022

Wardens and Mayors
Nova Scotia's Coastal Communities

Re: The need to assess the process of creating functional regulatory oversight for upcoming "Offshore Renewable Energy" projects.

Good Day Wardens and Mayors,

This is an Urgent Request

It has come to our attention that the Canada Nova Scotia Offshore Petroleum Board under new potential Chair person, Ms. Barbara Pike, is about to be named as the agency that will regulate all upcoming “Offshore Renewable Energy” (ORE) projects. Our Federal and Provincial Governments are making very important decisions which will have substantial impacts on our fishery, our oceans renewable resources and the economic wellbeing of our dependent coastal communities and we have been completely left out of this process. Neither the Offshore Alliance or the Clean Ocean Action Committee (COAC) has had any opportunity to participate in these decisions and we do not know of any coastal communities that have been informed or consulted. We are firmly opposed both to this process and to the planned outcomes.

There are three attachments to this email which will clearly indicate the issues and dangers that we see for our fishery and for the economic wellbeing of our coastal communities.

They are:

1. A letter, addressed to Federal Natural Resources Minister Wilkinson, from the Clean Ocean Action Committee (COAC) and the Offshore Alliance concerning plans stated recently by Sandy Schembri, Senior Policy Advisor to Minister Wilkinson, for the CNSOPB and Ms. Barbara Pike’s potential role in regulatory oversight for upcoming Offshore Renewable Energy (ORE) projects.
2. A report, also addressed to Minister Wilkinson, which provides background information and which outlines many of our concerns about the capacity of the Canada Nova Scotia Offshore Petroleum Board (CNSOPB) to act as a “regulator”.
3. An Op/Ed written by COAC on misinformation in a Shell Canada/Stantec Environmental Impact Statement which ran in the Halifax Chronicle Herald and which is referenced in the attached report.

The letter and report clearly state the concerns held by both the Clean Ocean Action Committee and the Offshore Alliance. It is our hope that we can organize a process where alternative plans can be discussed and evaluated and that our existing ocean stakeholders and our dependent coastal communities can have a voice in the making of these decisions.

It is really important to state that to our Federal and Provincial Ministers that the “**renewable energy**” that we do have in abundance is “Renewable **Protein** Energy” and this consists of, thanks to the work of our fishers and processors, a wide array of value added products which the world truly requires. Nova Scotia’s multi species fishery is the richest in all of North America. Our fishery provides over 25,000 jobs, has an annual export value in the \$billions and makes a substantial contribution to Provincial GDP. Our protein energy is in growing demand. The recent United Nations report on the fishery and agriculture states that by 2050 the demand for ocean protein will double. We have a responsibility to maintain the health of this renewable resource. Our existing stakeholders and dependent communities have a right to be involved in these extremely important decisions which will unquestionably have an impact on the health of our harvest and the health of our coastal economies.

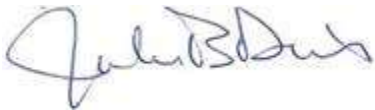
Poorly conceived, administered and regulated offshore oil and gas projects and poorly conceived offshore renewable energy (ORE) projects have the capacity to do substantial damage to our renewable fish stocks. It does not make sense to promote one renewable energy source over another unless there is agreement that the project will have a minimal negative impact on the existing resource and that the ORE project will proceed under full and robust regulatory oversight.

Wardens and Mayors, It is our hope that you and your councilors will take the opportunity to review this material and that you will, in the shortest possible timeframe, write to Minister Wilkinson and to Minister Rushton, with copies to COAC so that we can compile them, and demand that your council has an opportunity to be involved in this very important decision making process.

We realize that council is busy with other important projects but we see that we are about to be railroaded down a path that will have substantial negative impacts for now and for well into the future and our Federal and Provincial Governments are well advanced in this process. We need to step in quickly and assert our rights to be involved in these decisions.

Thank you in advance for your time and energy on this matter.

Very Best Regards



John Davis, Director
Clean Ocean Action Committee
Co-Chair, Offshore Alliance



National Program Director
Sierra Club Foundation, Canada
Co-Chair, Offshore Alliance

The content of this email and attachments have been sent, under separate cover, to the following recipients:

Ministers Federal:

The Honourable Steven Guilbeault
Minister of Environment and Climate Change
Steven.Guilbeault@parl.gc.ca

The Honourable Joyce Murray
Minister of Fisheries and Oceans
min@dfo-mpo.gc.ca
Mike.Kelloway@parl.gc.ca

Ministers Provincial:

The Honourable Tory Rushton
Nova Scotia Minister of Natural Resources and Renewables
mindnr@novascotia.ca

The Honourable Steve Craig
Nova Scotia Minister of Fisheries and Aquaculture
MINDFA@novascotia.ca

The Honourable Tim Halman

Nova Scotia Minister of Environment.
minister.environment@novascotia.ca

Mayors and Wardens Municipal:

Victoria County Municipality

Warden Bruce Morrison

Municipality of the County of Inverness

Warden Laurie Cranton

Municipality of the District of Guysborough

Warden Vernon Pitts

Municipality of Pictou County

Warden Robert Parker

Cape Breton Regional Municipality

Mayor Amanda McDougall

Halifax Regional Municipality

Mayor, Mike Savage

Municipality of the District of Chester

Mayor, Allen Webber

Town of Mahone Bay

Mayor, David Devenne

Municipality of the District of Lunenburg

Mayor, Carolyn Bolivar-Getson

Town of Lunenburg

Mayor, Matt Risser

Region of Queens Municipality

Mayor, Darlene Norman

Town of Lockeport

Cory Nickerson, Mayor

Municipality of the District of Shelburne

Penny Smith, Warden

Town of Shelburne

Harold Locke, Mayor

Municipality of Barrington

Warden Eddie Nickerson

Town of Clark's Harbour

Mayor, Rex Stoddard

Municipality of Argyle

Warden, Danny Muise

Town of Yarmouth

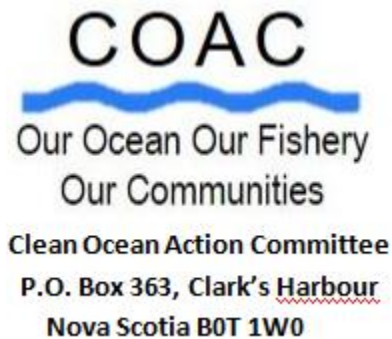
Mayor, Pam Mood

Municipality of the District of Yarmouth

Warden, John Cunningham

Municipality of Clare

Warden, Yvon LeBlanc



March 14, 2022

The Honourable Jonathan Wilkinson, Minister
Department of Natural Resources
580 Booth Street
Ottawa, Ontario
Canada, K1A 0E4
Honjonathan.wilkinson@nrcan-rncan.gc.ca

Re: The need to assess the process of creating functional regulatory oversight for upcoming "Offshore Renewable Energy" projects.

Good Day Minister Wilkinson,

As your Department's efforts advance to create a structure for assessment and regulatory oversight for "Offshore Renewable Energy" (ORE) projects, a number of important issues have arisen. It has become exceedingly clear to those of us who are dependent on our ocean's renewable resources, originating ocean stakeholders and dependent coastal communities, that we must make our views known and have the opportunity to impact and influence this process prior to final decisions being made. To date, we have been excluded.

It has come to our attention that the Canada Nova Scotia Offshore Petroleum Board (CNSOPB) is being considered as the agency to oversee ORE projects and that Ms. Barbara Pike is under consideration to be the CNSOPB's new Chairman. The Clean Ocean Action Committee (COAC) stands opposed to both of these potential actions. Attached to this email is a report from the COAC Board which outlines our history with the CNSOPB over the last seven years.

If the Department of Natural Resources has any intent to live up to the Liberal Party platform promises over the last two elections, then we request that you read this report and open your decision-making process to include *“those most affected”* so that you can actually *“make environmental assessment credible again.”* Lest there be any doubt, the attached report does come from *“those most affected.”* After you peruse this report we hope that you will have a better understanding of why COAC stands in opposition to having Ms. Pike and CNSOPB involved, at any level, with regulatory oversight of proposed ORE projects.

Ms. Pike has served as a CNSOPB Board Member since 2017. She is not only the past CEO of the Maritimes Energy Association she is the past **founding** CEO of that organization. Here’s a link to the Association web site [“https://maritimesenergy.com/members”](https://maritimesenergy.com/members) Please take a look at the corporate membership list - these are Ms. Pike’s true constituents. Each of these corporations was formed for a single purpose: to provide dividends and wealth enrichment to their shareholders. The vast majority of these companies have the specific task of generating wealth from the creation, development and logistical support of offshore energy projects. These corporations were not incorporated to be concerned with the needs and requirements of our ocean’s renewable resources, our existing ocean stakeholders or our dependent coastal communities, whose very economic existence depends on a healthy renewable ocean resource. In fact, these corporations stand opposed to any considerations which hinder, in any way, their ability to generate profits for their shareholders. Ms. Pike was in conflict of interest then and she continues to be in conflict of interest today.

Ms. Pike also sits on the Board of Directors of two companies that have direct interest in offshore wind development: Scotian Windfields Inc. and ScWEB LP, Roswell Developments Inc. When you become a corporate board member, you pledge to use your influence and authority in actions that are in the best interests of the company you are serving. This is true of all directors of all corporate boards. Ms. Pike is clearly in a massive conflict of interest; a conflict of interest which works as a great detriment to the health of our oceans, the health of our oceans renewable resources, the livelihood of our fishers, the livelihood of our fish processors and the economic health of our dependent coastal communities.

If your goal is to create a completely **“Captured Bureaucracy”** which responds only to the needs of interlocking corporate entities, then you are on the right track.

If this is not your goal then you need to open up the decision making process to include all those with an interest in creating ORE projects which are well designed, which do minimum damage to our environment and which take into consideration the needs of existing stakeholders.

I do not know anyone who is opposed to the creation of well-designed and carefully constructed and administered offshore wind projects which allow us to reduce our reliance on the use of fossil fuels. This being said, the appointment of CNSOPB and Ms. Pike is a non-starter which will not benefit either the proponents of potential ORE projects or those who are to be impacted.

Poorly planned and poorly administered offshore oil and gas projects and poorly planned and administered "Offshore Renewable Resources" projects can have substantial negative impacts on our ocean's renewable resources, on our fishers and fish processors and on our coastal communities that are dependent on a healthy and sustainable harvest.

Please accept this letter as an urgent request for a meeting with you to take place at your earliest possible convenience.

Thank you for your attention to this matter.

Most sincerely,

A handwritten signature in blue ink, appearing to read "John Davis".

John Davis, Director
Clean Ocean Action Committee
Co-Chair, Offshore Alliance

A handwritten signature in black ink, appearing to read "Aletta Fitzgerald".

National Program Director
Sierra Club Foundation, Canada
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The Honourable Jonathan Wilkinson, Minister
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A Report outlining COAC concerns on CNSOPB and regulatory oversight for offshore renewable energy and the potential appointment of Barbara Pike as Chair, of CNSOPB

Good Day Minister Wilkinson,

Thank you for having Mr. Schembri meet with members of the Offshore Alliance on January 26th and for his efforts to provide our group with information on NRCan's efforts to develop a process that will assess and regulate future Offshore Renewable Energy (ORE) projects. This discussion was an important one for the Offshore Alliance and particularly important for the Clean Ocean Action Committee (COAC.)

COAC is not a group comprised of highly paid lobbyists - we represent the "impacted community" that Liberal Government policy purports to address and support. We represent a vast group of volunteers who live and work in Nova Scotia's coastal communities, who are wholly dependent on the renewable fishery resources that are put at risk during the process of offshore oil and gas exploration and extraction and that will be put at risk if ORE projects are not properly assessed, evaluated and regulated.

COAC was formed in 2015, in response to the renewed interest in the hydrocarbon reserves on and near our fishing and spawning grounds. We directly represent over 9,000 vessel owners, Captains and crew members, fish plant owners, operators and workers. We are the 'small businesses' and the employees who work to sustainably harvest the renewable fishery resources on the Scotian Shelf, Georges Bank, the Bay of Fundy and the Gulf of St. Lawrence. These resources have provided the economic base for Nova Scotia's coastal communities for over 300 years and for our Mi'Kmaq communities for over 1,000's of years. We need and deserve a real voice in the assessment, implementation and regulation of both oil and gas and ORE projects. We are, in fact, simply requesting that this Government live up to the many platform 'promises' made to impacted communities and originating stakeholders over the course of the last two elections.

Some of those promises included:

"We will make environmental assessments credible again."

*"Canadians must be able to trust that governments will engage in appropriate regulatory oversight, including credible environmental assessments, and that it will respect the rights of **those most affected.**"*

"While governments grant permits for resource development only communities can grant permission."

Just recently, our new Minister of Environment and Climate Change, The Honourable Steven Guilbeault stated: *"The Government of Canada prides itself on making decisions based on the best available data."* We need your government to live up to the Minister's words, and that will require a functional process of assessment and regulation is firmly in place prior to the evaluation of any ORE projects.

In our recent conversation with Mr. Schembri, he stated that NRCan is considering giving the Canada Nova Scotia Offshore Petroleum Board (CNSOPB) regulatory oversight for all upcoming ORE projects. More recently, we are hearing that Ms. Barbara Pike, a CNSOPB Board Member is being considered for the position of Chair of that organization. If Ms. Pike is appointed Chair of the CNSOPB and the CNSOPB is named as regulator for upcoming ORE projects, you will have failed to *"make environmental assessment credible again,"* you will have failed to respect the rights of *"those most affected"* and finally, the coastal communities of Nova Scotia and the Nova Scotia fishing industry will not have *"granted permission."*

Everything in COAC's experience in dealing with the CNSOPB indicates that they have acted as advocates, *not regulators* for the oil and gas industry. CNSOPB's members, including Ms. Pike, and staff are completely inappropriate for the role(s) of environmental assessment and/or regulatory oversight. This includes assessments pertaining to the oil and gas industry as well as any issues related to ORE. The fact that Ms. Pike's name has been put forward as a potential Chairman of the CNSOPB board only increases our resolve not to have CNSOPB involved in any way with the assessment and regulatory oversight of ORE projects.

There are a myriad of reasons why Ms. Pike is a totally unacceptable candidate for the role of Chair of the CNSOPB. Ms. Pike is the past CEO of the Maritimes Energy Association a group with close financial ties to the offshore oil and gas industry that will most likely be on the lookout for work as ORE projects come on line. Today, Ms. Pike serves on the Board of Directors of Scotian Windfields Inc., and also sits on the Board of Roswell Developments Inc., a company that specializes in the development of wind power projects.

Mr. Schembri's indication in our meeting that CNSOPB is being considered as the newly appointed regulator of all "Offshore Renewable Energy" projects in Nova Scotian waters is a concept which is opposed by COAC. The clear conflicts of interest stated above absolutely disqualify Ms. Pike for the position of CNSOPB Chair. The Nova Scotian fishing industry provides 25,000 Nova Scotian jobs. The export value of the Nova Scotia commercial fishery is in the billions of dollars annually and represents a large percentage of the province's GDP. Poorly planned and poorly regulated offshore oil projects and poorly planned and regulated offshore wind projects can have a massive detrimental effect on our fishery, **our province's most important renewable resource**. We have a right not be forced to deal with a totally captured regulatory agency.

COAC and our coastal towns and municipalities do not have access to the tens of thousands of taxpayer dollars that are available to CNSOP and the Federal bureaucracy. As such, we cannot organize our impacted communities and our impacted stakeholders in such a short timeframe. We require some time to hold these discussions and define the objectives. This organizational work will be done by COAC and our partners in the shortest possible timeframe as this issue is of critical importance and does not have our approval. At this time, we ask, in the interim, that you do not make definitive plans and hold off on making any final decisions pertaining to the regulatory oversight of ORE projects or for the chairmanship of the CNSOPB until you have formally heard the response from ***“those most affected.”***

It is imperative that you are informed of fishing industry interactions with the CNSOPB, an organization which makes the following claim on their website in their mission statement: *“safety and environmental protection are paramount.”* And further they claim:

*“Where required by legislation or as we otherwise deem necessary, **completing an acceptable and robust Environmental Assessment that properly identifies environmental risks** and includes commitments to mitigation that address any associated effects and interactions, well in advance of project commencement”*

*“**Preparation of an Oil Spill Response Plan, supported by spill trajectory modelling and a net environmental benefits analysis** (as appropriate), that sets out notification processes, roles and responsibilities, resources of concern (e.g., marine mammals, special areas, fisheries) and procedures for spill containment and clean-up”*

*“we developed on **Environmental Effects Monitoring Coordination Framework to strengthen cooperation and coordination between the governments**, industry and us in successfully designing, implementing and reviewing Environmental Effects Monitoring programs”*

The CNSOPB does not fulfill a single one of these claims. The points that follow will clearly indicate why COAC and our coastal towns and municipalities, who are dependent on our ocean’s renewable resources have come to this conclusion.

As stated, COAC was formed in 2015 initially in response to the 2015 exploratory lease site offerings published by CNSOPB.

To say that that a number of these sites were problematic for our fishing industry and for the coastal communities that are dependent on a healthy ocean and a healthy harvest would be a massive understatement. After seeing the published lease sites, COAC along with many of our Municipal Units, made numerous requests to CNSOPB in an effort to maximize the protection of the renewable fishery resources which are the mainstay of Nova Scotia’s coastal economy. Some of those requests are as follows; .

1. That CNSOPB not offer leases on sites which are on or directly contingent to LFA 40 - the only officially designated lobster spawning site on the Scotian Shelf, **we were ignored.**
2. We asked that CNSOPB not offer for lease sites are directly contingent to the Georges Banks Moratorium Area, **we were ignored.**
3. We asked that chemical dispersants not be used on and near our fishing grounds, **we were ignored.**

4. We asked that CNSOPB be certain that the oil companies licensed to operate on the Scotian Shelf be capable of cleaning up and removing any oil that they spill, **we were ignored.**
5. We asked that CNSOPB ensure that a “Capping Stack” be positioned on Canada’s East Coast so that there can be a timely response to any blowout, we were told that a 2-3 week delivery time from Norway was all Shell Canada could afford.
6. We asked that any oil company allowed to drill on the Scotian Shelf have the capacity to immediately start the drilling of a relief well if required, **we were ignored.**

In all, we were simply told that the technology being used by the licensed oil companies was fully adequate to the task and that we should have faith in the **“robust regulatory oversight”** offered by CNSOPB. As it turned out, any faith we might have placed in oil industry competence or CNSOPB’s regulatory capacity would most certainly have been misplaced.

After reviewing the CNSOPB lease offerings, COAC then procured a copy of the Shell Canada/Stantec Environmental Impact Statement (EIS). We found a number of critically important incorrect assertions and willfully misleading statements. The first we tackled was the totally erroneous section on seasonal wind speed and direction. It is critical that a functional regulator and the oil industry proponent, if they are actually serious about modeling, tracking and cleaning up a surface oil spill, have the correct information on wind speed and direction. This is of paramount importance. We not only informed CNSOPB of the misinformation in the EIS report, we published the information in an Op/Ed in the Halifax Chronicle Herald in August of that year.

CNSOPB never acknowledged receipt of this information and they, just like the Canada Environmental Assessment Agency (CEAA), accepted the Shell Canada/Stantec EIS without requesting any changes to the misleading and environmentally dangerous wind data. Much of COAC’s membership works everyday on the open ocean. We know how important proper data on wind conditions would be when attempting to track and clean up an oil spill. CNSOPB’s total lack of response to this critical weakness in the Shell Canada/Stantec EIS generated substantial anger and fear that CNSOPB was uninterested in the role of protecting our renewable fishery resources or ocean environment. This was seven years ago and it was our first direct indication that CNSOPB had no real interest in the lives of those in our impacted communities, the livelihoods of our fishers, the health of our oceans renewable resources or the overall environmental health of our ocean. We had received not one functional response to any of the requests we made and now we had direct confirmation that CNSOPB did not care whether Shell Canada was using faulty wind data information in their EIS. The CNSOPB claim of **“completing an acceptable and robust Environmental Assessment that properly identifies environmental risks”** or their claim of **“Preparation of an Oil Spill Response Plan, supported by spill trajectory modelling”** was proven to be hollow and completely false.

The information that COAC both shared and published contradicts Shell Canada’s assertions completely and is absolutely definitive. The COAC article can be found above as an **Attachment**.

After reviewing the wind data in the Shell Canada/Stantec EIS we turned our attention to the CNSOPB claims concerning the removal of oil from the ocean’s surface. Shell Canada, in their “Shelburne Basin Venture Exploration Drilling Project” description makes the following assertions in section 8.1.2.2;

8.1.2.2 Contingency Planning

Shell is committed to responding to an offshore oil spill with a full complement of response tools and strategies including surface, aerial and subsea dispersants; mechanical recovery; in-situ burning; shoreline protection and recovery; and well control. Contingency plans will be in place to detail the associated practices and procedures for responding to an emergency. The Project

With only minimal research COAC was able to ascertain that the primitive mechanical cleanup procedures used by the oil industry to clean up and remove spilled oil requires the use of a boomed enclosure to trap the oil while it is being removed from the ocean. In-situ burning of oil on the ocean's surface also requires the use of a boom so COAC set out to explore the claims being made by Shell and CNSOPB about actually removing spilled oil from the ocean's surface. Following are excerpts from two reports on the effectiveness of containment booms in ocean conditions. This information is readily available to Shell Canada/Stantec and to CNSOPB but it is being wilfully ignored.

The excerpts are as follows:

A report titled, "*Characteristics of Response Strategies*" published by the American Petroleum Institute, the Nation Oceanic and Atmospheric Administration, the U.S. Coast Guard, and the U.S. Environmental Protection Agency, makes the following statements when discussing oil spill containment booms:

- Boom effectiveness drops significantly because of entrainment and/or splash-over as short-period waves develop beyond 2 to 3 feet (0.6 to 0.9m) in height;
- Containment and recovery decrease rapidly as slick thicknesses drop below a thousandth of an inch (i.e. very low oil encounter rates);

In a separate report, prepared for the U.S. Department of Transportation, the United States Coast Guard, Marine Safety and Environmental Protection titled, "Field Guide Oil Spill Responses in Fast Currents", section 3.3 states:

"Oil will be lost under a boom when the current exceeds about 0.75 knots. This value is independent of boom skirt depth. Wind loads are not significant in high-current areas but the loads created by wind-induced currents can affect the equipment performance so the effect of the wind must be included."

Taken together, these two reports clearly state that oil spill containment booms do no work in tides or currents greater than 0.75 knots or in wave conditions that exceed 0.9 m.

The Table below is from a document prepared by Stantec for CNSOPB and which claimed to be a functional environmental assessment and which has cleared a large area of the Scotian Shelf and Slope, including areas 3 and 4, for exploratory oil and gas lease site activity. The report is titled "***Final Report, Strategic Environmental Assessment, Offshore Petroleum Exploration Activities, Western Scotian Shelf, (Phase 3A)***".

Table 3.2 Minimum, Maximum, Mean, and Standard Deviation of Significant Wave Height of Grid Point 1410 by Season

Season	Minimum Significant Wave Height (m)	Maximum Significant Wave Height (m)	Mean Significant Wave Height (m)	Standard Deviation (m)
Winter (Dec-Feb)	0.58	12.47	3.34	1.56
Spring (Mar to May)	0.41	15.46	2.52	1.36
Summer (Jun to Aug)	0.50	12.54	1.55	0.67
Fall (Sep to Nov)	0.48	14.09	2.44	1.27

If you look closely at this Table you will notice that the mean wave height on the Western Scotian Shelf never drops below the critical height of (0.6 to 0.9 meters) which is required in order to boom and remove oil from our ocean's surface. In addition, the Western Scotian Shelf is impacted by the tides of the Bay of Fundy, the highest tides in the world. The complex surface currents rarely, if ever, drop below 0.75 knots. **Based on the information provided in their own, CNSOPB/Stantec report, Shell Canada does not have the capacity to clean up and remove an oil spill on our fishing, spawning and nursery grounds.**

If our volunteer community organization can locate and share this critically important information, you would assume that those in the CNSOPB, who are charged with the solemn responsibility of protecting our ocean environment, could also collect this data. In fact, they not only failed to find this data, they chose to ignore it even when we handed the information directly to them. CNSOPB is not a "Regulator." They are a fully captured bureaucracy advocating for the oil and gas industry. So, Again, their claim of: **"completing an acceptable and robust Environmental Assessment that properly identifies environmental risks"** or of their claim of **"Preparation of an Oil Spill Response Plan, supported by spill trajectory modelling."** was proven to be completely untrue.

But, let's not stop here. Let's look further at CNSOPB as a regulator who states that; ***"safety and environmental protection are paramount."***

Shell Canada was the first to have a major mishap on the Scotian Shelf. In March of 2016, Shell dropped 2.0 kilometers of drill pipe and their complete subsea riser system to the ocean floor. They were, with the blessing of CNSOPB using an inadequate single hull drill ship on the storm tossed and dangerous Scotian Slope when they should have been using a full semi-submersible platform. In a storm which created a massive sea state Shell disengaged from their well head but then lost over 2 kilometers of drill pipe and their complete subsea riser system before they could even move away from the drill site.

The primary task of any drill platform, once they are disengaged from the well head, is to quickly move further from the site than the length of pipe that they are trailing. Shell could not even complete this simple task. The riser system on the drill ship was inadequate for the height and trough of the existing waves. The vessel slipped into a deep trough in the waves and tonnes of drill pipe and equipment were jammed into the ocean floor and that impact broke the pipe free from the vessel. The massive weight of pipe and subsea riser system landed within 15 meters of the blow out preventer on their well head. It was not functional regulatory oversight or the competent use of technology, it was only blind luck that Shell was not on an oil-bearing formation and that they missed destroying their own Blowout Preventer. The fact that there was not a major spill on the Scotian Shelf had nothing to do with proper technology

because the drill ship should never have been certified for use on the Scotian Slope and it certainly had nothing to do with functional regulation, it was simply blind luck.

BP Canada followed in June of 2018, only weeks after beginning drilling. They spilled over 140,000 litres of toxic, oil-based drill mud to the ocean floor. When CNSOPB came out with their “Incident Report” they stated that in order to enhance safety, BP would now have to incorporate a pressure gauge on their 2.0 kilometres of high pressure drill mud piping line. No one who has worked offshore in the fishing industry took any comfort in that report.

I have worked as a lobsterman and long line fisherman, a vessel owner, a fish plant owner, and a dive company owner. I worked for nearly 15 years as a television producer and dive coordinator for National Geographic, Discovery and History Television. I’ve worked on nearly every sea and ocean on this planet with both SCUBA and hard hat divers and I can assure you, it is inconceivable to those of us who have worked on the water that you would be operating high pressure piping without having a gauge that would immediately indicate a loss of pressure and instigate a shutdown. CNSOPB’s “incident report” only increased our apprehensions about the competency of our regulators and about both the safety practices and the quality of the equipment that BP was using on our fishing grounds.

On November 16, 2018 Husky oil announced a 250,000 litre oil spill. This spill took place on the east coast of Newfoundland but is relevant to us in Nova Scotia because not a single drop of the spilled oil was recovered and a spill of that same size on the Scotian Shelf would be devastating. As it turns out this lack of oil spill cleanup is absolutely no surprise. Although CNSOPB insists that the results of an oil spill on our fishing and spawning grounds are mitigable, this is in fact, not the case.

By this time, it was becoming very clear in our community discussions that given the near total lack of functional regulatory oversight and the incapacity of Shell Canada to actually clean up and remove spilled oil from our fishing grounds, that it would be highly unlikely that our two industry groups would ever be able to co-exist on the Scotian Shelf and Slope.

It is very important for you to note that if NRCan decides to give regulatory oversight of future ORE projects to Ms. Barbara Pike and CNSOPB, you will not have the confidence of any originating ocean stakeholders or the confidence of many of the impacted coastal communities who are dependent on our ocean’s renewable fishery resources.

As we have previously noted, on-water mechanical oil spill recovery is not possible on the Scotian Shelf and Scotian Slope due to the primitive skimming technology currently used by the oil industry, which requires booms to contain the spilled oil. No effective mechanical oil spill recovery is possible. The lack of any oil spill recovery from the Husky spill off Newfoundland is absolute proof of this point. The stark reality of knowing that an oil spill on our fishing and spawning grounds would not be cleaned up left us wondering just what the CNSOPB had in mind when dealing with an oil spill. It’s now that we hear about toxic chemical dispersants and their use. Based upon very convenient faulty science CEAA and CNSOPB are committed to dispersant use. The CNSOPB travels up and down our shoreline from community to community wilfully misinforming citizens, quoting faulty science and stating the “FACT” that dispersants are as safe as dish soap - **this is an absolute falsehood**. Very unfortunately, Environment and Climate Change Canada uses the same faulty science

It is important for you to understand that NOAA, and 16 additional U.S. Government Departments and Agencies, list dispersants as a “*contaminant*.” They do so for good reasons. Dispersant-based chemicals persist in the environment, but the real problem is that dispersants act as a vector, a delivery system, for the highly toxic polyaromatic hydrocarbons (PAHs) in the oil, allowing these toxins to have much greater

negative impact. Once the dispersant and the spilled oil are mixed in an aqueous environment the emulsifiers in the dispersant break down the oil into tiny micro-droplets. This greatly increases the surface area of the oil and makes the toxins much more available to all aquatic life forms. These tiny droplets also stay in the water column much longer than un-dispersed oil allowing them to contaminate a much larger area of ocean. The same emulsifiers also break down ‘Lipids’ the proteins which make up the

cell walls. This allows the toxins in the oil direct access into the cell, perhaps into the cells of our many important commercial species. Dr. Terry Snell, chair of the school of biology at Georgia Tech and Dr. Samantha Joye of the University of Georgia have been studying dispersant laced oil since the Deepwater Horizon disaster in 2010. They state unequivocally that,

“When commercial fisheries are at risk from hydrocarbon pollution, the use of dispersants is not an advantage. Dispersant use would, in fact, be a disadvantage in trying to protect commercial fish stocks or shellfish species from the toxic impacts of hydrocarbon pollution.”

These facts are well established in the greater scientific community but have apparently escaped the attention of our regulators. The CNSOPB refuses to recognize the scientific reality which states **that in order to understand the massively toxic impact of dispersants you must study, not dispersants alone, but dispersant laced oil in an aqueous environment.** Instead, they cling to the discredited data provided by Dr. Carl Brown’s work for Environment Canada which studied dispersants alone and they continue to travel the shores of Nova Scotia spouting oil industry propaganda and misinforming Canadian citizens by telling them that dispersant use is absolutely safe.

In the Fall of 2015 the Canadian Energy Pipeline Association (CEPA) and the Canadian Association of Petroleum Producers (CAPP) commissioned a Royal Society of Canada Expert Panel to investigate the impacts of oil in an aqueous environment. This panel made many important findings among them, these highly disturbing comments about dispersant laced oil.

Page 163 Royal Society of Canada Report

Recommendation: Research is needed to:

1) assess the toxicity of dispersed oil to deep water corals, ground fish and invertebrate species that have high economic importance (e.g., lobster, crab, scallops);

2) Research is needed to model the distribution of deepwater plumes of dispersed oil in relation to areas of known fisheries productivity, such as the fishing banks of Canada’s east coast ...

Minster Wilkinson, the Fishing Banks of Canada’s East Coast are our fishing grounds. The Scotian Shelf, Georges Bank, the Bay of Fundy and the Gulf of St. Lawrence make up the richest multi-species fishery in North America. LFA 40, at the South Western end of the Scotian Shelf, is the only designated lobster spawning ground on the East Coast of North America. World scientists tell us that dispersant laced oil is much more toxic than oil alone. World scientists tell us that you cannot protect fish stocks with dispersants. Canada’s best scientists tell us emphatically that more study is needed before we know that dispersants can be used safely near any important commercial species. Please note that the scientists of the Canada’s Royal Society Panel did not investigate dispersant alone, their science was done on “dispersant laced oil.” The CNSOPB studiously ignores this information and continues to knowingly quote data to our communities that was generated by inadequate science which only evaluated dispersants. If you were an oil industry proponent on the Scotian Shelf, you couldn’t find a better partner than the CNSOPB.

COAC contacted Dr. Paul Hodson, one of the scientists who served as a member of the Royal Society Panel. We asked him to define the additional research that would be required in order to fully assess the impact of dispersant use on our fish and crustacean species. He provided a list of required scientific work which we provided to CNSOPB and to DFO. To our knowledge none of this work has been undertaken.

The CNSOPB handout on dispersants also states that oil and gas companies are not allowed to use dispersants without authorization from the CNSOPB. They State that: ***“they will rely on the best available science and input from government experts to determine if a dispersant will provide an overall net benefit to the environment.”***

To facilitate this process Shell Canada was required to provide a report called a “Net Environmental Benefit Analysis” (NEBA). DFO science must then evaluate this Shell Canada report before dispersant use can be authorized. This work is all accomplished before any oil spill actually takes place so that they can get the toxic chemical dispersant into the water as quickly as possible should they decide that the need has arisen.

DFO’s **“Science Advisory Secretariat”** was the group designated to evaluate whether the Shell Canada NEBA adequately addressed three specific questions. Their report, **(Canadian Science Advisory Secretariat Science Response 2015/019)** opens by clearly indicating the report’s authors were forced into a process in which scientific rigour was completely compromised. Quotes from the scientists who created the report are as follows:

“A limitation of the review was the short turnaround period of two weeks, which constrained the depth, nature, and level of DFO Science review of the NEBA document and associated supplementary material. Within the two week turnaround period, DFO Science reviewers only had 7 days to review and provide comments.” (page 1; emphasis added).

In that context, I would like to present the three points that DFO science was tasked to gauge for adequacy along with excerpts taken directly from the document in question.

1. Does the document and associated supplementary material accurately describe and consider the marine ecosystem components that would be at risk from an oil spill incident?
 - a.) *“the two week turnaround period of DFO Science’s review did not allow the reviewers sufficient time to consult these referenced source documents in detail”*
 - b.) *“no detailed information is provided on the circulation modeling within the documents reviewed by DFO Science”*
 - c.) *“not possible to adequately assess usefulness or validity of the trajectory outputs as presently described within.”* (page 2)
2. Is the spill modelling used for the analysis consistent with DFO's knowledge and understanding of bio-physical dynamics of the study area?
 - a.) *“The model, however, **does not include tides**, which are significant on the Scotian Shelf”*
 - b.) *“surface waves are important for surface mixing and transport, but **they are also not included in the trajectory modelling.**”*
 - c.) *“The scenario simulation presented is for the summer season only and **does not include extreme weather events (e.g. Tropical Storms and/or Winter Storms).**”* (page 2)

3. Does the document and associated supplementary material present its analysis, concluding results, and recommendations in a manner that is logical and consistent with DFO's understanding of oil spill risks, including those associated with the implementation of various spill response measures?
- a.) *"Over the past five years, a significant amount of scientific research has been undertaken on long-term impacts of spills, and use of chemical dispersants, on the marine environment of the Gulf of Mexico following the Macondo Prospect oil spill in 2010. **The NEBA document would benefit by incorporating findings of these scientific studies directly... these are issues that are likely to be raised if a subsurface injection program were to be implemented at the Shelburne Basin site in the event of an oil spill.**"*
 - b.) *"it would be useful if the NEBA document included a section on the socioeconomic impacts of an oil spill"*
 - c.) *"the NEBA document **should make reference to the potential impacts of an oil spill on fisheries**, which would likely be closed in the event of an oil spill at Shelburne Basin. Such analysis could also be expanded to discuss how various spill response strategies would impact residents, livelihoods, economies, and communities of the region."* (page 3)

The **"Section Specific Comments"** point out many additional shortcomings and oversights-

The only conclusion that DFO Science felt they could make from this evaluation was that,

*"The NEBA document and its associated supplementary material is **generally sufficient**, with the analysis **making a reasonable assertion** that subsea dispersant injection **is likely** to be the preferred response option in the event of a large subsea blow-out oil spill (**relative to natural attenuation**)"* (page 10, emphasis added).

Even **this non-conclusion by DFO scientists that the use of dispersants is "likely" better than doing nothing**, is followed with an additional list of points that also require clarification and further analysis:

"lack of supporting information in some sections, such as the trajectory modelling and method used to determine "level of concern""

*"lack of discussion on monitoring protocols, such as water quality monitoring or biological effects monitoring; and **an overall lack of knowledge about slope area (e.g., species use, sensitivities, and dynamics) to verify the assessment finding that little harm will occur in deeper water close to the wellhead itself.**"*

*"**Last, it is again noted that the two week time line provided to DFO Science for this review did not allow for a thorough review of the NEBA document, the associated supplementary material, or other applicable references. Within the two week turnaround period that was provided to DFO Science, science reviewers only had 7 days to review and provide comments.**"* (page 10)

Unsurprisingly, the Shell Canada, NEBA document was accepted by CNSOPB without any demand for changes, additions or alterations. The fact is that CNSOPB is prepared to authorize the utilization of toxic chemical dispersants on our fishing grounds because they do not have any other response tool at their disposal and because, by regulation, they have to be able to say, even if it isn't true, that the oil industry proponent does have some capacity to respond to an oil spill.

Shell's report does not include any reference to the massive amount of scientific work done in the Gulf of Mexico on the impacts of dispersant use. It does no socio-economic impact study on an oil spill. It does not cover the impacts of an oil spill on the fishing industry, but this report is just fine as

far as CNSOPB is concerned. CNSOPB is prepared to utilize toxic chemical dispersants without proper information on dispersant impacts on commercial fish stocks, on tides or wave heights or on wind direction and speed. The fishing industry and our coastal communities are to take 100% of the risk of an oil spill when there is no capacity to clean up the spill and no consideration of the spill's impact on our coastal economy. All this is true while CNSOPB states on their website that they are mandated to protect the offshore environment during oil and gas exploration and extraction. They state that in their role as regulator;

“safety and environmental protection are paramount.”

This statement is patently untrue. To say that the residents of our coastal communities and the members of our fishing industry continue to be alarmed by CNSOPB's cavalier attitude concerning our economic and social wellbeing would be a massive understatement.

The cumulative impact of CNSOPB's lack of functional regulatory oversight and their active promotion of the offshore oil and gas industry made us feel that we would have to find a real expert on safety in the offshore oil industry and ask that person to evaluate the materials industry proponents used in their “Environmental Impact Statements” and the adequacy of the responses provided by CNSOPB.

We contacted Dr. Robert Bea, who is the world expert on risk assessment in the offshore oil industry following is a brief excerpt from Dr. Bea's biography.

Dr. Bea is an oil industry insider. He has over 48 years of experience in engineering and management of design, construction, maintenance, operation, and decommissioning marine systems including offshore platforms, pipelines and floating facilities. He has been teaching at the University of California since 1989. He is Co-Director of the Marine Technology Management Group for Risk Mitigation. He has worked on offshore oil and gas industry in 72 different countries. He acted as a consultant for BP's bid to drill in Australia in 2016. Dr Bea helped Shell pioneer, design, construction and operation of the first permanent offshore drilling platform in Arctic waters. He has assisted in engineering and construction of facilities in offshore Alaska, in Canada's Beaufort Sea, off Canada's East Coast including Hibernia. Dr. Bea has published 3 books on system risk assessment and management and is co-founder of the Center for Catastrophic Risk Management at the University of California.

Mr. Schembri, it is imperative that you see Dr. Bea's comments and responses to questions about CNSOPB's and BP Canada's assessment of risk. The following are his comments and responses to questions:

“My review of BP's exploratory drilling proposals documentation indicated their conclusions that the risks associated with uncontrolled blowouts were not “As Low as Reasonably Practicable,” were not correct, nor properly documented and validated.”

“Contrary to the CEAA Environmental Impact Statement guidelines, the risks of accidents and malfunctions have not been properly assessed, documented and validated.”

BP's assessments of the likelihood of an uncontrolled blowout are much too low based on the Nova Scotia exploratory drilling conditions.”

“BP's assessment of the consequences of an uncontrolled blowout are based on unsubstantiated assessments of the time required for successful mobilization of blowout preventer capping stack

and, if required, drilling of a relief well. Both the short and long term consequences of the oil and gas released to the environment have been significantly underestimated.”

“Nova Scotia does not have a highly developed regulatory system. It is apparent that they have not adopted the best available and safest technology represented in the “Safety Case Regime” of the UK health and safety executive, the Norwegian Petroleum Safety Authority and the Australian Regulatory Authority,”

“My work to develop a preliminary assessment of the risks, likelihoods and consequences, associated with BP’s proposed exploratory drilling offshore Nova Scotia generates the following;”...“The results clearly demonstrate that the risks of an uncontrolled blowout are not, “As Low As Reasonably Practicable.” Given international guidelines for determination of “Tolerable Risks”, the risks of an uncontrolled blowout are not acceptable.” Dr. Bea went on to say;

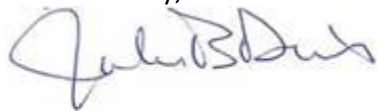
“These results do not substantiate the statement issued by your Environment Minister that the proposed drilling;” “is not likely to cause significant adverse environmental effects.”

It is insult to injury that Ms. Pike and CNSOPB are now being considered for the task of assessing and regulating ORE proposals. Ms. Pike served on the CNSOPB as a Board Member while CNSOPB took many of the totally inadequate regulatory decisions described in this letter. Ms. Pike and CNSOPB have proven themselves to be oil industry proponents but above and beyond that point, they have proven that they have no capacity to assess what is an acceptable risk for our coastal communities, for our fishing industry or for the renewable ocean resources upon which we all depend. As NRCan moves forward with decision making on how best to proceed with ORE regulatory oversight, it is critically important that you take this information under consideration.

COAC and our partners are not prepared to agree to any ORE project that is not carefully vetted and assessed as to its potential impact on our originating stakeholders, our renewable ocean resources and our impacted coastal communities. All of our past experience indicates that appointing Ms. Pike and CNSOPB as overseers and regulators of upcoming ORE project guarantees that we will be subjugated to inadequate oversight and this will not function for either the proponents of specific projects or for those impacted by inadequate regulatory decision making.

In closing, we respectfully request a meeting, at your earliest convenience, to further discuss these issues and to discuss concepts for truly functional regulatory oversight for all upcoming ORE projects.

Most sincerely,



John Davis, Director
Clean Ocean Action Committee
Co-Chair, Offshore Alliance



National Program Director
Sierra Club Foundation, Canada
Co-Chair, Offshore Alliance

Comments on the Shelburne Basin Venture Exploration Drilling Project Discussion of Wind Data Analysis

Submitted by John Davis, Director
Clean Ocean Action Committee
902-499-4421

In Yesterday's Chronicle herald Roger Taylor wrote an excellent article describing some of the issues that must be resolved prior to the actual start of exploratory drilling on the Scotian Shelf. In that article Mr. Taylor utilizes information extracted and paraphrased from Section 8 of the Shell/Stantec "Environmental Impact Statement." This same information is paraphrased in the Michael Gorham Article published on August 5, 2015 in this paper.

In the Taylor piece;

"its (Shell's) analysis suggests oil from such a spill would likely travel eastward during winter months, while it would disperse in many directions if a spill happened during summer."

In the Gorham piece;

"Shell...modeling showed that during winter months, a spill would likely travel east, while in summer months it would be multi-directional."

The problem is that the information provided in the Shell/Stantec (EIS) is misleading and inaccurate. It is not "most likely" that a winter time oil spill would travel in an eastward direction and the terms "disperse in many directions" or "multi-directional" are not useful descriptions of the movement of a summer time oil spill on the Scotian Shelf.

These issues are of extreme importance because these descriptions of oil spill models both in the Shell/Stantec report and in news articles are being used by our regulators and others with interests in our offshore to assess the level of regulatory oversight which will be required to ensure that the safest possible drilling conditions are in place.

Shell's Environmental Impact Statement (EIS) received conditional approval from the Federal Government in June 2015, and the Canada-Nova Scotia Offshore Petroleum Board is set to make its ruling on regulatory requirements later this year.

In its EIS, Shell concludes that, "No serious harm to fish that are part of a commercial, recreational or Aboriginal (CRA) fishery, or permanent alteration or destruction of habitat for fish that are part of a CRA fishery or fish that support such a fishery is predicted to occur as a result of the Project." *Summary 6.5.2; CRA = commercial, recreational or Aboriginal*

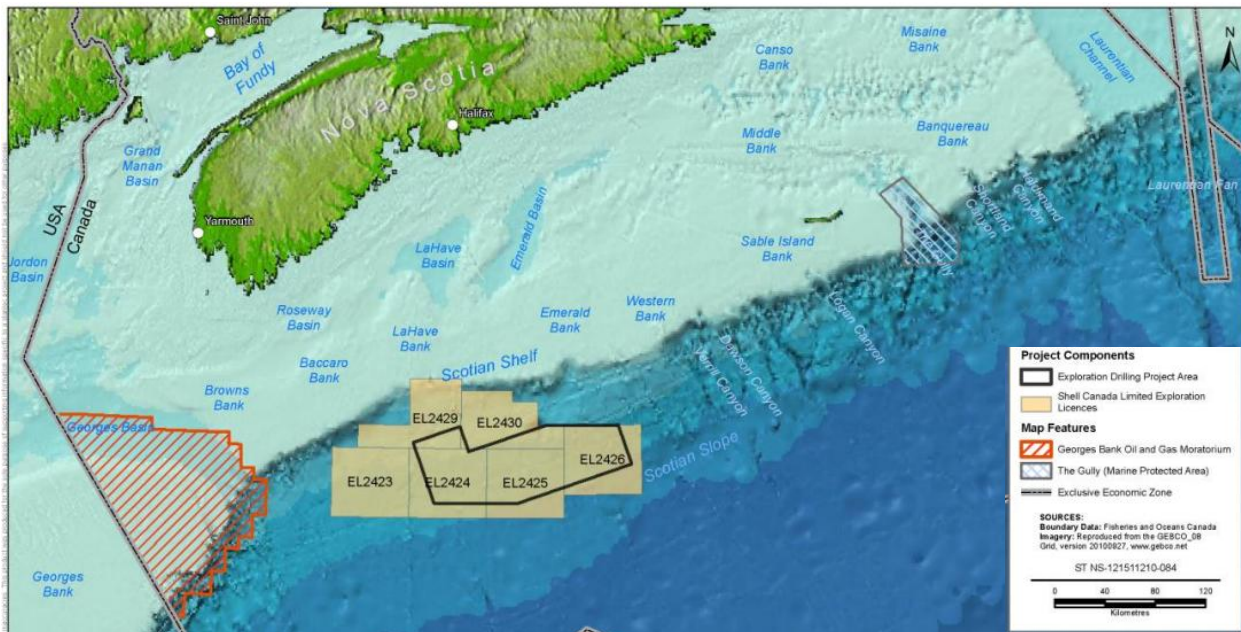
These assertions are made partially on their assessment of wind conditions and oil spill movement.

There are 7 fishing banks in proximity to the project area – George's Bank, Browns Bank, Baccaro Bank, LaHave Bank, Emerald Bank, Western Bank, and Sable Island Bank. These banks are located along the Scotian Shelf, running from Georges Bank located to the southwest of the project site and extending in a roughly northeastly distribution, ending with the Sable Island Bank.

Shell Canada, in its "Environmental Impact Statement" concludes the following when assessing "Accidental Events" including a 30-day unmitigated subsea blowout:

"Although significant adverse effects may occur in the event of a subsea blowout, given the low probability of an event occurring, the conservative nature of the spill modeling, the implementation of response procedures that could reduce the affected area, and the ability to

compensate fishers for their losses, significant effects from an accidental blowout on Commercial Fisheries is considered unlikely.” Summary Section 6.7.5.5



Summary Figure 1 – Proposed Exploration Drilling Project Area (showing placement of fishing banks)

In their analysis of an unmitigated subsea blowout, Shell makes the following statements:

“It is likely that low offshore water velocities will slowly transport water at depth, however the trajectory of surface oil will more likely be affected by wind conditions at the time of the spill.”
Appendix G, Section 2.5

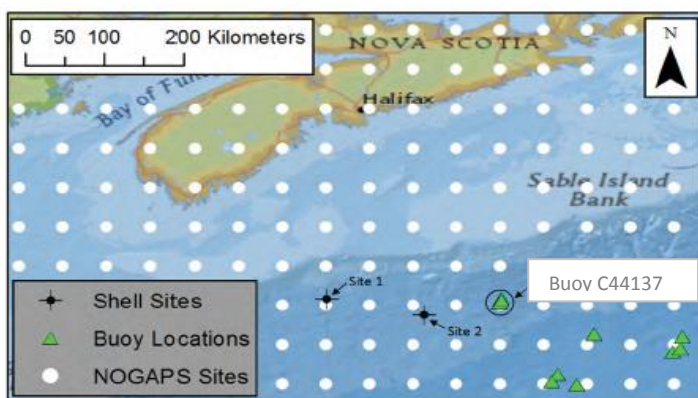
Shell’s (EIS), appendix G, states;

“The general wind driven transport of surface oil throughout the year is mainly offshore and to the east.” Appendix G, Section 9.2.2

“In winter, winds are predominantly from the northwest in excess of 20kts. During the summer, winds are predominantly from the southwest in the 10-20kt range.” Chapter 8, Section 9.2.

The Word “Predominant” can be misleading. Predominate does not mean “most likely” Without careful assessment the use of the word predominate could lead one to believe that the most likely direction for spilled oil would be to the East, away from our important fishing grounds. This is not true.

We decided to take a close look at Shell’s assertions. Shell’s documents used wind data models that were validated using Canadian buoy Station 44137, which is the buoy closest to the project area. Buoy 44137 data is freely available for download.



Appendix G: Figure 18

We obtained wind speed and direction for the years 2012 through June 2015. Wind direction was divided into 4 quadrants– blowing from NE (0-90°), SE (91-180°), SW (181-270°), and NW (271-360°). We looked at all months together, and then separated winter (Oct-Mar) and summer (Apr-Sep) months to reflect established seasonal variation utilized in the Shell (EIS).

Given the location of fishing grounds, only winds from the northwest would be considered “clearing winds.” Winds from other directions are all potentially “dangerous” as they would transport any spilled oil toward one or more of our important fishing banks.

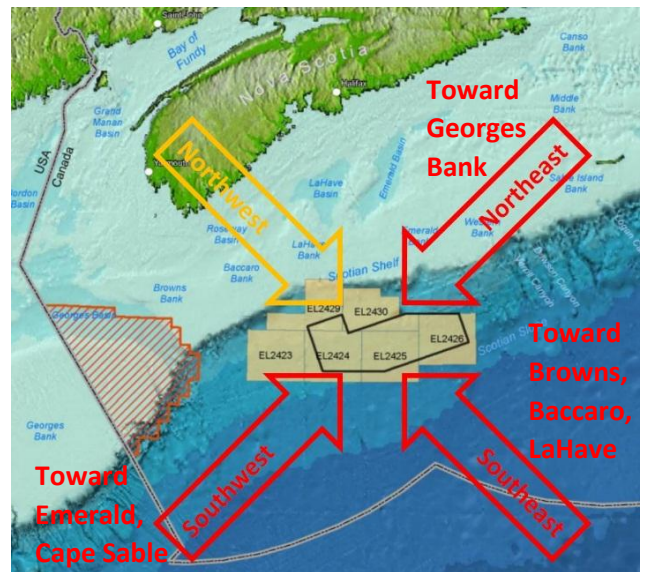
Our review of the data from Buoy 44137 confirms that Shell’s “predominant” wind direction statements are both misleading and incorrect:

Average Annual Wind Direction

When discussing the “Average Annual Wind Direction” the Shell (EIS) states the following;

“The general wind driven transport of surface oil throughout the year is mainly offshore and to the east.”
Appendix G, Section 9.2.2

Data from Buoy C44137 tells a different story. Utilizing the most current data (January, 2012 through June, 2015) only 31% of winds were mainly offshore and to the east (blowing from the NW), while 69% of winds were blowing in the general direction of fishing grounds (18% from NE, 19% from SE and 32% from SW). According to this most recent data set the “Predominant wind” is from the South West not from the North West as stated in the Shell, Stantec (EIS) document



Chapter 8, Section 9.2 (coloured arrows added for emphasis)

Seasonal Variation

Shell’s EIS goes on to state; “In winter, winds are predominantly from the northwest in excess of 20kts. During the summer, winds are predominantly from the southwest in the 10-20kt range.”

Data from Buoy C44137 tells a much different story.

In winter months from January 2012 through Mar 2015, only 24% of winds were mainly offshore and clearing (blowing from NW), while 76% were blowing toward fishing grounds (18% from NE, 18% from SE, 40% from SW).

In summer months from April 2012 through Jun 2015, only 40% of winds were mainly offshore and clearing (blowing from NW), while 60% were blowing toward fishing grounds (18% from NE, 20% from SE, 22% from SW).

REFERENCES

Appendix G. Appendix G. Spill Fate and Behaviour Modelling. Trajectory Modelling in Support of the Shelburne Basin Exploration drilling Program. By Matthew Horn, PhD and Deborah French McCay, PhD. RPS ASA May 2014.

C44137 Buoy Data: downloaded from <http://www.meds-sdmm.dfo-mpo.gc.ca/isdm-gdsi/waves-vagues/plot-trace/result-eng.asp?medsid=C44137&s1=2003-06&s2=2015-08>

Chapter 8. Shell Canada Ltd and Stantec Consulting Ltd. 2014. Chapter 8. Accidental Events.

Summary: Shell Canada Ltd and Stantec Consulting Ltd. 2014. Shelburne Basin Venture Exploration Drilling Project. Environmental Impact Statement. Summary Report. June 2014.

The lesson here is quite straight forward, Shell's "Environmental Impact Statement" compiled by the consulting firm, Stantec, is not a scientific document. The total "EIS" was written as a commercial interaction between Stantec and their client Shell Canada with the specific goal of creating a document that will assist Shell Canada in obtaining regulatory approvals from both the "Canada Nova Scotia Offshore Petroleum Board" (CNSOPB) and the "Canada Environmental Assessment Agency" (CEAA). Although it is tempting to use the data provided as being "Objective" this is not the case. The data in the Shell/Stantec report, understandably, has a predetermined goal and a preferred outcome. Analysis of Shell Canada's assessment of wind conditions is one excellent example of this reality.

The fact that the Canada Environmental Assessment Agency (CEAA) has accepted the Shell/Stantec (EIS) as factual gives many of us in the Nova Scotian Fishing Industry cause for considerable concern. The CEAA's stated mandate is to provide Canadians with environmental assessments that contribute to informed decision making in support of sustainable development. The Agency's stated role is;

"to provide Canadians with high-quality federal environmental assessments that contribute to informed decision making in support of sustainable development."

We question whether their stated mandate is being fully exercised.

John Davis is the Director of the newly formed "Clean Ocean Action Committee." C.O.A.C. is comprised of Fisherman's Organizations and concerned individuals on Nova Scotia's South Shore. Davis states," Our committee has two simple and reasonable demands for our regulators and for the oil and gas industry on the Scotian Shelf, they are:

1. Do not spray or pump toxic chemical dispersants into our ocean
2. If you spill oil in the offshore, clean it up, get off and out of our ocean and show us the procedures and equipment that you will use to carry out this task.

Contact: John Davis 902-499-4421.



FIRST RESPONDERS' WELLNESS SYMPOSIUM: KEEPING STRONG PEOPLE STRONG

First responders and front-line workers often face tough, unexpected and sometimes horrifying situations in life. That, along with Covid-19, has brought about undue stress to many of them. They have been feeling the brunt of this pandemic due to mandatory overtime, working short staffed, and public outrage, to mention a few things. In many of those workplaces, morale is very low, burnout is happening and people are leaving jobs they

used to love. They don't feel they have the support of their leaders. The fall out from this is family breakup, sick time and yes, even suicide in some cases.

In the Spring 2021 a multidisciplinary group of first responders came together and began to organize our Wellness Symposium. ***The inaugural "First Responders' Wellness Symposium: Keeping Strong People Strong" is scheduled for September 24th, 2022.*** Two keynote speakers have been confirmed and we are starting to organize other presenters for several breakout sessions throughout the day. A Challenge Coin is being finalized to mark this event.

We are pleased to announce that NSCC—Lunenburg Campus is a working partner and is providing space for the Symposium at no charge plus some of the programs within the campus will be assisting and / or participating in the event. This makes it a truly community event.

During the Symposium, a Trade Show will be held whereby various vendors and first responder helping organizations will be available for attendees to interact with.

The Symposium will focus on wellness and resilience, not just the occupational injuries that so many have although topics such as PTSD and other OSI's will indeed be talked about. *What can people do to build up their resistance so they become more resilient during times of crisis and therefore can recover much quicker?*

As this will be a first for our area, we hope to have about 100-125 attendees from the South Shore and Valley area although it will be open to all first responders and interested persons across the province.

Hopefully funding for this project will come through grants along with sponsorship from businesses and related organizations. This will allow attendees to pay only a nominal fee of \$20 or less to attend, covering nutrition snacks and lunch.

Our committee is seeking your support with this Symposium as we try to help meet some of the bio / psycho / social and spiritual educational needs of our first responders. They are the backbones within our communities and deserve your support. Please consider supporting this Symposium via financial support, in kind donations for door prizes, nutrition breaks, etc. or as a Trade Show vendor. *Together we can and will make a difference!*

Committee chairpersons can be reached as follows:

wendyrafuse@gmail.com; 902-275-8233 and / or danny.macphee@bridgewaterpolice.ca ; 902-543-2464.

Please contact us for further information or if you have any questions.

Regards,

Wendy Rafuse and Deputy Chief Danny MacPhee, Co-Chairs

FIRST RESPONDERS' WELLNESS COMMITTEE

Budget Proposal for 2022 – September 24th/22 Event

Item	Expense	Income / In Kind Donations
Website Design / Maintenance	\$1000.00	
Honorariums	\$3000.00	
Challenge Coins (150)	\$1000.00	
Printing / Advertising / Photocopying	\$700.00	
Venue Rental / Security / Janitorial	\$1175.00 + HST	\$1175.00 + HST
Food	\$3125 + HST	\$2500.00 (fee per participant)
T-Shirts (Volunteer staff)	\$250	
Conference bags	\$250	
Up Right Banner	\$300	
Miscellaneous	\$500	
Local Business Sponsorship		\$4000.00
Grants		\$8000.00
Volunteer Labour		800 volunteer hours @
Annual Bank Fees	\$200.00	
Society Registration	\$100.00	
Mailbox Rental	\$200	
Total:	\$10,800	\$15,175.00

NOTE: Volunteer Hours – We estimate each committee member donates 1 hour per month for a meeting plus 5 hours per month performing committee work. With 11 members, we therefore estimate approximately 800 + volunteer hours over the year.

Kelly Redden

To: Maureen Hughes
Subject: RE: Autism Acceptance Month

From: South Shore Chapter - Autism NS - Rachel Whynot <SouthShore@autismns.ca>
Sent: Tuesday, March 29, 2022 1:58 PM
To: Maureen Hughes <Maureen.Hughes@TownofMahoneBay.ca>
Subject: Autism Acceptance Month

CAUTION: This email originated from an external sender.

Hi there,

I am connecting in hopes that the Town of Mahone Bay would consider sharing information about Autism Acceptance Month via. social media or other communication platforms on April 1st, or throughout the month of April. I have attached information about the significance of the month, and why it is important to share it with your community members, as well as poster/graphic.

If you have any questions, or would like to talk further about how we can work together to support the inclusion and acceptance of autistic individuals in our community, do not hesitate to reach out!

Rachel

It is estimated that 1 in 66 people across the country are on the autism spectrum, and 1 in 34 people—approximately 30,000 individuals— in Nova Scotia are on the autism spectrum.

Many dedicated Autistic individuals/people with autism, parents, teachers, researchers, professionals, and community-based organizations, work tirelessly throughout our province to make the communities where we live accessible and inclusive for Autistics/individuals with autism.

With 11 locations throughout the province and with the support of the autism community, Autism Nova Scotia builds understanding, acceptance, and inclusion for Autistics/individuals on the autism spectrum and their families through leadership, advocacy, education, training, and programming across the lifespan.

This month of April marks Autism Acceptance Month, and Saturday, April 2nd, marks World Autism Acceptance Day. We hope that our community will join those in the autism community, across the globe, and come together to celebrate autism and neurodiversity and create inclusive communities, together.

Rachel Whynot
Autism Support Coordinator
She/Her

South Shore Chapter of Autism Nova Scotia

902-514-7489

16147 Hwy #3, Bridgewater NS

B4V6Y1

www.autismsouthshore.ca



We would like to acknowledge that Autism Nova Scotia is in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. We are all Treaty People.

This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.



SOUTH SHORE

JOIN US AND CELEBRATE AUTISM ACCEPTANCE MONTH THIS APRIL

For 2022 we invite you to
Shine blue, Shine YOU

Autism Nova Scotia is a community organization committed to creating a world where all people on the autism spectrum can live their lives fully. Our 11 regional autism centres deliver programs and services that meet the needs of their local communities. Our mission is to build understanding, acceptance, and inclusion for individuals on the autism spectrum and their families through leadership, advocacy, training, and programming across the lifespan.

Join us by using **#ShineYouShineBlue** throughout the month and let us know what you are doing to make our communities more inclusive and accessible. Whether it is a social media fundraiser in support of Autism Nova Scotia, a virtual education session, or any autism-inclusive stories you can share - we want to know!

Inclusion ✨ Respect ✨ Collaboration ✨ Courage ✨ Acceptance

autismnovascotia.ca   

OUR HISTORY



For over a decade, more than 600 cities, 45 countries, and 3000 structures have celebrated World Autism Day by lighting schools, businesses, and public buildings in blue light in efforts to shine a light on autism.

Today, there are over 20,000 individuals living on the spectrum in Nova Scotia and with a prevalence of 1 in 36 children diagnosed, your support and advocacy is more important than ever.

This year Autism Nova Scotia is asking you to help us carry on this tradition by amplifying our message through your visual and online support. With 11 Chapters throughout the province, Autism Nova Scotia offers vital supports and services to the autism community to help build understanding, acceptance and inclusion through leadership, advocacy, education, training and programming across the lifespan of our community members.

We hope you will join us and the rest of the world on April 2nd by participating on social media using [#ShineYouShineBlue](#). You can show your support for World Autism Day by creating your own events and putting up displays.



Be the Change: BE ACCESSIBLE

Over the years, Nova Scotians have witnessed a change among businesses and organizations who made conscious decisions to make their space more sensory-friendly and accessible. Autism Nova Scotia has partnered with and supported many organizations, businesses, and services to create inclusive and accessible accommodations.

Here are some ways you can help make your space more inclusive:

Quiet Area: Provide a space for someone to regulate themselves if they are becoming too overwhelmed in a public area. A room with minimal noise and bright lights is ideal. Sensory toys and other activities may be suggested. Let us know how we can help you build a Quiet Room.

Sensor-Friendly Shopping: Once a week, consider holding an “sensory-friendly” shopping hour or morning. Turn the loudspeaker down or off and do not play any background music. Try dimming the lights a bit to create a less stimulating environment.

Develop a Priority Checkout System: This helps families to register and access a special checkout line to reduce waiting. This will also reduce anxiety and sensory overload, resulting in more successful shopping experiences.

Create Visual Supports: Enhance your Customer Service for neurodivergent folks: Host an Autism 101 Training for your staff members so they are sensitive and aware of the needs of all community members.

For more information about making your space more accessible, contact Jill Cormier (jcormier@autismns.ca), our Inclusion and Family Support Coordinator!

#ShineBlueShineYou



Be the Change: BE INCLUSIVE

Inclusion can be defined as a practice of providing equal access to opportunities and resources for people who might otherwise be excluded or marginalized. Autism Nova Scotia is a champion for inclusion through our community inclusion, employment, post-secondary, and person-directed planning programs and services.

Learn about some of the ways you can be more inclusive:

Consider Hiring Inclusively: Learn about Autism Nova Scotia's Employment Programs and Services ranging from our job seekers database, pre-employment training, employment work experience, job coaching and more.

Offer a Job Shadowing Opportunity: Host an inclusive pre-employment job shadow experience. Autism Nova Scotia has employment experience programs where the participants gain work experience in our community.

Raise Awareness of Our Inclusion Programs: Share and tell your community about the wonderful work our programs are doing to support Autistic individuals.

Support Staff Education: Host an autism education presentation (offered by Autism Nova Scotia – contact us for details). Increased awareness by your staff helps create a more inclusive environment for your clientele.

Connect with Our Labour Market Facilitator: Contact Omar Youssef (oyousef@autismns.ca) to discuss how your business can be more inclusive as an employer.

Contact your local Chapter for support on navigating the programs and services Autism Nova Scotia offers.

#ShineBlueShineYou



Be the Change: BE A CHAMPION

Celebrate neurodiversity and help us promote understanding, acceptance, and inclusion across Nova Scotia! You can help us by sharing and promoting Autism Nova Scotia within your community.

Hang a Poster: Hang up Autism Nova Scotia's Autism Acceptance Month poster in your window, at your desk, or in your waiting room.

Acknowledge Your Support Online: Using your online presence to help us promote Autism Acceptance Month is a great way to get the word out to your community. Follow our social media accounts for frequent updates about Autism Acceptance Month. You can find Autism Nova Scotia on the following social media networks: **Twitter (@AutismNS), Facebook (@AutismNovaScotia), LinkedIn (@AutismNS), and Instagram (@autismns_)** Interact with us by telling us how you are promoting understanding, acceptance and inclusion throughout April! And don't forget to use our hashtag **#ShineBlueShineYou!**

Host an Inclusive Community Event or Fundraiser: Demonstrate your commitment to understanding, awareness, and acceptance. We rely on donations to keep our programs going! If you host a third-party event, we would love to hear about it and can assist you with donations and promotion!

Donate to Autism Nova Scotia: Donate and support Autistic Nova Scotians across the lifespan by making a gift to help grow our programs and services

Contact Lynn Stewart-Yuill (lyuill@autismns.ca), Manager of Community Giving and Events for support on how to get involved!

#ShineBlueShineYou



autism
NOVA SCOTIA

SOUTH SHORE



EVENT CALENDAR

April 1st

Official Beginning of **Autism Acceptance Month**

April 2nd

World Autism Day: Celebrate with **#ShineBlueShineYou** events and displays

April 17-23th **National Volunteer Week**

Inclusion ✨ Respect ✨ Collaboration ✨ Courage ✨ Acceptance

autismnovascotia.ca   



Registration Form – Autism Acceptance Month

Please fill out the attached form to register your event. If you're looking for some ideas, reach out to **Rachel Whynot** at southshore@autismns.ca. We're happy to promote your event on our Event Calendar on our website and to promote it on our social media channels. We'll also send you one of our Autism Nova Scotia window clings that you can proudly display in your workplace.

Contact Information

Business Name

Contact Person

Phone

Email

Fundraising Activity

Brief description on what you are doing to raise funds for Autism Nova Scotia, including start date and completion date:

Promotional Items needed:

- ☐ In support of LOGO ☐ Window Cling ☐ Coin Box ☐ Marketing/Event Promotion*

**Please include your social media handles (we will promote your event on our Event Calendar and in social media posts)*

Signature: _____

Date: _____



Maureen Hughes

From: Coastal Protection Act <coastal@novascotia.ca>
Sent: Friday, March 18, 2022 9:22 AM
Subject: Coastal Protection Act public consultations

CAUTION: This email originated from an external sender.

Dear Municipal Partner:

I am pleased to share that the report on the public consultations on the proposed Coastal Protection Act Regulations is now available. We know that municipalities have a strong interest in preparing for the harmful impacts of climate change in coastal areas throughout Nova Scotia. Municipalities will play an important part in implementing the Act and we deeply appreciate the level of engagement and the valuable feedback we received from municipal officials and representatives throughout the consultation process. You can find the report here:

<https://novascotia.ca/coast/>

As you will read in the “next steps” section of the report, we are exploring avenues for further engagement with stakeholders as we continue to refine the regulations and the program supports necessary to implement them. If you have any questions about the Coastal Protection Act and the proposed regulations, please do not hesitate to contact me directly.

Kind Regards,

John Somers
Executive Lead, Coastal Protection Act
Environment and Climate Change
john.somers@novascotia.ca

Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Monday, March 21, 2022 3:27 PM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: March 21, 2022

CAUTION: This email originated from an external sender.

[View this email in your browser](#)



NSFM SPRING CONFERENCE

The Evolution of Local Government

May 4th – 6th – [White Point Beach Resort](#), Region of Queens.

Mark your calendars! We are thrilled to be meeting in person once again.

Look for sessions showcasing municipal success stories, diversity and inclusion, managing social media and more. The Minister of Municipal Affairs and Housing will be addressing delegates, as well as opposition critics for Municipal Affairs and Housing.

Buhle Dlamini will be providing an inspirational keynote on Unleashing your Greatness.

Best of all, the opportunity to network with your fellow municipal colleagues.

Registration will be limited to 170 delegates due to space restrictions so be sure to look for more details, along with registration, to come out next week.

We look forward to seeing you there.

(Should Covid-19 restrictions limit our ability to meet in person, we will pivot to a virtual event).

NSFM Municipal Group Insurance Committee Call for Members

Background:

NSFM and AMA are re-establishing an Oversight Committee for the Group Insurance program currently underwritten by Intact Insurance. Approximately 70 per cent of municipalities participate in the program, along with a number of Villages. The purpose of the Oversight Committee will be to work with our current brokers (Gallagher and Brokerlink) to communicate information regarding the public sector insurance landscape to our members. We are seeking two elected officials to participate in quarterly meetings with a view to ensuring members are informed about issues relating to municipal insurance.

Qualifications:

- Knowledge of corporate or municipal insurance
- Experience with large, complex contractual agreements
- Knowledge of the Request for Proposal (RFP) process
- Risk management experience

Tasks and Time Commitment:

- Quarterly virtual meetings
- Ensuring the group insurance program meets the needs of members
- Determining areas of improvement for the program

- Reviewing and comparing information provided by brokers relating to underwriters
- Directing an RFP process if required
- Identifying and reporting issues of interest for members relating to municipal insurance
- Supporting NSFM and AMA staff with coordinating information materials and information sessions for members

Application Process:

[Please submit a Expression of Interest, including relevant experience to Dani Coffey, Director of Operations](#)

Deadline:

April 11, 2022

[Public consultations report on proposed Coastal Protection Act Regulations now available](#)

From Department of Environment and Climate Change

We know that municipalities have a strong interest in preparing for the harmful impacts of climate change in coastal areas throughout Nova Scotia. Municipalities will play an important part in implementing the Act and we deeply appreciate the level of engagement and the valuable feedback we received from municipal officials and representatives throughout the consultation process.

[Apply for FCM's 2022 Sustainable Communities Awards](#)

From FCM

Time is running out to apply to FCM's Sustainable Communities Awards (SCA). Nominate your community's sustainability project today! Visit the SCA page to learn about the five award categories: Natural Asset Management, Climate Change Mitigation, Waste, Affordable Housing Retrofit, and Community Buildings Retrofit.

[Canadian cities and communities of all sizes are eligible. Applications are due by March 31, 2022.](#)

[ECCC Methane Emissions Presentation](#)

On March 8, 2022, ECCC held a webinar to share information on a discussion paper on reducing methane emissions from Canada's municipal solid waste landfills. View the documents above.

Members can submit feedback on the [discussion paper](#) which outlines proposed objectives for new federal regulations that will reduce methane emissions from landfills by April 13, 2022. Additional information on this consultation is available on the [consultation webpage](#).

Active Transportation Fund Update

The deadline for applications for both the planning and capital funding streams of the Active Transportation Fund is fast approaching - applications will be accepted through the [Applicant Portal](#) until **March 31, 2022, at 7:00 P.M. EST**.

Final Sessions of Webinars for Potential Applicants

In order to satisfy demand, the Active Transportation Fund Team has added additional webinar sessions. The final [English webinar session](#) will be held on **March 9, between 1:00 P.M. – 2:00 P.M. EST** and our final [French webinar session](#) will be held on **March 10, between 1:00 P.M. – 2:00 P.M. EST.**

You may contact the Active Transportation Fund team by sending an email to ATA@infcc.gc.ca.



canoe

“Getting on board with the Canoe Procurement trade program has been one of the highlights of our year so far. Tim could not be more helpful, from making introductions to following up to ensure we have exactly what we needed, we would not be benefiting enormously from this program if it wasn’t for his insight and assistance. This program has such value in terms of cost savings, time management, addressing sustainability and we look forward to taking advantage of several more of the offers available this fiscal year. If you need it, it is probably available through this program!”

-Town of Truro-

To learn more about Canoe Procurement contact client relations manager [Tim Elms](#)

Upcoming Events

Register Today for NSFM Regional Meetings!

NSFM Virtual Regional Meetings: Hosted on Zoom

Meeting details and agenda to follow.

Region	Date	Time	
Cape Breton-Strait Area	Friday, April 8 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
South Shore-HRM	Monday, April 11 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Southwestern Shore	Thursday, April 14 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Colchester/Cumberland/Pictou/East Hants	Friday, April 22 nd	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Valley	Monday, April 25 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE

[Not sure which region you are in? Click HERE](#)

Hold the Date:

Coexisting with bears in Nova Scotia

Municipal and provincial collaboration and information session.

Register now for "Coexisting with bears in Nova Scotia" presented by Department of Natural Resources and Renewables. Bears can quickly become a public safety risk and cause damage and other issues for property owners. Our goal is to work with municipalities to address the root causes of human-wildlife conflict and reduce the number of bear conflicts. We aim to deter bears from depending on humans for food and, at the same time, keep people safe.

The information session is for municipal staff and elected officials. It will cover:

- Wildlife Management Overview – Glen Parsons, Manager of Sustainable Wildlife Use
- Bear Biology – Jason Power, Large Mammal Biologist
- Human-bear Conflicts – Tricia Fleming, Human Wildlife Conflict Biologist & Butch Galvez, Technician
- Q&A session with staff

Date: Tuesday, March 30, 11 AM – Noon (1 Hour), via Microsoft Teams.

[Register now: Contact Bronwynne](#)

2022 Atlantic Indigenous Tourism Summit

March 29th & March 30th, 2022 via Zoom

From NSITEN

Cost to Register for NSITEN Non-Member: \$75.00 (By March 25th)

[Register for the summit here](#)

Employment Practices Liability Webinar: Claims, Cases, and Coverage

From Intact Public Entities

Employers face challenges every day that can lead to legal liability such as unlawful dismissal, harassment, and discrimination.

Speakers: Amanda McBride, Partner, McBride & Shields and Tracy Eso, Risk Assessment and Solutions Manager, Intact Public Entities

Join Intact Public Entities on March 22nd to discuss the current landscape of EPL with Amanda and Tracy in a 90-minute webinar presentation. This webinar will address the following topics:

- The EPL insurance product: What it can do and what it can't do – coverages in general
- Recent EPL claims
- The disconnect between the ESA and common law damages
- Discrimination claims
- The Right to Disconnect Law: How employers can best comply with the new law
- COVID-19 and its impact on employers and claims – the importance of having an SOP

We encourage you to submit questions regarding EPL in advance of the presentation. Questions can be added when registering for the session.

City clerks, administrators and elected officials will benefit from what promises to be a robust and informative discussion.

Event Details:

Date: Tuesday, March 22nd, 2022 **Time:** 12:00 p.m. to 1:30 p.m. ET.

[Register Now](#)

If you have any questions regarding this webinar, please email marina.cosentino@intactpublicentities.ca.



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Nova Scotia Federation of Municipalities
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Halifax, N.S. B3J 3K8
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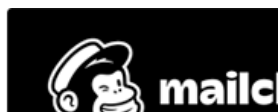
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Maureen Hughes

From: Barr, Nick <Nick.Barr@novascotia.ca>
Sent: Tuesday, March 22, 2022 3:08 PM
To: AMA Maritime List Serve
Cc: Higdon, Krista; Juanita Spencer
Subject: Important Announcement for Extended Firefighters Presumptive Coverage

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Hi Folks!

Today, the Province of Nova Scotia was pleased to announce added presumptive coverage for firefighters under the *Workers Compensation Act*. This added coverage for paid and volunteer firefighters will increase the number of presumptive cancer coverage from six to 19 and cover heart attacks that occur within 24 hours of an emergency call. The associated news release can be viewed online at: <https://novascotia.ca/news/release/?id=20220322001>

This decision follows a comprehensive review of scientific evidence, and consultation with the firefighting community, organizations that represent firefighters and municipalities hosted by the Department of Labour, Skills and Immigration (LSI).

We value the input municipalities had to offer during engagement sessions hosted in Spring and Summer 2020 and again in Winter 2022. Many of you expressed support for extending presumptive coverage and had some concerns about the financial implications for municipalities.

We want you to know that we listened to your concerns and as a result, the provincial government has approved LSI's recommendation to extend financial support to help municipalities cover initial and annual liability costs for the next four fiscal years. Over this period, the Province of Nova Scotia will cover liability costs to a total of \$80.6 million. Municipalities will not incur any additional cost for the enhanced benefit until the fiscal year of 2025-26.

	2021-2022	2022-23	2023-24	2024-25
Province paid portion	\$67.4M	\$4.4M	\$4.4M	\$4.4M
Associated costs covered	Initial liability	Annual liability	Annual liability	Annual liability

Firefighters provide essential services to keep our communities safe. Nova Scotians value the important work that firefighters do every day and recognize that it is crucial to provide sufficient workers injury insurance coverage.

We also recognize that municipalities have had to make difficult decisions because of the pandemic. We are proud to offer financial support to municipalities to make sure that the decision to extend critical coverage to firefighters does not impact your ability to provide essential services to residents.


Thanks,

Nick



Nicolas A. Barr, B.Sc., J.D.
Director, Governance & Advisory Services

Maritime Centre, Floor 8 North, 1505 Barrington Street
PO Box 216, Halifax, NS B3J 2M4

 **(902) 424-4656**

 **Nick.Barr@novascotia.ca**

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Kelly Redden

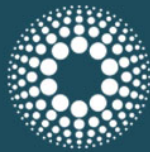
From: NSFM Communications <communications@nsfm.ca>
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To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: March 28, 2022

Follow Up Flag: Follow up
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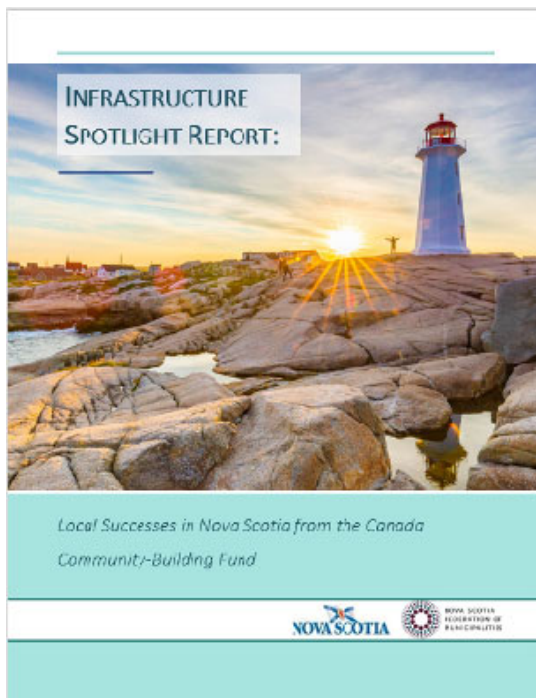
Monday Memo



NOVA SCOTIA FEDERATION
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Release of the Nova Scotia Municipal Infrastructure Spotlight Report

*The Infrastructure Spotlight Report: Local Successes from the Canada
Community-Building Fund Is Now Available*



NSFM is pleased to release the *Infrastructure Spotlight Report: Local Successes from the Canada Community-Building Fund (CCBF)*, developed in partnership with the Department of Municipal Affairs and Housing. The report provides a sampling of projects undertaken from 2014 to 2021 by Nova Scotian municipalities. From the development of active transportation trails to improvements in water and wastewater treatment facilities, the CCBF has made significant contributions to numerous infrastructure projects across the province. The

report aims to demonstrate how local municipalities are making the most of the CCBF through strategic infrastructure investments that contribute to a better quality of life in our communities.

The Infrastructure Spotlight Report outlines how CCBF work is communicated in Nova Scotia through websites, social media channels and municipally-installed signage. It presents CCBF project analytics to demonstrate how and where municipalities are investing their funds. It also highlights best practices and innovation through a selection of 25 municipal projects from across the province that contribute to the national objectives of productivity and economic growth, cleaner environment and strong communities.

[The Infrastructure Spotlight Report is now available on NSFM's website.](#)

NSFM SPRING CONFERENCE

The Evolution of Local Government

May 4th – 6th – [White Point Beach Resort](#), Region of Queens Municipality

We are pleased to have Buhle Dlamini as our keynote speaker at the upcoming NSFM Spring Conference. Buhle's keynote **Unleashing your Greatness – Embracing your Distinction** will help you unleash your greatness by focusing on what sets you apart. It will help you to discover how you stand out and reach your full potential for your community as well as for your municipal team.



Be sure to attend so you don't miss out on Buhle's engaging talk!

Our first time back in-person, there will be many interesting sessions and the opportunity to network with your fellow municipal colleagues.

Registration will be limited to 170 delegates due to space restrictions, so be sure to look for more details, along with registration, to come out by **April 1st.**

We look forward to seeing you there.

(Should covid restrictions limit our ability to meet in person, we will pivot to a virtual event).

NSFM Municipal Group Insurance Committee Call for Members

Background:

NSFM and AMA are re-establishing an Oversight Committee for the Group Insurance program currently underwritten by Intact Insurance. Approximately 70 per cent of municipalities participate in the program, along with a number of Villages. The purpose of

the Oversight Committee will be to work with our current brokers (Gallagher and Brokerlink) to communicate information regarding the public sector insurance landscape to our members. We are seeking two elected officials to participate in quarterly meetings with a view to ensuring members are informed about issues relating to municipal insurance.

Qualifications:

- Knowledge of corporate or municipal insurance
- Experience with large, complex contractual agreements
- Knowledge of the Request for Proposal (RFP) process
- Risk management experience

Tasks and Time Commitment:

- Quarterly virtual meetings
- Ensuring the group insurance program meets the needs of members
- Determining areas of improvement for the program
- Reviewing and comparing information provided by brokers relating to underwriters
- Directing an RFP process if required
- Identifying and reporting issues of interest for members relating to municipal insurance
- Supporting NSFM and AMA staff with coordinating information materials and information sessions for members

Application Process:

[Please submit a Expression of Interest, including relevant experience to Dani Coffey, Director of Operations](#)

Deadline:

April 11, 2022

Re: Call for Applications Investing in Canada Infrastructure Program

The Department of Municipal Affairs and Housing (DMAH), on behalf of Canada and the Province of Nova Scotia, is pleased to announce a call for applications under the Green - Environmental Quality Stream of the Investing in Canada Infrastructure Program (ICIP).

Information on the Investing in Canada Infrastructure Program Green Stream can be found using the following links:

<https://beta.novascotia.ca/apply-funding-support-green-infrastructure-projects-investing-canada-infrastructure-program>

<https://www.infrastructure.gc.ca/plan/gi-iv-eng.html>

Project applications received after April 1st, 2022, will not be accepted.

**[Active Transportation Fund Deadline Approaching -
March 31, 2022](#)**

**[Apply for FCM's 2022 Sustainable Communities
Awards](#)**

From FCM

Time is running out to apply to FCM's Sustainable Communities Awards (SCA). Nominate your community's sustainability project today! Visit the SCA page to learn about the five award categories: Natural Asset Management, Climate Change Mitigation,

Waste, Affordable Housing Retrofit, and Community Buildings Retrofit.

[Canadian cities and communities of all sizes are eligible. Applications are due by March 31, 2022.](#)

Apply now: Asset management grants for local governments

From FCM

FCM's Municipal Asset Management Program is now accepting applications for grants of up to \$50,000 to fund an asset management initiative in your community. With a solid asset management approach, your local government can help meet local service needs reliably and sustainably and respond to changing concerns in your community.

FCM funds a broad spectrum of asset management-related activities:

- Asset management assessments
- Development of asset management plans, policies and strategies
- Asset-related data collection and reporting
- Asset management training and organizational development
- Knowledge transfer around asset management

[Watch a video](#) to learn more.

This initiative is offered through the Municipal Asset Management Program (MAMP), which is delivered by the Federation of Canadian Municipalities and funded by the Government of Canada.

Divert NS Scholarships for High School Graduates

Do you know a student whose environmental actions deserve to be celebrated? Divert NS is awarding up to \$20,000 in scholarships to grade 12 students in Nova Scotia with a keen interest in the environment. There are seven (7) scholarships available:

One (1) \$5,000 provincial scholarship

Six (6) \$2,500 regional scholarships

To apply, students need to:

[Review the application package](#)

Write a summary of their recent environmental activities

Obtain a letter of reference

Write a research essay focusing on this year's topic

Complete their contact form

[Applications should be submitted here by May 1, 2022, at midnight.](#)

[Email Divert NS if you have any questions](#)



canoe

“Getting on board with the Canoe Procurement trade program has been one of the highlights of our year so far. Tim could not be more helpful, from making introductions to following up to

ensure we have exactly what we needed, we would not be benefiting enormously from this program if it wasn't for his insight and assistance. This program has such value in terms of cost savings, time management, addressing sustainability and we look forward to taking advantage of several more of the offers available this fiscal year. If you need it, it is probably available through this program!"

-Town of Truro-

To learn more about Canoe Procurement contact client relations manager [Tim Elms](#)

Upcoming Events

Register Today for NSFM Regional Meetings!

NSFM Virtual Regional Meetings: Hosted on Zoom

Meeting details and agenda to follow.

Region	Date	Time	
Cape Breton-Strait Area	Friday, April 8 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
South Shore-HRM	Monday, April 11 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Southwestern Shore	Thursday, April 14 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Colchester/Cumberland/Pictou/East Hants	Friday, April 22 nd	1:00 p.m. – 2:30 p.m.	REGISTER HERE
Valley	Monday, April 25 th	1:00 p.m. – 2:30 p.m.	REGISTER HERE

[Not sure which region you are in? Click HERE](#)

[NSH Celebrating Diversity Calendar Now Available](#)



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Kelly Redden

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Subject: NSFM's Monday Memo: April 4, 2022

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Monday Memo



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NSFM SPRING CONFERENCE

Registration Now Open!

The Evolution of Local Government

May 4th – 6th – [White Point Beach Resort](#), Region of Queens Municipality

[View the program, register, and see accommodation details here.](#)

Due to occupancy restrictions registration will be on a first-come, first-served basis.

Update from Finance and Treasury Board

Non-Resident Provincial Deed Transfer Tax

Effective April 1, 2022 the province will implement a Deed Transfer Tax of 5 per cent of the value of residential real property purchased by a non-resident of Nova Scotia. The tax will not apply to a transaction where the Agreement of Purchase and Sale was

entered into prior to April 1, 2022. An exemption from the tax will be in place for non-resident purchasers who move to the province within 6 months of the closing date of the transaction.

Nova Scotia Non-Resident Property Tax

Effective for the 2022-23 fiscal year, the province will implement a Property Tax of \$2.00 per \$100 of assessed value on residential real property owned by a non-resident of Nova Scotia. The tax will not apply to residential properties that contain more than 3 units nor to residential properties that are leased to individual Nova Scotian residents for a period of at least 12 months. Where a property has multiple owners, an exemption from this tax is provided if 50 per cent or more of the owners are residents of Nova Scotia.

Legislation on these new taxes is expected to be introduced shortly in the Financial Measures Act 2022. Further details will be shared in due course.

[REMINDER: Comment period for discussion paper on reducing methane emissions from Canada's municipal solid waste landfills closes April 13](#)

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In The News

[THINKING OUT LOUD WITH SHELDON MacLEOD: Provincial Acts and municipal impacts](#)

Upcoming Events

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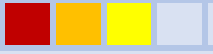


Report to Council April 12, 2022






This Report to Council is intended to provide the Mahone Bay Town Council with a high-level summary of staff progress towards Council's direction to staff. As per the Town Council Policy, the report will be provided at each regular meeting of Council. The Report to Council is a living document and will improve and expand to incorporate new source documents as approved, and to respond to feedback received from Council.

Goal	Objective	Assigned	Target	% Completion
Council Assignments to Staff				
1	Staff amend the Respectful Workplace Policy and/or Employee Conduct Policy to reflect points raised in review of the draft Violence in the Workplace Policy specific to Town employees and recommend to Council.	08-Sep-20	June., 2022	<div><div></div><div></div><div></div><div></div><div></div></div> 50%
		Notes: To be discussed at Policy & Strategy Committee in 2022-23; report to Council anticipated thereafter.		






2	<p>Staff to draft a CAO Performance Review Policy that includes a detailed procedure, or procedure options, for how regular CAO Performance Reviews will be conducted, and to present such policy to Council for consideration after the new Council is sworn in following the October municipal</p>	08-Sep-20	Apr., 2022	<p>See Below</p> <p>Notes: Updated direction was provided by Council Jan 27, 2022; see below for status.</p>
3	<p>Staff to develop a multi-year bench installation program with potential locations being decided on in consultation with the Age Friendly Community Committee in alignment with the CBCL Transportation Plan Report and Accessibility Standards.</p>	08-Sep-20	Apr., 2022	<p> 75%</p> <p>Notes: In progress. Staff have consulted with accessibility coordinator. Report anticipated ahead of 2022-23 budget process, for implementation (solicitation of donations campaign) in 2022. Staff recently discussed with MBTCC executive who expressed support for the program.</p>
4	<p>Staff to initiate discussion with MODL Planning staff and prepare a report for Council about the possibility of intermunicipal collaboration between the Town of Mahone Bay and MODL on the topic of housing in the preparation of their respective planning documents.</p>	26-Nov-20	May., 2022	<p> 75%</p> <p>Notes: In progress. Discussion initiated with MODL Planning staff. Timeline coordinated with Plan Mahone Bay process.</p>




5	Staff to contact MODL as a follow-up to the letter to their Council requesting a partnership with MODL which would enable Mahone Bay residents to be eligible for the ProKIDS program.	09-Feb-21	Mar., 2022	Removed Notes: New direction provided at March 24, 2022 Council meeting to replace this direction.
6	Direct staff to include accessible hearing solutions in the Accessibility Operational Plan, anticipated in 2021-22	25-Mar-21	May., 2022	 50% Notes: Will be incorporated into Accessibility Operation Plan. Lunenburg County Accessibility Coordinator has started work and is working to coordinate the development of Accessibility Operational Plans for Lunenburg County municipalities.
7	Staff to apply to the Canada Healthy Communities initiative and the Canada Cultural Spaces Fund to sponsor Phase 3 improvements to the Michael O'Connor Memorial Bandstand.	08-Jun-21	Apr., 2022	 75% Notes: Canada Healthy Communities Initiative application did not receive approval. Canada Cultural Spaces Program application will be submitted in April for implementation in 2022 (if approved).



8	Refer the request from MADE for Mahone Bay to the planners for their report to the Planning Advisory Committee, and to the Committee for their recommendation to Council.	13-Jul-21	Apr., 2022		★	Notes: Planners have received the request and are in communication with the applicants in the preparation of their report. A PIM was held on October 7th. Planning staff presented to PAC April 5th concerning rezoning of 66 Clairmont Street. Due to lack of response from applicants the request for a Development Agreement will be paused for the time being.
9	Staff to initiate a Home Charger Pilot Program for electric vehicle owners under the Grow the Load Initiative.	29-Jul-21	Apr., 2022		75%	Notes: In Progress. Town staff coordinating with AREA staff on development of pilot program.
10	Staff to produce a report on the Town's Procurement Policy.	28-Jul-21	Jul., 2022	Not yet begun		Notes: To be coordinated with hiring of new Manager of Finance (Treasurer).
11	Staff to provide a report on the Townsuite programs which may be relevant to the Town's operations.	29-Jul-21	Jun., 2022		75%	Notes: In progress. Waiting on additional information from Procom (Townsuite provider), recommendations from Deloitte, and hiring of new Manager of Finance (Treasurer).
12	Staff to apply for Connect2 provincial funding and to also apply to the Federal Active Transportation Fund to improve active transportation infrastructure, and active transportation safety within the Town of Mahone Bay.	14-Sep-21	Mar., 2022		★	Notes: Connect2 application submitted; Connect2 funding anticipated. Federal Active Transportation Fund application submitted.







13	That minimum standards for housing be reflected in any housing strategy that the Town may develop.	14-Sep-21	Jul., 2022		50%	Notes: Initial staff report on housing strategy development included on Dec 14th Council agenda. Letters regarding regional housing strategy development sent to all Lunenburg County units (Jan 25, Mar 22). Regional housing strategy staff meeting anticipated in late April/early May, following on Council's Mar 22nd Letter.
14	Council consider reviewing the Town logo and request that staff prepare a report on an RFP process to develop a new logo for the Town of Mahone Bay.	14-Sep-21	Apr., 2022			Notes: Report provided on Council's April 12th meeting agenda.
15	Staff to report back to Council on the cost and anticipated revenue of a water connection to the Cleveland property.	27-Sep-21	Apr., 2022		50%	Notes: In Progress.
16	Staff to provide a report on the costs and anticipated revenue of extending water and sewer services to the end of Fairmont Street.	27-Sep-21	Apr., 2022		50%	Notes: In Progress.
17	Direct staff to prepare a report for Council on future capital investment in the Town Hall ahead of the 2022-23 budget process.	28-Oct-21	Apr., 2022		75%	Notes: In progress. Report anticipated to Council's April 28th meeting, ahead of 2022-23 budget process.

18	Approve the reimbursement to Mr. Todd Nickerson in the amount of \$51,282.19 and direct staff to undertake the necessary steps to conduct a joint tax sale with the Municipality of the District of Lunenburg.	28-Oct-21	July., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	75%	Notes: In progress. Reimbursement issued. Staff working with MODL; discussion of tax sale procedures awaiting hiring of new Manager of Finance.
19	Direct staff to issue an RFP for legal services.	28-Oct-21	Apr., 2022	Not yet begun		Notes:
20	Staff to convene a Special Council meeting in the new year to discuss the RCMP service that the Town contracts through the Province.	09-Nov-21	May., 2022	Not yet begun		Notes: Date TBD.
21	Approve the expenditure for the line upgrade to/from the water treatment plant in the amount of \$375,690 out of the existing project budget for Main Street water line improvements.	09-Nov-21	Jul., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	75%	Notes: Awaiting confirmation of designs / project schedule with MacLeod Group.
22	Staff to provide a report highlighting the recommendations of the water system audit for which additional budget allocations would be required for implementation, ahead of the 2022-23 annual budget process.	25-Nov-21	Apr., 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	50%	Notes: New Water/Wastewater System Manager started Feb 1st; report anticipated in April, 2022 (ahead of the 2022-23 budget process).







23	Staff to discharge the Development Agreement MBDA008 at the request of the property owner Mahone Bay Developments Limited and that Council direct staff that no fee will be charged for the discharge of the MBDA008.	11-Jan-22	Apr., 2022		75%
	Notes: Staff have begun the process of registering the discharge of the Development Agreement.				
24	Make the live street camera feeds available to the public via the Town's website.	11-Jan-22	Mar., 2022		
	Notes: Street conditions camera feed now available on Town website at https://www.townofmahonebay.ca/streets--roads.html .				
25	Complete the Municipal Heritage Property Registration process for Town Hall at 493 Main Street.	11-Jan-22	Apr., 2022		75%
	Notes: Heritage Property Hearing took place February 24, 2022, registration underway.				
26	Staff to communicate with the owner of the business at the Old Station, at the corner of Main Street and Orchard Street, regarding the installation of parking signage and that thereafter the signage shall be enforced by the Town.	27-Jan-22	Apr., 2022		50%
	Notes: In progress.				

27	Affirm the direction that was given to staff in September 2022 that staff draft a CAO Performance Review Policy that includes a detailed procedure, or procedure options, for how regular CAO Performance Reviews will be conducted, and to present such policy to Council for consideration and that Council would set a target date for the receipt of said policy for the April 28, 2022 Council meeting.	27-Jan-22	Apr., 2022	 50% Notes: In progress. Report anticipated to Council's April 28th meeting.
28	Approve the Public Enagement Plan for the Municipal Boundary Review as presented.	27-Jan-22	May, 2022	 50% Notes: Education pieces included in February and March editions of newlstter; special website page developed.
29	Staff to develop draft protocols for the new community hall as an emergency shelter.	27-Jan-22	May., 2022	Not yet begun Notes:
30	Staff to complete negotiation and establish terms and conditions whereby the Mahone Bay Soccer Club/Mahone Bay Centre will have a contractual responsibility to provide scheduling, management, and ongoing maintenance of the field and that same be provided to Council for approval.	27-Jan-22	May., 2022	 25% Notes: Staff have reached out to Mahone Bay Soccer Club/Mahone Bay Centre Society to begin negotiations on the draft management agreement.

31	Approve service corridor route A for the Community Solar Garden and that staff be directed to write to impacted property owners providing the rationale for this decision and the steps to be followed by the Town for acquisition of the necessary lands.	27-Jan-22	Apr., 2022	 50%
32	Direct staff to provide a recommendation concerning the creation of a by-law prohibiting the sale of hate symbols in the Town of Mahone Bay, if that is a legal possibility.	24-Feb-22	May., 2022	Not yet begun
33	Defer item 4.3 (request to support Bill C-229) to a meeting of Council following the April 2022 meeting of the Policy and Strategy	24-Feb-22	May., 2022	 25%
34	Direct staff to prepare a report on the potential for an outdoor refrigerated ice surface and costs associated to be forwarded to the 2022/23 budget process.	24-Feb-22	May., 2022	Not yet begun

35	Direct staff to obtain updated cost estimates to support a 2022-23 application to the ICIP Green-Environmental Quality Streat including cost estimates for the Main Street Utilities Rehabilitation & Improvemnet and Waterline Rehabilitation and Wastewater System Extension projects.	24-Feb-22	Mar., 2022		★	Notes: Estimates provided to Council's Mar 29th meeting and priority setting resolution passed. Applications submitted to Province ahead of Apr 1st deadline.
36	Defer the heritage grant request from the owners of 77 Edgewater Street to the 2022/23 budget.	24-Feb-22	Jun., 2022		50%	Notes: Forwarded to the finance department for 2022/23 budget consideration.
37	Approve the expenditure of \$1,322.50 for the recording of a talk by the Town's Heritage Researcher, Deborah Trask. This amount to come from the committee's budget for the 2021/22 fiscal year.	24-Feb-22	Apr., 2022		75%	Notes: In progress.
38	Direct staff to schedule the follow-up session with Deloitte as offered in the Management Letter to the 2020-21 Audit.	24-Feb-22	Apr., 2022		50%	Notes: Staff have been in contact with Deloitte in this regard and will follow up with committee members concerning potential meeting dates.
39	Accept the proposal from MC Advisory in the amount of \$5,000 to conduct a compensation review.	24-Feb-22	Apr., 2022		75%	Notes: Compensation review underway with MC Advisory, completion anticipated in April.
40	Council authorize a one-time honorarium supplement for the Town's archivist.	24-Feb-22	Apr., 2022		★	Notes: Done.

41	Defer the discussion of the former fire hall to a special council meeting to be held before the first Council meeting in April.	08-Mar-22	Apr. 2022	<div><div></div><div></div><div></div><div></div><div></div></div>	★	Notes: Special meeting took place April 4th.
42	Staff to produce a report on the Town's snow and ice control operations including recommendations to revise the Snow and Ice Control Policy, following the conclusion of seasonal operations.	08-Mar-22	Jun., 2022	Not yet begun		
		Notes:				
43	Staff to proceed with the transportation project in the 2021-22 budget with the inclusion of the three-way stop at Pleasant Street and Main Street.	08-Mar-22	Sep., 2022	<div><div></div></div>		50%
		Notes: In progress.				
44	Refer the discussion of a Request for Proposals for engineering services in relation to the intersection of Main Street and Edgewater Street to the 2022/23 Budget Process.	08-Mar-22	Jun., 2022	<div><div></div><div></div></div>		50%
		Notes: In progress.				
45	Staff to initiate discussions with the Nova Scotia Liquour Commission concerning potential cyclist and pedestrian safety improvements to their property on Main Street.	08-Mar-22	Apr., 2022	<div><div></div><div></div></div>		50%
		Notes: In progress.				

46	Staff to forward the letter from Ms. Carrigan to RPS and the appropriate contacts within the Department of the Environment and request a response from the Department of Environment regarding the environmental concerns that have been raised, and advise Ms. Carrigan of the direction of Council.	08-Mar-22	Apr., 2022			Notes: completed.
47	Approve AREA staff to resume discussion with staff at the Department of Municipal Affairs to confirm the recovery of municipal assets and AREA staff time.	08-Mar-22	Apr., 2022		25%	Notes: In progress.
48	Approve AREA staff to resume discussion with staff at the Department of Municipal Affairs in respect to the ICIP Funding for the community solar gardens to confirm the eligibility of additional assets and the recovery of AREA staff time spent on the projects.	08-Mar-22	Apr., 2022		25%	Notes: In progress.
49	Defer the discussion of the request to sponsor the First Responders' Wellness Symposium until the April 8th meeting of Council and that staff gather more information on this organization and funding request for that discussion.	24-Mar-22	Apr., 2022			Notes: Added to the April 12, 2022 Council agenda.

50	Provide a letter of support for the Senior Wheels Association to the Rural Transit Solutions Fund Application.	24-Mar-22	Apr., 2022	 
	Notes: Letter provided.			
51	Correspondence from Hon. Kim Masland [RE: Request to lower speed limit] be forwarded to the Provincial Traffic Authority and that the Town request a town-wide reduction of the speed limit to	24-Mar-22	Apr., 2022	Not yet begun
	Notes:			
52	Staff to advise MODL of the Town of Mahone Bay's intent to make Town residents aware of the availability of the ProKIDS program and that this direction replaces prior direction regarding the	24-Mar-22	Apr., 2022	Not yet begun
	Notes:			
53	Draft Video Surveillance Policy and the letter from Mr. Pavlinic be forwarded to an upcoming agenda of the Policy and Strategy Committee.	24-Mar-22	Apr., 2022	 
	Notes: Added to the draft working agenda.			
54	Staff to reply to Mr. Pavlinic thanking him for his concern and advising that his letter has been forwarded for further discussion.	24-Mar-22	Apr., 2022	 
	Notes: Completed.			
55	Council write off accounts in the amount of \$2,118.49 (\$1,701.87 from the Electric Utility and \$416.62 from the Water Utility) as presented.	24-Mar-22	Apr., 2022	 
	Notes:			

56	Set the agenda for the April meeting of the Policy and Strategy Committee to be solely focused on the discussion of the Strategic Plan Review and associated public engagement.	24-Mar-22	Apr., 2022			Notes: Agenda has been set.
57	Staff to prepared a report on an Electric Vehicle car sharing program to be presented to the Climate and Environment Committee.	24-Mar-22	Jul., 2022	Not yet begun		Notes:
58	Terms of Reference for the Climate and Environment Committee be amended to include six members of the public and that Sam Battaglia, Vervan Haysom, Gegg Little, Jamie Stephen, James Tilley, and Richard Wilson be appointed to the committee.	24-Mar-22	Apr., 2022			Notes: Terms of Reference has been updated and new appointees have been notified. First meeting will be scheduled for early May, 2022.
59	Approve a \$2,500 donation to the Red Cross Ukraine Humanitarian Crisis Appeal.	24-Mar-22	Apr., 2022			Notes: donation has been processed.

Chief Administrative Officer's Report - Mar 24, 2022 (Next Update Apr 28)		
1	COVID-19	<p>COVID-19 vaccination policy approved by Council December 14, 2021, took effect February 28, 2022. All Town staff and MBDFD members vaccinated status confirmed.</p> <p>Provincial state of emergency for COVID-19 ended Mar 21, 2022.</p>

2	Atlantic Infrastructure Management (AIM) Network Asset Management Cohort Program	AIM Cohort 2.0 workshops now complete, staff working with AIM on Cohort 2.0 final deliverables, coordinating with AM Committee. 2022 conference anticipated to take place in PEI in September. Data collection on natural assets to begin in April.
3	Municipal Joint Services Board (MJSB)	New MJSB Comptroller in place, hiring process continues for new COO and IT Director. Strategic planning process / assessment of solid waste services currently under discussion.
4	Riverport Electric Shared Service Committee	Shared Service Committee met March 2 and 11, 2022. Currently defining process for new agreement. Next meeting March 24.
5	Regional Emergency Measures Organization (REMO)	Dorian claim signed off with the Province. Regular bi-weekly meetings and bi-monthly table exercises between REMO Coordinator and CAOs continue (along with regular planning meetings). Planning Committee established. Coordinator continues to review and improve REMO procedures in consultation with CAOs. Training opportunities for staff /Council (ICS 100-200) in April 2022. Standardized procedures for comfort stations and emergency shelters - which can be utilized for fire station - now being implemented. New REMO website launched (linked from Town website). REMO 2022-23 budget approved at Council's Feb 8th meeting.

6	Alternative Energy Resource Authority (AREA)	<p>Weekly AREA staff meetings continue by phone. Power imports continue under annual agreement for 2022. BUTU applications for 2023 submitted. HOME (Heatpump Options Made Easy) program launched Oct 1, 2020; year-one evaluation underway now (staff anticipate a joint application to FCM to support evaluation and further program development). EV charger installations completed and online, with the exception of new Fire Station location (anticipated by end of March). AREA continues to manage solar garden projects for Berwick, Mahone Bay and Antigonish with regular updates to Council.</p>
7	Lunenburg County Accessibility Advisory Committee	<p>CAO serving as staff policy resource to Lunenburg County Accessibility Advisory Committee. Lunenburg County Accessibility Plan approved by all five units. Province extended legislative deadline for the development and approval of Accessibility Plans to April 1, 2022; Lunenburg County units accomplished this ahead of time. New Lunenburg County Accessibility Coordinator Ellen Johnson started with MoC in September. Operational Plan development proceeding with Lunenburg County Accessibility Coordinator; staff currently discussing options to cooperate with neighboring units. Funding for Operational Plan Included in 2021-22 operating budget.</p>

8	Nova Scotia Federation of Municipalities (NSFM)	<p>CAO continuing to serve on Nova Scotia Infrastructure Asset Management Working Group as AMA/NSFM representative, as well as participating as a mentor in Working Group's new AM mentoring program for municipal staff. Participated in occasional NSFM videoconference meetings.</p> <p>Anticipated to join AM Working Group panel/presentation at 2022 NSFM Spring conference.</p>
9	New Long Term Care Facility	<p>Work remains ongoing with the Town's consultant and the Developer of the new LTCF to be built near 164 Main St..</p> <p>Water/Wastewater upgrades project delayed until Spring.</p>

Manager of Public Works & Transportation's Report - Mar 24, 2022 (Next Update Apr 28)

1 Streets & Sidewalks

1. Ditching and culvert repair at Civic # 239 and 932 Main St.
2. Edgewater RRFB's and signage for Kedy's crossing are on site and catch basin installed. Waiting for contractor to install nautical barrier and pour concrete slabs to mount RRFB's. Once RRFB's are installed the crosswalk lines will be painted. All weather pending.
3. All quotes for Anglican, Lutheran churches and Medical center crosswalks have been received. Town and Country will be attempting to install by the end of March.
4. RRFB's and associated signage has been ordered for Bay to Bay trail crosswalk (Main at Long Hill) and other trail crossing throughout the town.

2 Other

1. Most of Old water treatment concrete walls have been repaired but still waiting on roofing replacement. Also waiting on caulking repairs on New water treatment plant.
2. All charging stations and associated signage has been installed.
3. Fire Station: Scope visits have been completed by Bell and Irving. Irving to have tanks installed and tested by no later than March 18/22. Still waiting on confirmation from Bell on install date.

Electric Utility Manager's Report - Mar 24, 2022 (Next Update Apr 28)

1 Electric Utility

Weather presented challenges this month for line extension projects. Our Apprentice was on course for the month. .•Cut some trees near the sewer plant for the upcoming solar garden project. •Ran a new service to 16 school street •Removed old wires at 163 Clearway street after a storm •Cut trees on Wye street that were interfering with our lines .•Repaired a service at 437 Main Street •Install a pole and 2 new yard lights at the NSLC, this was after complaints from a neighbour, we removed the lights that they had an issue with.

•We started repairing the post lights on Edgewater Street but are still waiting for parts to arrive. •Carried out two electrical inspections •Read 18 meters .•Finished setting poles Wye Street. Contracted Strum Engineering for a Load Analysis for the remaining 2 circuits. Contracted Strum to prepare a sketch to show a double-circuit tangent pole framing design which would allow the existing single-phase circuit to be attached at Pine Grove St.

Water/Wastewater System Manager's Report - Mar 24, 2022 (Next Update Apr 28)

1	Water Supply, Treatment & Distribution	<p>New manager started Feb 1st, with new Operator starting early March. CBCL assisting with daily operations and annual report data collection.</p> <p>Regular monitoring and maintenance activities continued. Routine or as required flushing of water mains was conducted in various locations throughout the water distribution system. Dead end flush unit install Edgewater Street scheduled; second unit has been delivered, installation date TBD. Plans to continue with NRW recommendations once weather is permitting. New Fire Hall is now connected and service is turned on. Seasonal water main flushing scheduled for April/May 2022. WTP Replacement air compressor on order, delivery mid March.</p> <p>New Spare Raw water pump and motor received and onsite at Pump House.</p>
		<p>Regular monitoring and maintenance activities continued. Permanent installation of PAA dosing line completed. Testing and Troubleshooting with CBCL continues.</p> <p>Annual Xylem inspection of lift station pumps completed. CBCL is working on a job proposal including the repairs and upgrades</p>

2	Sewage Collection & Treatment	of the Towns current pumping stations. Removal of discontinued chlorine equipment from WWTP control building 75% complete. Finish Spring 2022. Door modifications of chemical room WWTP for PAA tote delivery pending. CBCL assisting with data collection for annual NSE reporting.
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Climate & Energy Program Manager's Report - Mar 24, 2022 (Next Update Apr 28)		
		Community GHG Reduction Action Plan adopted by Council Mar 25 and incorporated into approved 2021-22 budgets. Staff continue to participate in T2050/PCP Initiative, and have had the baseline emission assessment accepted by the program.

1	GHG Reduction	<p>Staff have been working to install 8 electric vehicle chargers throughout the Town. 7 of these chargers are now in place, and 6 of them are online and able to be used. Since Jan 1st, 2022 the chargers have been used for 49 minutes, providing 4.857 kWh of energy. Signage is now in place at the working chargers indicating that the spaces are for electric vehicle charging only. "Warning" tickets will be given out to violators for the first 3 months after the chargers are in place. The final charger will be installed after the site prep is completed at the new fire station. Preliminary survey work and site clearing has taken place at the site of the new Community Solar Garden. Panels for the garden have arrived and are being stored offsite. Council has approved a layout for the site. Staff are in ongoing communication with residents regarding the project and the service corridor.</p>
2	Climate Adaptation	<p>Staff have connected with members of CanmetENERGY-Ottawa, Natural Resources Canada who expressed an interest in performing research related to GHG reduction, using Mahone Bay as a case study.</p> <p>Staff have been working with Coastal Action to begin the Living Shoreline Enhancement Pilot Program. Geotechnical work completed this fall was successful, and further construction is expected to begin this spring.</p>

3	Engagement & Stewardship	<p>Outreach will begin soon on the Living Shoreline Project. Staff will coordinate with Coastal Action to update signage at the project site, and share updates on the Town's social media as well as the Mayor's Newsletter</p> <p>Staff applied to the Clean Leadership Internship Program for funding to hire a student to work on engagement initiatives this summer, and the application was approved. Hiring for the position is now underway. The intern is expected to start in mid May.</p>
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Finance Manager's Report -
Waiting on new manager

Clerk & Deputy CAO's Report - March 24, 2022 (Next Update Apr 28)

1	Plan Review	Completing final staff reviews of revised draft documents to be shared to Engagement Steering Team for recommendation to Council .
2	By-law and Policy Development	Draft amendment to Public Participation in Planning Policy and Draft Video Surveillance Policy presented at March 8, 2022 Council meeting; both on the agenda for March 24th and Council's consideration. Draft amendment to Council Policy presented to March 24th Council meeting in consideration of end of State of Emergency. Draft Amended Solid Waste By-law presented to Council March 24th for consideration of first reading.
3	Communications and Public	Final stages of Strategic Plan Review communications for public engagement - survey extended until March 15th and Hearing scheduled for March 24th at 6:30pm, immediately prior to regular Council meeting. Posters in town and pushing information out on facebook. Education campaign continues for Municipal Boundary Review; page developed on Town's website, ongoing references in Mayor's Newsletter, and survey poster, and mail-out prepared. Push on facebook increasing with shift from education to engagement (seeking input).

	Engagement	<p>Publication of recent jobs with the Town: Office Clerk (successfully filled); Data Technician position for Natural Assets and Cemetery Mapping projects (deadline extended); and Clean Leadership Internship through Clean Foundation. Preparation for a regular feature on solar garden for reliable and consistent community information. Ongoing public information regarding Adopt a Hydrant, Dog tags/leashes/stoop & scoop, winter parking, and no plastic in compost. Ongoing information sharing regarding new Climate and Environment Committee.</p>
5	Council Support	<p>Ongoing support of meetings of Council and Committees of Council. Staff completing Heritage Registration for Town Hall property with Land Registry (Heritage Property Hearing held February 24th); Cemetery Committee working on the replacement of the fence at the Bayview Cemetery; Watershed Risk Assessment underway; information about change in dates for budget meetings.</p>
6	Development of Internal Documents	<p>Research and coordination for the redevelopment of a Human Resources Manual for the Town of Mahone Bay; development of new forms and processes for facility bookings and planning matters continues.</p>

7	By-law Enforcement	Staff have recently re-opened a file in respect to livestock; staff have begun education/ticketing campaign regarding the EV Chargers. Work underway on revising internal Enforcement Procedures. Staff are pursuing active files.
8	Park Cemetery Mapping Project	Position posting published - deadline extended to March 18th. GIS work anticipated as soon as snow starts to subside and before foliage interferes with GIS equipment. Position funding included in project for Natural Asset Mapping, for which the Town has received provincial funding.
9	Capacity and Effectiveness Initiative	Key staff training for leave management system being brought online via existing payworks system. Target date for implementation April 1st; training for staff users of new process anticipated before fully operational.
10	Safety Program Implementation	Work continues on development of regulations for Safety Manual draft.
11	Projects	Meetings members of Executive and Advisory Board of new MBTCC regarding plans for upcoming year. Plans to "officially" launch new Events Guide with the provincial re-opening.

By-law and Policy Review - March 24, 2022 (Next Update April 28)

1	Trees	Target	Staff to research tree policy/by-laws and recommendations received regarding Mahone Bay specifically. In context of Plan Review.
		26-May-22	
2	Park By-law	Target	Staff to review Park By-law in context of Plan Review.
		26-May-22	
3	CAO Performance Review Policy	Target	Draft policy to be presented to Council's April 28, 2022 regular
		Apr-28-22	
4	Employee Conduct Policy	Target	Staff to review Employee Conduct Policy in relation to violence in the workplace. Pending discussion at Strategy & Policy Committee.
		TBD	
5	Council/CAO Relations Policy	Target	Pending discussion at Strategy & Policy Committee.
		TBD	
6	Fire Services	Target	Second stakeholder PIM held with Fire Department members on February 10, 2022 - follow up for feedback expected in late February/early
		28-Apr-22	
7	Surveillance Camera Policy	Target	Draft presented to Council on March 8, 2022; will appear on agenda March 24th for Council consideration.
		30-Mar-22	

8	Council Policy	Target	Pending discussion at Strategy & Policy Committee. Draft Amendment in respect to end of State of Emergency presented to March 24, 2022 Council meeting.
		TBD	
9	Respectful Workplace Policy	Target	Pending discussion at Strategy & Policy Committee.
		TBD	
10	Fees Policy	Target	Not yet begun
		TBD	
11	Penalties By-law	Target	Not yet begun
		TBD	
12	Committee Policy	Target	Pending discussion at Strategy & Policy Committee.
		TBD	
13	REMO By-law	Target	Final reading passed on July 29, 2021. Currently awaiting Ministerial Approval.
		29-Jul-21	
14	Land-Use By-law and Municipal Planning Strategy	Plan Review Underway. Steering Team reviewing draft LUB and MPS for any edits before the documents are shared with the public for the next round of public engagement.	
15	Solid Waste By-law Amendment	Target	Referred to staff March 8, 2022. Draft on agenda for March 24, 2022 regular meeting.
		28-Apr-22	
16	Public Participation in Planning Policy	Target	Draft presented to Council on March 8, 2022; will appear on agenda March 24th for Council consideration.
		30-Mar-22	

Service Statistics - Mar 24, 2022 (Next Update Apr 28)

1	By-law Enforcement	Feb. 2022	Parking Tickets: 1	
		Notes: Dealing with issues of vehicles parked on streets and blocking winter road maintenance, regular patrols around town, open file on storage container, continued issue between neighbours regarding parking, ongoing collaboration with Development and Public Works regarding active files.		
2	Police Services (founded & SUI occurrences)	Q3 2021	149	CalendarYTD: 391
		Notes:		
3	Mahone Bay & District Fire Department	Apr-Jun	11	-
		Notes: MVCs: 1; Fire Alarms: 2; Mutual Aid: 4; Medical Calls: 1; Other: 2		
4	Traffic (Speed Signage)	Mar., 2022	<u>100 Kinburn</u> Av. Speed 34 km/h	
		Notes: New counters (Edgewater and Main) being formatted for reporting.		
5	Solid Waste (Tonnage)			YTD:
		Notes: Recyclables = ; Organics = ; Garbage/Other = ; Cardboard = .		
6	HOME Program	Leads: 50	Installations: 5	
		Notes: Ambassador engagement (Oct-Nov 2020) and installations to resume in		

7	Water Utility	Notes: Water audit report presented to Council's Nov 25, 2021 agenda,	
8	Electrical Utility	2021/22 Q3: 2,464,012 kWh sold 2021/22 YTD: 8,361,690 kWh sold 2020/21 Q3: 2,560,357 kWh sold 2020/21 YTD: 8,200,888 kWh sold	
9	CodeRED Registrations	28/2/2022	Residential: 356; Business:11; Email: 187; Text 244
		31/1/2022	Residential: 336; Business:10; Email: 176; Text: 231
		31/12/2021	Residential: 326; Business: 10;
		30/11/2021	Residential: 319; Business: 10;
		31/10/2021	Residential: 310; Business: 10;
		30/9/2021	Residential: 308; Business: 10;
		31/08/2021	Residential: 297; Business: 10;
		31/07/2021	Residential: 298; Business: 10;
		30/06/2021	Residential: 297; Business: 10;
		31/05/2021	Residential: 294; Business: 10;
		30/04/2021	Residential: 293; Business: 10;
		31/03/2021	Residential: 294; Business: 10;
		28/02/2021	Residential: 290; Business: 10;
		31/01/2021	Residential: 285; Business: 10;
		31/12/2020	Residential: 285; Business: 10;
		31/03/2020	Residential: 243; Business: 12;

2021-25 Strategic Plan - Mar 24, 2022 (Next Update April 28, 2022)

Sustainable Municipal Services

		2021				2022				2023				2024			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1.1.1	Undertake water, wastewater & electrical rate studies	Operating Initiatives															
	Water																
	Wastewater																
	Electrical																
		<p>AREA conducted standing offer for rate study consultants for MEUs Spring 2021. Staff have had initial meetings with BDR North America Inc. re rate study preparation and anticipate report to Council by April 2022 and completion of rate study is anticipated by late June/early July.</p>															
1.1.2	Implement initiatives to increase utility demand	Operating Initiatives															
		<p>Council approved EV Home Charger Pilot July 29, 2021. Update on Neothermal ETS pilot - Dalhousie study - provided to Council's Dec 14 meeting. Discussion initiated with FCM re funding support for HOME Program expansion. Report to Council anticipated by April 2022.</p>															

1.1.3 Complete water and wastewater system diagnostics Operating Initiatives

Water



Water Distribution System Audit with Xylem Inc. completed, report provided to Council's November 25 meeting. Additional report on implementation of audit recommendations anticipated by April 2022.

Wastewater



1.1.4 Strategically replace/upgrade utility infrastructure Capital Projects

Project 1



Project 2



Project 3



Project to upgrade lines from Main Street to Water Treatment Plant (with MacLeod Group) underway now, completion expected in Spring of 2022. Investing in Canada Infrastructure Program now open for application for water/wastewater infrastructure; report provided to Council's Feb 24th meeting recommending application for two projects. ICIP applications due Apr 1, 2022.

1.2.1 Develop 10-year asset management plans for each asset class

Electrical
Water
Wastewater
Stormwater
Buildings and facilities
Transportation
Recreational facilities
Equipment & Vehicles
Natural infrastructure

AIM Cohort 2.0 began November 10th, running to March 2022 (final session took place Mar 10). Development of draft Electrical, Water, Wastewater and Stormwater asset management plans currently underway with AM Committee. Natural Assets data collection to begin April/May. Cohort 2.0 outputs to be provided to support Council's 2022-23 budget process.

1.2.2 Integrate asset management plans into 10-year capital budget

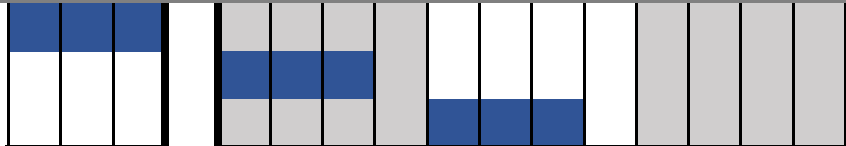
1.3.1 Accessibility Operational Plan

Operating Initiative / Capital Projects

New shared Lunenburg County Accessibility Coordinator Ellen Johnson started with MoC. Meeting with Town staff re development of Mahone Bay Accessibility Operational Plan.

1.3.2 Improve transportation infrastructure to support healthy living Capital Projects

Project 1
Project 2
Project 3



2021-22 project underway with Cherry Lane one-way configuration in Sept., grant applications submitted to Canada Community Revitalization Fund and Connect2 Program, and underway for Federal Active Transportation fund; Connect2 funding anticipated. Initial traffic calming improvements to Kinburn / Clairmont (speed humps) completed. Crossings at Anglican Church, Lutheran Church and Medical Clinic underway for substantial completion by March 31st (weather permitting). Kedy's and Main/Long Hill crossings underway for completion in April. Pleasant/Main 3-way stop configuration added to project Mar 8th; engineering design to begin shortly.

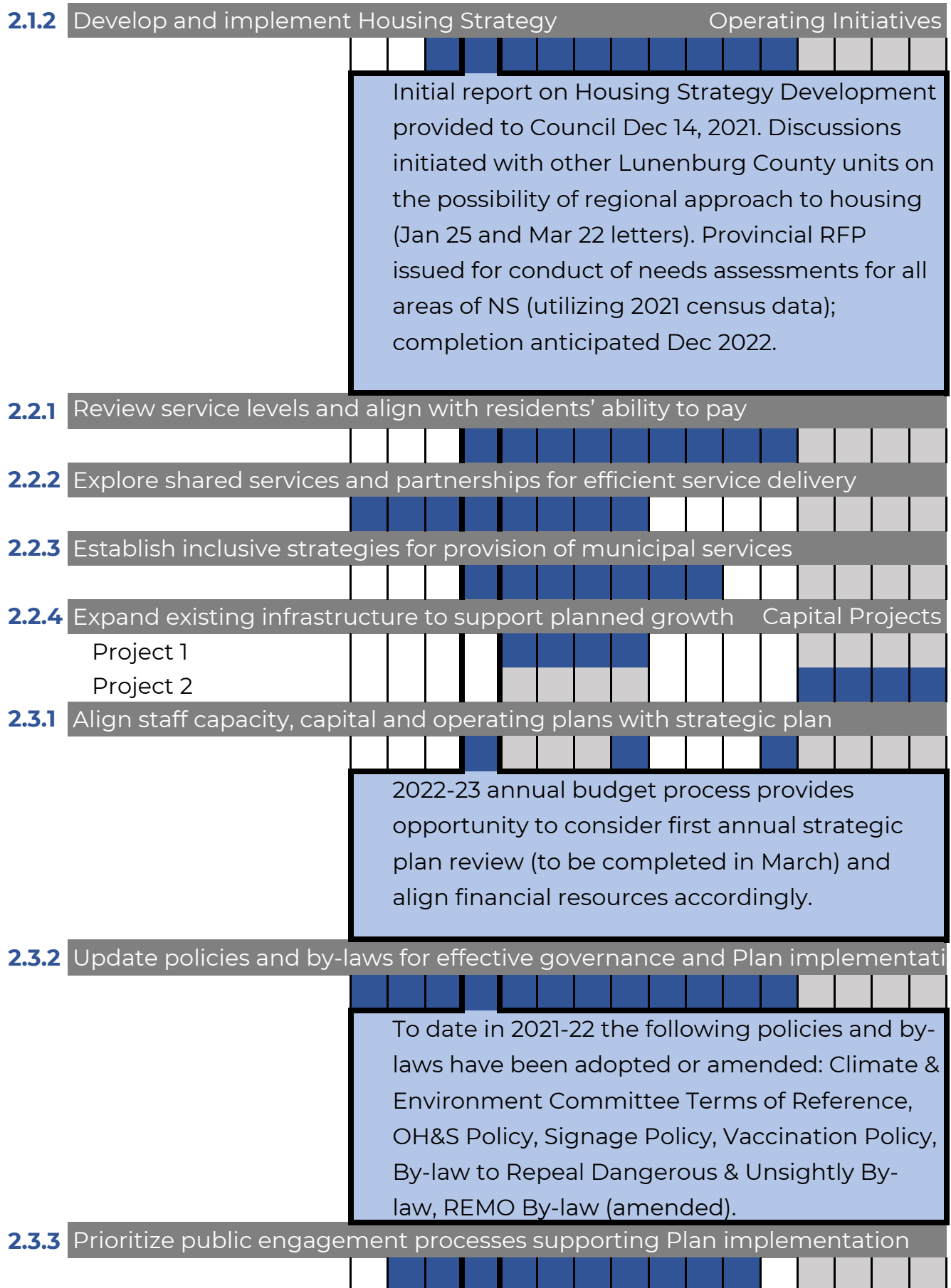
Equitable & Inclusive Growth

2021				2022				2023				2024			
1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4

2.1.1 Complete Plan Mahone Bay MPS/LUB Process Operating Initiative



Council has delayed phase 2 public engagement process with Upland Planning + Design; draft MPS/LUB documents under development now. Engagement process anticipated to begin by April-May 2022.



2.3.4 Regularly review progress and continually improve strategic plan

Public Engagement Plan for first annual Strat Plan review approved at Council's Jan 27th meeting. Report on engagement activities on Council's Mar 24th meeting agenda.

Environmental Leadership







2021				2022				2023				2024			
1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4

3.1.1 Community Greenhouse Gas (GHG) Reduction Action Plan Operating Initiatives

Implementation of Community Greenhouse Gas (GHG) Reduction Action plan proceeding apace. On Dec 14th Council approved Terms of Reference for Climate & Environment Committee to review the GHG Reduction Action Plan and recommend updates to Council. Appointment of committee members on Council's Mar 24 meeting agenda. First annual report to be presented to Committee when constituted.

3.1.2	Expand home heating program	Operating Initiative
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Age Group	Percentage
18-24	10
25-34	35
35-44	25
45-54	15
55-64	10
65-74	5
75-84	5
85+	5

3.1.3	Expand electric vehicle charging infrastructure	Capital Projects	 <p>Equipment received, installations completed by staff in 6 locations (town hall, marina, clairmont street, MBC, main street). The remaining 2 chargers to be installed at the fire station when the site preparation is completed. Chargers now online, signage to be installed shortly. Promotion of EV chargers will continue.</p>
3.1.4	Invest in renewables (e.g., community solar garden)	Capital Project	 <p>Federal/Provincial funding announcement for community solar gardens took place at Michael O'Connor Memorial Bandstand July 8, 2021. Contribution agreement signed, work to begin on site Spring 2022. Community Open House took place November 4th, 2021. Solar panels delivered to Halifax in January. Update report provided on Council's January 27th meeting agenda. Direct mailout update to residents planned for late March.</p>
3.1.5	Support regional initiatives that contribute GHG reduction	Operating Initiatives	 <p>Ongoing discussions concerning regional transit system; Mayor participated in panel at Citizens for Public Transit AGM, along with representatives of other LC municipal units.</p>
3.2.1	Develop and implement policies / by-laws supporting adaptation measures		
3.2.2	Invest in infrastructure (shoreline and stormwater management)	Capital Project	
3.3.1	Urban Forest Management Plan (including parks)	Operating Initiative	

3.3.2 Invest in infrastructure (straight pipes) and land acquisitionsCapital Projects

Project 1



Straight pipes elimination projects included in staff report re 2022-23 ICIP application to Council's February 24th meeting; per Council's direction it is anticipated that line extension on Main Street to eliminate straight pipes will be included in 2022-23 ICIP application.

Project 2



3.3.3 Encourage recognition of the value of natural assets Operating Initiatives



Public education campaign planned for late winter RE plantings around utility lines. Natural assets initiatives funded and planned for 2022 (to be supported by Clean intern). Natural assets data collection - Town property - anticipated to begin April/May. Trees Canada grant for historic orchard rehabilitation submitted.

2021-22 Budget - Operating Initiatives - Mar 24, 2022 (Next Update April 28, 2022)

		Budget	YTD					
1	2021 Asset Management Project	\$12,000	\$5,214	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	75%
		Notes: AIM Network Cohort Program 2.0 began Nov 10, 2021 (expected to run Mar. 2022). Community Works funding anticipated for natural asset data collection (funding can be expended until Fall 2022); data collection to begin April/May.						
2	Accessibility Operational Plan	\$25,000	\$0	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	25%
		Notes: Initial meetings underway with MoC/Lunenburg County Accessibility Coordinator (MoC). Recommendation will be provided to Council's 2022-23 budget process.						
3	Park Cemetery Mapping Project	\$4,000	\$0	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	25%
		Notes: Community Works Program funding now anticipated; data collection to begin April/May.						
4	MPS / LUB Update - Year 2	\$31,000	\$3,726	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	50%
		Notes: Currently underway with Upland Planning and Design.						
5	Housing Strategy Development	\$30,000	\$0	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	25%
		Notes: Outreach begun to other Lunenburg County units concerning possible regional approach. Confirmation from Province that they will undertake regional needs assessment for Lunenburg County municipalities (using 2021 census data), anticipated complete by Dec 2022.						




6	Water System Diagnostics	\$60,000	\$20,335	<div><div></div><div></div><div></div><div></div><div></div></div>	75%
		Notes: Water audit with Xylem Inc. completed. Report included on November 25 Council Mtg. agenda. Staff following up on recommendations (identified leaks); recommendations report anticipated to Council by April 2022.			
7	Electric Utility Rate Study	\$5,000	\$0	<div><div></div><div></div><div></div><div></div><div></div></div>	25%
		Notes: Initial meetings underway with BDR North America Inc. (selected via AREA's request for standing offer process), report to Council anticipated in April.			
8	Electric Utility "Grow the Load" Initiatives	\$12,000	\$8,545	<div><div></div><div></div><div></div><div></div><div></div></div>	50%
		Notes: EV home charger pilot approved July 29, 2021, will be launched Q4 2021-22.			
9	Electrical System Diagnostics	\$50,000	\$0	<div><div></div><div></div><div></div><div></div><div></div></div>	50%
		Notes: Existing transformers assessed for multi-year replacement plan to meet federal requirements. First batch of replacement transformers aquired. RFP for additional transformer replacements under development. Report to Council re system diagnostics anticipated in April.			
2021-22 Budget - Capital Projects - Mar 24, 2022 (Next Update April 28, 2022)					
Town General					
		Budget	YTD		
1	Repair/Renovate Town Hall Facility	\$200,000	\$289,962.00	<div><div></div><div></div><div></div><div></div><div></div></div>	<div><div></div><div></div><div></div><div></div><div></div></div>
		Notes: Work completed; final report on project provided to Council's Oct 28th meeting.			

2	Transportation Project 2021-22	\$120,000	\$1,059.00	<div><div></div><div></div><div></div></div>	50%
		Notes: Cherry Lane (one-way street) completed. Funding applications for other components submitted / underway. Clairmont/Kinburn traffic calming (speed humps) completed in December. Crossings at Kedy's Landing, Lutheran Church and Medical Clinic, along with trail crossing at Long Hill Road and Main Street underway for substantial completion by March/April. Pleasant/Main intersection added by Council Mar 8, 2022.			
3	Security Cameras	\$4,000	\$0.00	Not Yet Begun	
		Notes:			
4	Install New Sewer Services (as needed)	\$10,000	\$0.00	Not Yet Begun	
		Notes: As required.			
5	Replace Lift Station Pump (Small Pump)	\$12,000	\$0.00	Not Yet Begun	
		Notes: Coordinated with lift station repairs project.			
6	Sea Level Rise/Storm Protection (Edgewater St.)	\$349,800	\$4,439.00	Not Yet Begun	
		Notes: 2020-21 operating initiative for development of educational materials including 3D model - supporting Coastal Action pilot - completed (project website live).			
7	Purchase EV for Demonstration	\$30,000	\$0.00	Not Yet Begun	
		Notes: Report on Council's Mar 24th meeting agenda.			



8	Solar Garden Development	\$5,805,686	\$1,250,000.00	<div><div></div><div></div><div></div><div></div><div></div></div>	25%	Notes: ICIP funding contribution agreement signed, work to begin on site Spring 2022. Community Open House took place November 4th, 2021. Solar panels delivered to Halifax beginning in January. Update report provided on Council's January 27th meeting agenda.
9	Fix/Repair Bayview Cemetery Fence	\$50,000	\$0.00	<div><div></div><div></div><div></div><div></div><div></div></div>	50%	Notes: Funding anticipated under Provincial Beautification and Streetscaping program. Request for Tender closed Nov 17th, awarded to Cytizen Developments. Completion expected by April 2022 (BSP funding extension granted). Discussion of potential additional project components - eligible for BSP funding - begun at March Cemetery Committee meeting.
10	Renovate Comfort Station for Year Round Use	\$6,000	\$8,687.00	<div><div></div><div></div><div></div><div></div><div></div></div>		Notes: Installation of heaters and insulation completed. Comfort Stations approved to operate until Christmas break this year. Report anticipated to Council in April 2022.
11	Drill Well at VIC (as needed)	\$10,000	\$0.00	Not Yet Begun		Notes: As required.
12	Lift Station Repairs	\$40,000	\$0.00	<div><div></div><div></div><div></div><div></div><div></div></div>	25%	Notes: RFP for work under development with CBCL Ltd., to be issued in April of 2022.
13	Speed Signs	\$10,000	\$9,354.00	<div><div></div><div></div><div></div><div></div><div></div></div>		Notes: New signs installed on Edgewater Street and Main Street.

14	PAA Pilot Project	\$32,000	\$4,985.00	<div><div></div><div></div><div></div></div>	75%
		Notes: Project is in final stages of completion with staff implementing the recommendations of the final report for modification of chemical building (supported by remaining PCAP funding, extended to 2022/23).			
15	Waste Receptacles	\$12,000	\$180.00	<div><div></div><div></div><div></div><div></div></div>	75%
		Notes: Cigarette butt recyclers have been installed. 10 Dog Waste receptacles / bag dispensers have been installed.			
16	Aquatic Garden Entrance	\$20,000	\$0.00	Not Yet Begun	
		Notes: Garden club beautification of Clairmont entrance complete; new signage design pending. Additional access considerations pending accessibility standards / Community ACCESS-Ability Funding Application.			
17	Wharf Repairs (as needed)	\$5,000	\$3,129.00	<div><div></div><div></div><div></div><div></div></div>	★
		Notes: Rockwall Repairs & Wheel Guard installed. Engineering assessment completed on North wall in December and condition monitoring underway.			
18	Bandstand - Phase 3	\$20,000	\$0.00	Not Yet Begun	
		Notes: Staff have prepared and submitted two of three planned funding applications. If funding is obtained work could begin Spring 2022 for 2022 season.			
19	Town Hall Furnishings - Furniture & Equipment	\$15,000	\$12,335.00	<div><div></div><div></div><div></div><div></div></div>	★
		Notes: Furnishings, furniture and equipment installed.			
20	Home Heating Program - Town Portion	\$50,000	\$5,214.00	<div><div></div><div></div><div></div><div></div></div>	25%
		Notes: Dalhousie modelling report on applicability of ETS / water heating project completed. Staff are investigating options for a program review with FCM, report to Council anticipated in April.			

21	Line Replacement - Fairmont to Civic 794 Main	\$448,350	\$0.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
22	Line Replacement - Cherry Lane to Long Hill Rd.	\$1,355,725	\$0.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
23	Line Replacement - Main St. West - Civic 5 to Civic 147	\$163,705	\$0.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
24	Line Replacement - Long Hill Rd. to WTP	\$782,145	\$0.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
25	Line Extension - Main St. East - Civic 932 to Civic 994	\$132,965	\$0.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
26	Replace Culverts on Longhill Rd.	\$10,638	\$9,589.00	<div><div></div><div></div><div></div><div></div><div></div></div>	★
		Notes: All culverts and ends installed. Laneway asphalt being installed late November.			
Fire Services					
1	Build New Fire Station	\$3,052,000	\$1,778,675.00	<div><div></div><div></div><div></div><div></div><div></div></div>	75%
		Notes: Construction of Phase 1 is well underway. The addition of Phase 2 pushed back the timeline marginally for an expected completion date of mid-April 2022.			
2	New Digital Radio's and Pagers	\$12,500	\$0.00	<div><div></div><div></div><div></div><div></div><div></div></div>	★
		Notes: Radios purchased and received.			
3	Replace Pumper Truck	\$675,000	\$0.00	Not Yet Begun	
		Notes: Staff are working with MBDFD on preparing a Tender document for procurement of a new Pumper Truck.			

4	iPads for Fire Vehicles	\$2,700	\$0.00	<div><div></div><div></div><div></div><div></div><div></div></div>	
		Notes: iPads purchased and received.			
5	New Bunker Gear	\$15,600	\$15,883.00	<div><div></div><div></div><div></div><div></div><div></div></div>	
		Notes: New boots and gear ordered and received.			
6	BA Face Masks with Glasses	\$5,000	\$2,828.00	<div><div></div><div></div><div></div><div></div><div></div></div>	
		Notes: Masks and glasses ordered and received.			
Water Utility					
1	Connection of New Water Services	\$5,000	\$0.00	Not Yet Begun	
		Notes: As required.			
2	Replace Hydrants as Needed	\$5,000	\$0.00	Not Yet Begun	
		Notes: As required.			
3	Install Water Meters as Required	\$3,000	\$0.00	Not Yet Begun	
		Notes: As required.			
4	Install Corrosion Coating in Chemical Room	\$10,000	\$0.00	Not Yet Begun	
		Notes:			
5	Deadend Flushings - System Extremities	\$13,000	\$9,014.29	<div><div></div><div></div><div></div><div></div><div></div></div>	50%
		Notes: EQ received, will be installed in Spring 2022.			
6	Install Security Cameras	\$4,000	\$0.00	Not Yet Begun	
		Notes:			
7	Install Level Control Valves	\$2,500	\$0.00	Not Yet Begun	
		Notes:			
8	Flow Meter at Water Treatment Plant	\$3,000	\$716.13	<div><div></div><div></div><div></div><div></div><div></div></div>	50%
		Notes: In Progress.			

9	Rebuild Pump #1	\$5,000	\$0.00	Not Yet Begun	
		Notes:			
10	Repair Roof on Old Water Pump House	\$4,500	\$0.00	<div><div></div><div></div><div></div></div>	75%
		Notes: In Progress.			
11	Exterior Walls at Water Treatment Plant	\$15,000	\$0.00	<div><div></div><div></div><div></div></div>	75%
		Notes: In Progress.			
12	Replace Compressor at Water Treatment Plant	\$20,000	\$0.00	<div><div></div><div></div><div></div></div>	75%
		Notes: Council amended budget for purchase of two compressors. Compressors purchased, to be delivered/installed soon.			
13	Line Replacement - Fairmont to Civic 794 Main	\$448,350	\$1,223.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
14	Line Replacement - Cherry Lane to Long Hill Rd.	\$1,355,725	\$3,105.12	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
15	Line Replacement - Main St. West - Civic 5 to Civic 147	\$163,705	\$2,424.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
16	Line Replacement - Long Hill to Water Treatment Plant	\$782,145	\$1,604.44	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
17	Line Extension - Main St. East - Civic 932 to Civic 994	\$132,965	\$1,441.00	Not Yet Begun	
		Notes: Waiting on ICIP Funding, application to be submitted by Apr 1, 2022.			
18	Service Extensions - Fairmont St.	\$100,000	\$0.00	Not Yet Begun	
		Notes: Staff reports to be presented to Council.			

Electric Utility						
1	Pole / Line Replacement as Required	\$25,000	\$1,380.00	<div><div></div><div></div><div></div></div>	75%	
	Notes: As required.					
2	New Lines from Longhill to Blockhouse	\$60,000	\$59,375.35	<div><div></div><div></div><div></div><div></div></div>		
	Notes: Work completed in November with Himmelman Utility Consulting.					
3	Pad Mount Transformers	\$100,000	\$0.00	<div><div></div><div></div><div></div><div></div></div>		
	Notes: Completed					
4	Replacement of Edgewater Street Lamps	\$20,000	\$0.00	<div><div></div><div></div><div></div><div></div></div>	25%	
	Notes: Funding application submitted. Missing lamp at Lutheran crossing to be replaced for crosswalk					
5	New Digital Meters (As Needed)	\$11,000	\$0.00	Not Yet Begun		
	Notes: As required.					
6	Home Heating Program (Utility Portion)	\$50,000	\$0.00	Not Yet Begun		
	Notes: See note above (Town Portion).					
7	New Transformers (As Needed)	\$35,000	\$0.00	Not Yet Begun		
	Notes: As required.					



General Overview:

This report is to provide Council with background on proposed changes to the Solid Waste Management By-law as recommended by the Municipal Joint Services Board (MJSB), and provide a draft amended Solid Waste Management By-law for the consideration of Council.

Background:

At the September 22, 2021 meeting of the MJSB (received at the January 11, 2022 regular meeting of Mahone Bay Town Council), a motion was passed that forwarded suggested changes to the Solid Waste Management by-laws of members of MJSB for consideration. These recommended amendments were to remove plastics from the organic stream, as 2,100 metric tonnes of contaminants are annually screened out of organics received at the Lunenburg Regional Community Recycling Centre (LRCRC).

Council received a presentation from Stephanie Smits, MJSB Outreach Coordinator, on January 11, 2022 at which time the suggested changes to the by-law were referred to the Policy and Strategy Committee. At the February 28, 2022 meeting of the Policy and Strategy Committee a motion was recommended to Council, and at the March 8, 2022 regular meeting of Mahone Bay Town Council, a motion was passed directing staff to prepare a draft amended Solid Waste Management By-law for the review of Council.

In addition to the amendments to the by-law suggested to address the need to remove plastic contaminants from the organic waste stream (highlighted in yellow in the attached draft by-law), staff are also suggesting housekeeping amendments to the by-law (highlighted in blue in the attached draft by-law) based on feedback from the province following the recent completion of the updated Summary Offense Ticket registration with the province. The changes suggested by staff are intended to clarify to whom the by-law requirement refers.

Analysis:

As per the MJSB minutes of September 22, 2021, the waste site at the LRCRC has noted several items which are key contributors to the contamination of the

organics waste stream: plastic-like compostable bags, biodegradable bags, and oxo-biodegradable bags; paper drink cups (plastic liner); paper fast food bowls (plastic liner); waxy drink cups (heavy wax layer). Compostable, biodegradable, and oxo-degradable bags have been identified as particularly problematic in that they become entangled in organics grinding equipment during primary processing. Paper cups and bowls are also frequent contaminants as many of them are lined with plastic which remains intact during processing. It is the suggestion of the MJSB to exclude the noted contaminants from the organics stream through changes to the Solid Waste Management By-law.

Two of the suggested changes to the by-law forwarded to the Town have been amended slightly to clarify that it is those paper products that have a waxy or poly coating that are specifically excluded from the organics stream. It is the recommendation of staff that the distinction be made in the by-law to avoid organic materials going to landfill.

Suggested by MJSB staff:

- u) **“non-recyclable paper”** means used napkins or paper towel, used fast food wrappers, wax paper, soiled pizza boxes, ~~used paper plates or paper cups~~, damp or soiled newspaper or flyers, sugar, flour & potato paper bags or other similar items;
- cc) **“residual waste”** means broken bottles, crockery and glassware – subject to special requirements elsewhere in this by-law – and floor sweepings, pet litter, light bulbs, disposable diapers, discarded clothing and furnishings, broken toys, mats and small carpets, **wax coated drink cups, poly-coated paper drink cups, bowls and plates**, non-recyclable plastic, non-recyclable packaging including Styrofoam™ and padded or bubbled envelopes, metallic wrapping paper, non-passenger tires,

Suggested by TOMB staff:

- u) **“non-recyclable paper”** means used napkins or paper towel, used fast food wrappers, wax paper, soiled pizza boxes, used paper plates or paper cups **with a wax or poly-coating**, damp or soiled newspaper or flyers, sugar, flour & potato paper bags or other similar items;
- cc) **“residual waste”** means broken bottles, crockery and glassware – subject to special requirements elsewhere in this by-law – and floor sweepings, pet litter, light bulbs, disposable diapers, discarded clothing and furnishings, broken toys, mats and small carpets, **wax coated drink cups, poly-coated paper dishes**, non-recyclable plastic, non-recyclable packaging including Styrofoam™ and padded or bubbled envelopes, metallic wrapping paper, non-passenger tires, non-repairable household waste;

The third and final suggested amendment to the by-law was the specific prohibition against biodegradable bags or oxo-biodegradable bags; Town staff are in agreement with this recommendation as presented and it has been the practice of the Town for several years to urge the public against the use of these compost liners.

Enforcement Related Suggested Amendments

As new and amended by-laws are passed which contain fines, an updated Summary Offense Ticket Schedule must be filed with the Department of Justice. The most recent update was particularly cumbersome as some language within the by-law was flagged as being non-specific as to the party who would be found to be in violation if sections of the by-law were not followed. Based on the feedback from the Department of Justice, staff have identified suggested wording changes which would address the concerns raised. The suggested changes do not alter the meaning of the by-law and staff recommend their adoption with an amended by-law for clarity, for improved compliance with the DOJ Summary Offense program, and to increase the enforceability of the Solid Waste Management By-law.

Financial Analysis:

There are no financial implications for the adoption of the attached amended by-law outside of the regular advertising costs associated with the passage of any by-law.

Climate Analysis:

The recommended amendments to the Solid Waste Management By-law will improve the quality of the finished organic product and reduce ongoing contaminants by directing them properly through the waste stream process. The suggestions of Town of Mahone Bay staff further support proper streaming of solid waste by clarifying which paper dishes are compostable and which ones are not, avoiding plastic contamination and avoiding compostable material being sent to landfill.

Links to Strategic Plan:

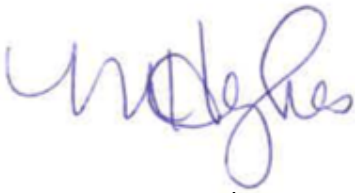
2.3 Governance to Meet Expectations of our Growing Community.

Recommendation:

It is recommended, that at the April 12, 2022 meeting of Council

THAT Council provide first reading for the amended Solid Waste Management By-law as presented, and schedule a Public Hearing in advance of Second Reading of the By-law.

Respectfully submitted,



Maureen Hughes

Town Clerk and Deputy CAO

Attached: Amended Solid Waste Management By-law





Solid Waste Management By-law

TOWN OF MAHONE BAY

A BY-LAW TO PROVIDE FOR THE SEPARATION, STORAGE, PLACEMENT, COLLECTION AND TRANSPORTATION OF SOLID WASTE RESOURCES GENERATED WITHIN THE TOWN OF MAHONE BAY

BY-LAW NUMBER 46

SHORT TITLE:

- 1) This By-law shall be known and may be cited as the **"Solid Waste Management By-law"**.

DEFINITIONS:

2) **Governing Authorities**

- a) **"N.S.E."** means that department of the Nova Scotia Provincial Government currently called "Nova Scotia Environment" or its successor provincial department should there be a name change;
- b) **"Divert Nova Scotia"** a not-for-profit Board regulated by the Nova Scotia Solid Waste-Resource Management Regulations, under Section 102 of the Environment Act. The Board's mandates administering resource recovery fund as prescribed in Section 4 of the Solid Waste Regulations.
- c) **"Council"** means the Council of the Town of Mahone Bay;
- d) **"Municipal Joint Services Board"** referred to in this Bylaw as "the MJSB," means a corporate body established pursuant to an Intermunicipal Services Agreement to which this municipality is a party. The municipal parties to that Agreement have given the MJSB responsibility for the management of solid waste within their respective jurisdictions, pursuant to the s. 60 of the Municipal Government Act.
- e) **"LRCRC"** means Lunenburg Regional Community Recycling Centre, a division under the mandate of the MJSB, overseeing the management of the Solid

Waste system. The facility is located at 908 Mullock Road, Whynott's Settlement

3) Solid Waste

"Solid waste" means collectible waste, non-collectible waste, bulky waste, construction or demolition materials, household hazardous waste, residual waste – all as defined herein and any other waste or discarded tangible personal property but excludes wastes from any industrial activity regulated by way of an approval under the *Environment Act*;

4) Words used in this by-law shall take their meaning from their context and from dictionaries of the English (Canadian) language, except as follows:

a) **"approved storage bin"** means a storage bin designed for the temporary storage of collectible waste and which meets the following specifications:

- i) is constructed of wood or other material and in such a manner as to be inaccessible to pests, rodents, vermin, seagulls or animals;
- ii) is fitted with a securely-hinged lid weighing not more than 5 kilograms (approx. 11 pounds); and
- iii) is not equipped with a self-locking latch;

b) **"blue bag recyclables"** means glass jars and bottles, cans (whether made of aluminum, steel or tin), plastic containers, plastic bags, film stretch and pallet wrap, milk and juice containers together with such other items as may, from time to time, be designated by N.S.E.'s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation, as blue bag recyclables;

c) **"boxboard"** means cereal, shoe, tissue, detergent, cracker, cookie, baking product and frozen food boxes, toilet paper rolls and paper towel rolls or other similar items;

d) **"branches and Limbs"** means branches, limbs and brush;

e) **"bulky waste"** means large items of a household nature including but not limited to: vacuum cleaners, upholstered furniture, mattresses, box springs; porcelain bathroom items such as toilets and sinks; metal items (as defined herein), white goods (as defined herein), plastic barrels, artificial Christmas trees as well as small quantities of construction or demolition material, excluding asphalt shingles – subject to requirements under "Special Conditions for Bulky Waste Collection" elsewhere in this by-law)

f) “**collectible waste**” means those wastes which are eligible for collection, within the volume and other restrictions outlined elsewhere in this by-law, on regularly-scheduled collection days and consists of the following categories of waste:

- i) organic materials (as defined herein);
- ii) recyclables (as defined herein);
- iii) residual waste (as defined herein); and
- iv) bulky waste.

g) “**commercial container**” means any container used for the storage of properly sorted collectable waste and clean up waste generated from multi-residential, institutional, commercial, industrial or other premises within the Town which waste exceeds the maximums or is outside the types of waste allowed on regular or special collection days as outlined elsewhere in this by-law and which container is designed to be emptied by, and the waste transported by, a hauler;

h) “**construction or demolition materials**” means left-over material generated as a result of any form of construction or renovation and materials generated from demolition activity including but not limited to: asphalt, brick, mortar, polystyrene or fiberglass insulation, cellulose, drywall, plaster, shingles, metal and scrap wood – regardless of whether such left-over material is regulated by the Province of Nova Scotia or meets the definition of “C & D Debris” in the N.S.E. 1997 Guidelines for same;

i) “**dispose**” means any form of disposal of any material, including solid waste as defined herein, and includes burning or any of the following whether temporary or permanent: deposit, storage, placement, or burial regardless of whether or not the material being, or having been, deposited, stored or placed is in a box, bin, container or any other containment device;

j) “**dwelling unit**” means one or more habitable rooms designed, occupied or intended for use by one or more persons as an independent and separate housekeeping establishment in which kitchen, sleeping and sanitary facilities are provided for the exclusive use of such persons;

k) “**electronics**” means any electronic any electronic device that is acceptable under the provincial Electronic Products Recycling Association (EPRA) program. The list of items under this category may change from time to time, as determined by EPRA;

l) “**eligible premises**” means those properties within the Town which are eligible for collection services – up to the maximum restrictions outlined elsewhere in this by-law – and includes all properties in the Town including properties located on private roads;

m) “**food waste**” means fruit and vegetable peelings, table scraps, meat, poultry and fish, shellfish, dairy products, cooking oil, grease and fat, bread, grain, rice and pasta, bones, egg shells, coffee grounds and filters, tea leaves and bags or other similar items;

n) “**green cart**” means an aerated plastic cart designed for the short-term external storage of organic materials prior to collection and for the placing out for collection of same;

o) “**hauler**” means any public or private company or person who transports solid waste within the Town or within the boundaries of the municipal member units of the LRCRC (defined herein);

p) “**household hazardous waste**” means any corrosive, flammable or poisonous material or substance such as oil and oil products, radioactive materials, acids, poisons, insecticides or other poisons used for agricultural purposes or for rodent control, any substance or chemical highly lethal to mammalian or aquatic life and any substance or chemical dangerous to the environment – including but not limited to: batteries, left-over liquid paint, left-over corrosive cleaners, pesticides or herbicides, gasoline, fuel oil and used motor oil, solvents and thinners, pharmaceuticals, drugs and needles, aerosol cans which contain hazardous substances, BBQ propane tanks and small propane cylinders or canisters such as those used for camp stoves or propane torches;

q) “**leaf and yard waste**” means grass clippings, leaves, twigs, house and garden plants or other similar items as well as branches, limbs or brush – the latter three being subject to special requirements elsewhere in this by-law;

r) “**metal items**” means medium to large metal items including metal fencing, water tanks, oil tanks – subject to special requirements elsewhere in this by-law – and metal containers other than containers designed to hold either household hazardous waste (as defined herein) or anything intended for human consumption;

s) “**mini-bin**” means a small plastic container designed for the short-term internal storage of organic materials prior to deposit in a green cart;

t) “**non-collectible waste**” means all material other than collectible waste or bulky waste and, without limiting the generality of the foregoing, includes:

- i) highly combustible or explosive materials including, without limiting, fireworks, flares, celluloid cuttings, motion picture film, oil or gasoline soaked rags, gas containers, chemicals, acids or other combustible residues, fine dry sawdust, ammunition, dynamite, or other similar material;
- ii) materials that are considered pathogenic or biomedical including, without limiting, dressings, bandages or other infected materials or sharps discarded in the course of the practice of physicians, surgeons, dentists or veterinarians;
- iii) carcasses or parts of any animal except food waste;
- iv) waste listed or characterized as hazardous by any Federal or Provincial law – including “household hazardous waste” as defined herein;
- v) electronics, with the exception of an annual electronics collection;
- vi) solid waste generated, or originating from, outside the Town;
- vii) liquid waste or material that has attained a fluid consistency and has not been drained;
- viii) soil, rock and stumps;
- ix) construction or demolition materials (as defined herein);
- x) septic tank pumping’s, raw sewage or industrial sludge;
- xi) radioactive materials;
- xii) contaminated soil;
- xiii) all passenger tires up to 62 cm (24.5 inches) as per the Tire Management Program administered by Divert Nova Scotia;
- xiv) industrial waste from factories or manufacturing processes;
- xv) manure, kennel waste, excreta, fish processing waste;
- xvi) lead-acid automotive batteries and propane tanks;
- xvii) waste which has been placed for collection but not in accordance with the provisions of this by-law; and

xviii) materials banned from landfill disposal by the N.S.E. *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended – other than recyclable materials or organic materials from eligible premises;

u) “**non-recyclable paper**” means used napkins or paper towel, used fast food wrappers, wax paper, soiled pizza boxes, used paper plates or paper cups **with a wax or poly-coating**, damp or soiled newspaper or flyers, sugar, flour & potato paper bags or other similar items;

v) “**occupant**” means any person who, in addition to or instead of the owner, resides in or is the lessee of, whether by way of verbal or written lease or other arrangement, a building or on a property located within the Town and includes any assignee or legal representative of same;

w) “**organic materials**” means food waste (as defined herein), leaf and yard waste (as defined herein), non-recyclable paper (as defined herein), ashes or soot, sawdust, wood chips, wood shavings and other specific material of plant or animal origin as designated by N.S.E.’s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation from time to time;

x) “**owner**” refers to the owner of property and includes a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building and, in the case of the absence or incapacity of the person having title to the land or building, a trustee, an executor, a guardian, an agent, a mortgagee in possession or a person having the care or control of the land or building; and, in the absence of proof to the contrary, the person assessed for the property;

y) “**paper recyclables**” means non-soiled mixed paper, corrugated cardboard, boxboard (as defined herein), newsprint, magazines, catalogues, flyers, telephone and other soft cover books, file folders – both traditional and expandable, envelopes (other than padded or bubbled envelopes), non-metallic wrapping paper and paper egg cartons or other similar items as are designated by N.S.E.’s *Regulations Respecting Solid Waste-Resource Management*, November, 1995, as amended or other successive solid waste legislation from time to time;

z) “**recyclables**” means paper recyclables and blue bag recyclables – both as defined herein;

aa) “**regulation container**” means a container, bag or bundle which meets the specifications and other requirements for same – in relation to specific waste types – as outlined elsewhere in this by-law;

bb) “**rejected waste**” means any type of waste which has been placed for collection but not in accordance with the provisions of this by-law and which has had a rejection sticker affixed thereto by the Town or its designated agent;

cc) “**residual waste**” means broken bottles, crockery and glassware – subject to special requirements elsewhere in this by-law – and floor sweepings, pet litter, light bulbs, disposable diapers, discarded clothing and furnishings, broken toys, mats and small carpets, **wax coated drink cups, poly-coated paper dishes**, non-recyclable plastic, non-recyclable packaging including Styrofoam™ and padded or bubbled envelopes, metallic wrapping paper, non-passenger tires, non-repairable household waste;

dd) “**scrap wood**” means wooden furniture, wooden pallets, wooden barrels, boards and plywood.

ee) “**Town**” means the Town of Mahone Bay and the administration of the town through the Chief Administrative Officers and other employees of the town assigned to administer this bylaw.

ff) “**white goods**” means any large household appliance including but not limited to stoves, dishwashers, washers, dryers, hot water heaters, refrigerators, freezers, dehumidifiers and air conditioners” – the last four (4) being subject to special requirements elsewhere in this by-law.

COLLECTION

1) Regularly-scheduled collection from **eligible premises** of **recyclables** – subject to restrictions noted elsewhere in this by-law – shall take place once every two (2) weeks commencing at 8:00 a.m.

2) Regularly-scheduled collection from **eligible premises** of **organic materials**, two (2) **bulky waste** items and **residual waste** – both subject to restrictions noted elsewhere in this by-law – shall take place on the alternating week commencing at 8:00 a.m.

3) The alternating bi-weekly nature of the two above-mentioned collections results in a collection of some type(s) of **collectible waste** once a week.

4) When a normally scheduled collection day falls on a public or statutory holiday, such collection shall be made instead on a date as identified in the **Town’s** “collection calendar”, unless otherwise specified by the **Town of Mahone Bay**.

5) Each Spring and Fall there will be a separate special collection of **leaf and yard waste** –as per restrictions noted elsewhere in this by-law – on a date to be specified by the **Town of Mahone Bay**.

6) Each Fall there will be an **electronics** collection– as per restrictions noted elsewhere in this by-law - on a date to be specified by the **Town of Mahone Bay**.

7) Each Fall there will be a scrap wood and metal items collection – as per restrictions noted elsewhere in this by-law - on a date to be specified by the **Town of Mahone Bay**.

8) Collection of properly-prepared **natural Christmas trees**, per restrictions noted elsewhere in this by-law, shall take place annually in the month of January on a date to be specified by the **Town of Mahone Bay**.

9) The dates for collection of collectible waste from **eligible premises** will be as described in a mail-out “collection calendar” – which will also be posted on-line.

PLACEMENT

10) All **solid waste** to be collected by the **Town** shall be accessible to the collector within 3 metres (approximately 10 feet) of the curb or travel-way, placed in such a manner as to not interfere with pedestrian traffic and snow removal.

11) All regulation or other containers of **solid waste** placed out to be collected by the **Town** shall also be placed in an upright position and, in applicable circumstances, with the lid securely closed.

CONTAINER REGULATIONS FOR RESIDUAL WASTE:

12) No person shall place, or cause to be placed, **residual waste** out for collection in any container other than a “regulation container” which is one which meets the following specifications:

Bag Container Specifications:

- a) Each bag shall be watertight, securely tied and of transparent clear plastic or transparent blue plastic;
- b) Each bag shall be no smaller than 66 cm x 91 cm and no larger than 75 cm x 120 cm;
- c) Each bag shall have an overall length of between 0.5 meters and 1.2 meters when empty; and

d) Each bag, including contents, shall not exceed 25 kilograms (approx. 55 pounds) in weight.

Non-transparent Bag Container Specifications:

e) Each **non-transparent bag** shall be made of polyethylene opaque plastic, be watertight and be securely tied;

f) Each bag shall be no smaller than 66 cm x 91 cm and no larger than 75 cm x 120 cm;

g) Each bag shall have an overall length of between 0.5 meters and 1.2 meters when empty; and each bag, including contents, shall not exceed 25 kilograms (approx. 55 pounds) in weight.

Non-Bag Container Specifications:

h) Non-bag containers shall be made of metal, plastic or other impermeable material;

i) Non-bag containers shall be watertight, secured with a cover, equipped with handles in good repair and as large or larger at the top as they are at the bottom;

j) Non-bag containers shall not be filled above an imaginary line 5 cm below the top of the container;

k) Each non-bag container, including contents, shall not exceed 25 kilograms (approx. 55 pounds) in weight;

l) Each non-bag container shall not exceed 100 liters (approx. 105 quarts) in volume; and

m) Non-bag containers shall be maintained in a neat and sanitary condition and kept in good repair and shall not contain loose solid waste.

CONTAINER REGULATIONS FOR RECYCLABLES:

13) No person shall place, or caused to be placed, **recyclables** out for collection in any container other than a "regulation container" which is one which meets the following specifications:

Blue Bag Recyclables:

a) Each bag shall be watertight, securely tied and of transparent clear plastic;

b) Each bag shall also be no smaller than 25 cm x 40 cm and no larger than 75 cm x 120 cm;

c) Each bag, including contents, shall not exceed 25 kilograms (approx. 55 pounds) in weight; and

d) All **recyclables** must be clean.

Paper:

e) Shall be placed in a bag, securely tied.

f) Each bag shall be no smaller than 25 cm x 40 cm and no larger than 75 cm x 120 cm; and

Each bag, including contents, shall not exceed 25 kilograms (approx. 55 pounds) in weight.

CONTAINER REGULATIONS FOR ORGANIC MATERIALS:

14) No person shall place, or cause to be placed, **organic materials** out for collection in any container other than a "regulation container" in the form of a **green cart**.

15) No person shall place, or cause to be placed, organic materials out for collection in plastic biodegradable bags or oxo-biodegradable bags.

16) Notwithstanding the above, please see the special container requirements for **leaf and yard waste** under PREPARATION of SPECIFIC WASTE below and specific controls on **natural Christmas trees** under COLLECTION OF NATURAL CHRISTMAS TREES, inclusive.

COMMERCIAL CONTAINERS SPECIFICATIONS:

17) Commercial containers shall:

- a) Be sturdily constructed of weather-proof material and shall be watertight;
- b) Be inaccessible to pests, rodents, vermin, seagulls or animals;
- c) Be equipped with a tight fitting lid with a positive closing device which shall be kept closed except when the container is being loaded or unloaded;
- d) Be kept in a clean manner;
- e) Be kept in a state of good repair;
- f) Have displayed thereon the name and telephone number of the owner of the container and the type of material to be deposited therein;
- g) Have displayed thereon the following message "GARBAGE" or "LANDFILL", where institutional, commercial or industrial waste is to be deposited in the **commercial container**;
- h) Have displayed thereon the following message "RECYCLABLES", where **blue bag recyclables** are to be deposited in the **commercial container**;
- i) Have displayed thereon the following message "**PAPER**" or "CARDBOARD", where fibre recyclables are to be deposited in the **commercial container**;
- j) Have displayed thereon the following message "ORGANICS", where **organic materials** are to be deposited in the **commercial container**.

PREPARATION OF SPECIFIC WASTES:

Leaf and Yard Waste

18) **Leaf and yard waste** may be deposited into a **green cart** so long as the cover of same is completely closed.

19) **Leaf and yard waste** may also be deposited into heavy kraft paper bags.

20) **Branches and limbs** or brush, of a maximum length of 900 mm-(approx. 3 feet) and maximum individual diameter of 50 mm (2 inches) in diameter may be tied in manageable bundles or inserted into bags as outlined above and outlined under Collection of Leaf and Yard Waste later in this bylaw.

Bottles or Glassware

21) Broken bottles and glassware shall be sealed in a cardboard box or bucket or other non-bag container and clearly identified– by noting, in large capital letters, on the outside of the bundle the words “BROKEN GLASS” – a warning to collection personnel.

Ashes or Soot

22) Ashes or soot shall be completely cooled for a minimum of four (4) weeks, then wetted down before depositing in the **green cart** or dampened down and placed in paper bags rolled down and then deposited in a **green cart**.

Cardboard

23) Corrugated cardboard shall be flattened out and securely tied in convenient bundles weighing no more than 25 kilograms each (approx. 55 pounds) and being a maximum of 900 mm by 600 mm (approx. 3 ft. by 2 ft.) in area and no more than 600mm (approx. 2 ft.) thick.

Electronics

24) **Electronics** shall be placed for collection separately from other **collectible wastes**. **Electronics** shall be placed carefully at the curbside to prevent damage to the electronic and broken glass. Three (3) **electronic** items may be placed per **eligible premises**, per collection.

Green Carts

25) Every **owner** or **occupant** shall provide sufficient and specified **green carts** for the storage and disposal of **organic waste** generated from his or her premises and maintain such **green carts** in good repair and sanitary condition.

26) To comply with the preceding section a **green cart** shall be:

- a) of 140 litre or 240-litre capacity;
- b) either of the aerated or ventilated type;
- c) dark green in colour;
- d) an MJSB approved brand and model; and
- e) designed to be emptied by a hydraulic lifting device.

WASTE COLLECTION RESTRICTIONS

27) No person shall place, or cause to be placed, **residual waste, green carts or recyclables** per any one **eligible premises** out for collection on any one collection day the cumulative weight of which, including containers, exceeds 100 kilograms (approx. 222 lbs.).

28) No person shall place, or cause to be placed, **residual waste** and **leaf and yard waste** per any one **eligible premise** out for collection on any one collection day which exceeds a maximum combination of six (6) bags or bundles of which one may be a) **non-transparent bag**, one may be a **green cart** along with no more than two (2) **bulky waste** items as defined herein.

REJECTION OF WASTE:

29) Any type of **solid waste** which has been set out for collection is subject to inspection by the MJSB and any such **solid waste** found or deemed by same to be set out in violation of the requirements of this by-law may be rejected and not collected.

30) Any **solid waste** which is so rejected will have placed on it a Rejection Sticker indicating the reason or reasons for rejection and information as to how to rectify same or get direction to rectify the problem.

31) Any rejected **solid waste**, as designated by a rejection sticker, shall remain the property of the **owner** or **occupier**.

PROHIBITIONS SPECIFIC TO COLLECTIONS:

32) No person shall place, or cause to be placed, any **collectible waste** out for collection before 8:00 P.M. of the day immediately preceding the day scheduled for collection.

33) No person shall place, or cause to be placed, any **collectible waste** out for collection after 8:00 A.M. of the day scheduled for collection.

34) The two immediately preceding sections may be altered by written permission of the **Town of Mahone Bay**.

35) No person shall permit any empty or rejected regulation container or any rejected materials to remain at the collection placement spot after 12:00 noon of the day following the day scheduled for collection.

36) No person shall place, or cause to be placed, any **non-collectible waste** out for collection.

SPECIAL CONDITIONS FOR BULKY WASTE COLLECTION:

37) No person shall place, or cause to be placed, more than two (2) **bulky waste** items out for collection on any one collection day. The **bulky waste** items can only be put curbside on the week **residual waste** is collected.

- a) Each individual item must not exceed 100 kgs (222 lbs) in weight; and
- b) Each individual item must not exceed 1.8 m in any dimension;

SPECIAL COLLECTION OF SCRAP WOOD AND METAL:

38) No person shall place, or caused to be placed, **scrap wood** or **metal** out for collection except on a day designated by the **Town of Mahone Bay** for special collection of same and in accordance with the following restrictions:

- a) An oil tank is eligible for this special collection only if it is from a residence, does not exceed 760 litres (200 gallons) in capacity and has been cleaned and cut in half;
- b) A refrigerator, freezer, dehumidifier or air conditioner shall display a sticker, issued by the appropriate authority, indicating that any Freon, other refrigerant gas, coolant or CFC has been removed and any refrigerator or freezer shall have its doors already removed;
- c) Such waste shall be packaged, bundled or boxed so as to facilitate removal and handling;
- d) Any sizable material shall be placed separately so as to allow for a dedicated collection of salvageable materials;
- e) **Scrap wood** and **metal** shall be placed separately for collection;
- f) Each individual package, bundle or box shall not exceed 100 kgs (222 lbs) in weight; and
- g) Each individual package, bundle or box shall not exceed 1.8 m in any dimension.

39) No person shall place, or caused to be placed, any **scrap wood** or **metal** out for collection on any one day the total of which exceeds a combined total volume of 2.0 m³.

40) No person shall place, or cause to be placed, any **scrap wood or metal** out for collection prior to 8:00 P.M. of the day immediately preceding the day scheduled for collection.

41) No person shall place, or cause to be placed, any **scrap wood or metal** out for collection after 8:00 A.M. of the day designated by the **Town of Mahone Bay** for collection of same.

42) No person shall permit any rejected or residue **scrap wood or metal** to remain at the collection placement spot after 12:00 noon of the day immediately following the day designated by the **Town of Mahone Bay** for collection of same.

SPECIAL COLLECTION OF LEAF AND YARD WASTE:

43) No person shall place, or cause to be placed **leaf and yard waste** out for special collection except on a day designated by the **Town of Mahone Bay** or the special collection of same and in accordance with the following restrictions:

- a) such waste shall be contained in heavy kraft paper bags of a dimension no less than 66 cm by 91 cm nor greater than 75 cm by 120 cm shall not exceed a weight of 25 kg (55 lbs.);
- b) bundled branches/limbs not exceeding 900 mm (3 ft.) in length with individual limbs not exceeding 50 mm (2 inches) in diameter;
- c) each bag or bundle shall not exceed a weight of 25 kg (55 lbs.); and
- d) the total of such waste shall not exceed 2.0 m³ in total volume.

44) No person shall place, or cause to be placed, any **leaf and yard waste** out for special collection prior to three (3) days before the day designated by the **Town of Mahone Bay** for collection of same.

45) No person shall place, or cause to be placed, any **leaf and yard waste** out for special collection after 8:00 A.M. of the day designated by the **Town of Mahone Bay** for collection of same.

46) No person shall permit any rejected or residue **leaf and yard waste** to remain at the collection placement spot after 12:00 noon of the day immediately following the day designated by the **Town of Mahone Bay** for special collection of same.

COLLECTION OF NATURAL CHRISTMAS TREES:

47) No person shall place, or caused to be placed, a **natural Christmas tree** out for collection except on a day designated by the **Town of Mahone Bay** for collection of same and in accordance with the following restrictions:

- a) It is to be unpackaged and undecorated, including the removal of all lights and any tree stand;
- b) It shall have no wires or nails attached; and
- c) It must not exceed 3 m (approx. 10 ft.) in length.

48) No person shall place, or cause to be placed, any **natural Christmas tree** out for collection before 8:00 P.M. of the day immediately preceding the day designated for collection of same.

49) No person shall place, or cause to be placed, any **natural Christmas tree** out for collection after 8:00 A.M. of the day designated for collection of same.

50) No person shall permit any rejected **natural Christmas tree** to remain at the collection placement spot after 12:00 noon of the day immediately following the day designated for collection of same.

RESPONSIBILITIES OF OWNERS and OCCUPANTS:

51) Every **owner** or **occupant** shall:

- a) Ensure that **collectible waste** and **bulky waste** are placed for collection in accordance with this by-law;
- b) Use only regulation containers for the storing and placement for collection of **collectible waste**;
- c) Provide a sufficient number of regulation containers to contain all of the **collectible waste** generated at the subject premises between regularly scheduled collection dates;
- d) Maintain such regulation containers in good repair and in a sanitary condition;
- e) Take all reasonable measures to ensure that each regulation container is covered and secured at all times except when being emptied or filled;
- f) Clean up any type of **collectible waste** which has escaped from its container or packaged, bundled or boxed waste – whether it be a regulation container or not;
- g) If **collectible waste** is stored outside the main building on the **eligible premises** it is to be stored in one or more secured regulation containers or an approved storage bin – in either case made inaccessible to pests, rodents, vermin, seagulls or animals;
- h) Ensure that any approved storage bin serving that premise is maintained at all times in a neat and sanitary condition and in good repair;
- i) Store any waste refrigerator or freezer either inside an enclosed and locked building or with the doors of the refrigerator or freezer removed;
- j) Ensure the proper preparation of all **collectible waste** in accordance with this by-law; and
- k) Abide by all lawful directives of the **Town**, or designated agents with regard to the handling of **solid waste** materials.

COMMERCIAL CONTAINERS:

52) The **owner** or **occupier** of any premises on which a **commercial container** is placed shall keep each **commercial container** behind, or beside, the building which it serves so as to reduce visibility from the street and adjacent properties.

53) Where the **commercial container** is placed on premises which are located in a residential zone pursuant to the **Town's** Land Use By-law or adjacent to a property which is zoned residential or contains a residential use, **the owner or occupier of the premises shall ensure that the commercial container** shall be kept not less than 3 metres from the adjacent property lines.

54) Where the **owner** or **occupier** of any premises is unable to comply with the requirements of the two (2) preceding subsections because of the location of a building on the premises, which building was in existence at the time of the adoption of this By-law, the **owner** or **occupier** shall keep the **commercial container** at a location on the premises which is considered by the **Town** – as evidenced in writing – to not be unsightly and to cause neither a nuisance nor a health related problem.

55) **The owner or occupier of a premises where a** Any temporary **commercial container** used during construction or repair work need not comply with the full range of Specifications outlined earlier in this bylaw, however, shall be subject to the following requirements:

- a) No **solid waste** shall extend beyond the internal volume of the container;
- b) The temporary **commercial container** shall be removed immediately upon completion of the construction or repair work; and
- c) The temporary **commercial container** shall be emptied as often as required to avoid over-filling of the same;

56) An **owner** or **occupier** of any premises on which a **commercial container** is located shall not permit the **commercial container** to be loaded other than uniformly and **shall** ensure that no **solid waste** extends beyond the internal volume of the container.

57) An **owner** or **occupier** of any premises on which a **commercial container** is located:

- a) Shall place same only on a surface which is hard, level and weather-resistant;
- b) Shall keep the area surrounding the container free from litter and waste; and
- c) Shall cause the container to be emptied on a regular basis, as required.

58) Where a person proposes to locate a temporary commercial container within the right of way of a public street in the **Town**, that person shall submit a written request for doing so, to the **Town**, outlining the exact proposed location and the estimated time that the container will be required to be there and any other details as requested by the **Town** and must receive written permission from same, outlining the exact location to be used, and other salient details, prior to so locating a commercial container.

HAULERS:

59) All private collections of **solid waste** shall be undertaken in compliance with relevant Federal/Provincial/Municipal statutes and regulations.

60) All private collection vehicles shall:

All owners/operators of all private collection vehicles shall ensure that the vehicle:

- a) Be maintained in good condition and be properly manned and equipped to ensure safe collection of **solid waste**;
- b) Comply with the *Motor Vehicle Act* and any other regulations or legislation in effect from time to time;
- c) Be designed so as to prevent any contents (including liquids) from falling out, being spilled, or scattering from the vehicle whether in motion or not;
- d) If used in the collection of more than one type of waste, be constructed to prevent cross-contamination between the various waste streams;
- e) Be equipped with a tailgate or other restraining device; and
- f) Be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover solid waste while it is being transported.

61) The hauler shall ensure that All private collection of any **solid waste** shall be made directly to the private collection vehicle from the premises where the same was generated.

62) All **solid waste** collected through private collections, and which is to be delivered to the **LRCRC**, shall be in compliance with the Regulations promulgated by the operator of the **LRCRC** regarding acceptance and receipt of **solid waste** at the **LRCRC**.

63) In the event of any spillage, the vehicle operator shall be responsible for the clean-up which shall be undertaken immediately.

WASTE TO BE DISPOSED OF OR CAUSED TO BE DISPOSED OF BY OWNER OR OCCUPANT

64) No person shall place the following products out for collection.

EXCESS PERMITTED QUANTITIES

- a) Any quantity of waste that exceeds the daily collection limits outlined in this bylaw.

ELECTRONICS:

- b) Every **owner** or **occupant** shall deliver **electronics** to a recognized **electronics** return collection facility in Nova Scotia for reuse or recycle, during times other than the annual special electronic products collection.

HOUSEHOLD HAZARDOUS WASTE:

- c) Every **owner** or **occupant** shall store any residentially-generated **household hazardous waste** in a safe and secure manner and place and shall deliver same, as soon as is reasonably possible, to the Household Hazardous Waste Depot ("HHW Depot") at the **LRCRC** or an approved hazardous waste disposal site.
- d) No person shall dispose of, or cause or permit the disposal of, **household hazardous waste** at any location within the **Town**.

CONSTRUCTION OR DEMOLITION MATERIALS:

- e) Every **owner** or **occupant** shall deliver or cause to be delivered any **construction or demolition materials** to the appropriate area or site within the **LRCRC** or an approved construction and demolition disposal site.
- f) ROOF SHINGLES are considered to be **construction or demolition material**.
- g) No person shall dispose of **construction or demolition materials** by stock-piling, storing or any other method.

METAL ITEMS:

- h) Unless otherwise permitted in this bylaw, every **owner** or **occupant** shall deliver or cause to be delivered any **metal items** to the **LRCRC** site or to an approved metal disposal site.

LUNENBURG REGIONAL COMMUNITY RECYCLING CENTRE:

65) The **Town** Council has designated, by resolution, the Lunenburg Regional Community Recycling Centre ("**LRCRC**") as the receiving site for **solid waste** generated by its residents – within the restrictions as set in this by-law and other restrictions as set by the operator of **LRCRC**.

66) The operator or other authorized staff of the **LRCRC** may refuse to accept a load of **solid waste** for the following reasons:

- a) **solid waste** other than that which the **LRCRC** has been approved to accept; or
- b) it is a load for which a tipping fee, whether set or negotiated, has not yet been paid to the **LRCRC**; or
- c) it is a load for which tipping fee payment arrangements satisfactory to the operator or other **LRCRC** authorized staff have not yet been agreed to, reduced to writing and signed by both parties.

67) No person shall dispose of, or cause or permit the disposal of, any type of **solid waste** outside, around or adjacent to the **LRCRC** in the following circumstances:

- a) when the **LRCRC** is not open and operational; or
- b) after the operator or authorized staff of the **LRCRC** has refused to accept same.

68) All collection vehicles shall be equipped with a tailgate or other restraining device; and be closed-in or equipped with a tarpaulin or equivalent cover device which shall be used to cover **solid waste** while it is being transported from the **LRCRC** front gates to the scale house.

LEGAL and ILLEGAL DISPOSAL:

69) With the exception of the placement of **solid waste** for collection in accordance with this By-law, the delivery of **electronics** or **household hazardous wastes** to depots or other disposals allowed for in this by-law, no person shall dispose of, or cause or permit the disposal of, **collectible waste**, or **non-collectible waste** at any location or manner in the **Town** except as follows:

- a) backyard composting carried out in such a manner as to not constitute a nuisance;
- b) subject to Federal or Provincial law to the contrary, the disposal of waste trees, brush or portions thereof or other organic farm or forestry waste on privately-owned forest or farm land in such a manner as to not constitute a nuisance;
- c) subject to Federal or Provincial law or other Municipal By-laws to the contrary, the disposal aggregate, soil, bricks, mortar, concrete, asphalt pavement, porcelain or ceramic materials as fill in such a manner as to not constitute a nuisance.

70) No person shall dispose of, or cause or permit the disposal of, any **solid waste** in an approved storage bin unless that person is, or has the permission of, the **owner** of said bin.

71) No person shall dispose of, or cause or permit the disposal of, any **non-collectible waste** or rejected **solid waste** in, at or near an approved storage bin.

72) Proof that any type of **solid waste**, which was disposed of in contravention of this by-law, originated from a particular person, from the residence of a particular person, from a particular premises, or from a particular vehicle (as defined by the Motor Vehicle Act of Nova Scotia), shall, in the absence of evidence convincing a court to the contrary, be evidence sufficient for a court to infer that the said person – or the owner or current **occupant** of said residence or premises– or the owner of the vehicle - was the person who disposed of that **solid waste**, or a portion of same, or caused or permitted it to be disposed of.

GENERAL PROHIBITIONS:

73) Where an **owner** or **occupier** properly places any authorized form of **solid waste** out for collection by the **Town's** contractor the waste becomes the property of the **Town** upon being picked up by the **Town** or the **Town's** contractor.

74) No person shall pick over, remove, collect, disturb or otherwise interfere with any type of **solid waste** or regulation container which has been placed out for collection.

75) No person shall pick over, remove, collect, disturb or otherwise interfere with any type of **solid waste** or regulation container which has been placed in an approved storage bin.

76) The prohibitions in the above three clauses do not apply to the following circumstances:

- a) removal by authorized personnel when acting on behalf of the **Town**;
- b) **wood items**, appliances or furniture; **bulky waste**, plastic, and any other materials placed out for collection but is useable by another person; or
- c) **leaf and yard waste** placed out for Special Collection of Leaf and Yard Waste.

77) In the event of any removal, collecting or disturbing allowed by the preceding clause, all remaining materials shall be left in an orderly condition and placed so as to not interfere with pedestrian or vehicular traffic.

78) No person shall dispose of any type of **solid waste** by the burning of same.

79) No person shall place any **solid waste** generated from outside the **Town** for collection at any place in town for collection.

EXPORT OF SOLID WASTE:

80) No person shall transport any type of **solid waste** generated within the **Town** to any location other than the **LRCRC** site or outside the boundaries of the area served by the **LRCRC** but for the following exceptions:

- a) **Construction or demolition materials** to an approved C&D debris disposal site;
- b) "Direct haul" of **residual waste** to Kaizer Meadow only when authorized by the operator of **LRCRC** and/or the **Town**;
- c) Recycle products such as **metal items** and **white goods**, designated plastic and refundables which may be taken to an approved recycling depot and/or metal recycling facility in Nova Scotia;
- d) **Electronics** which may be taken to a recognized **electronics** return collection facility in Nova Scotia; and
- e) Any other special arrangement authorized in writing by the Town of Mahone Bay.

ENFORCEMENT and PENALTIES:

Illegal Dumping;

81) Any person who disposes of, or permits the disposal of, any **solid waste** including **construction or demolition materials** and/or **residual waste** other than in accordance

with this by-law is guilty of a summary offense and is liable, upon conviction, to a fine of not less than One Thousand Dollars (\$1000.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

Other Provisions;

82) Any person who violates any other provision of or permits any other thing to be done in violation of, this by-law is guilty of a summary offense and is liable, upon conviction, to the following in accordance with the **MJSB's** Solid Waste Enforcement Procedure.

- a) for a first offense, a fine of not less than Two Hundred Dollars (\$200.00) and not more than One Thousand Dollars (\$1,000.00) and in default of payment thereof to a term of imprisonment not to exceed thirty (30) days;
- b) for a second offense, a fine of not less than Three Hundred Dollars (\$300.00) and not more than Two Thousand Dollars (\$2,000.00) and in default of payment thereof to a term of imprisonment not to exceed sixty (60) days;
- c) for each subsequent offense, a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00) and in default of payment thereof to a term of imprisonment not to exceed ninety (90) days.

83) Any person who obstructs or hinders any person in the performance of their duties under this bylaw is guilty of a summary offense and is liable, upon conviction, to a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), and in default of payment to a term of imprisonment not to exceed ninety (90) days.

84) Where a person is convicted of an offence under this by-law and the court is satisfied that, as a result of the commission of the offence, clean-up or site remediation costs were incurred, whether by the **MJSB** or by a person, the Court may order the offender to pay, in addition to all other fines and penalties, restitution to the **MJSB** or person in an amount equal to the said clean-up or remediation costs.

85) Pursuant to the provisions of *the Municipal Government Act*, in addition to a fine imposed or violation of this by-law a judge may order the imposition of a penalty in relation to any fee, cost, toll, or charge associated with the conduct that gave rise to the offence.

86) Pursuant to the provisions of the *Municipal Government Act*, in addition to a fine imposed for violation of this by-law a judge may order compliance with this by-law within a specified time.

87) Each day that a person commits any offence under this by-law constitutes a separate offence.

88) Where a breach of this by-law is anticipated or is of a continuing nature, the **MJSB** may, pursuant to the provisions of the *Municipal Government Act*, apply to a judge of the Supreme Court of Nova Scotia for an injunction or other order and the judge may make any order that the justice of the case requires.

ADMINISTRATIVE TICKETING:

89) In lieu of prosecution under this by-law the **MJSB** may issue to any person it believes, upon reasonable grounds, has committed an offence under this by-law a Notice of Alleged Violation allowing the person to whom it is directed to avoid possible prosecution by means of the voluntary payment of a sum of money.

90) Any person who receives a Notice of Alleged Violation in relation to this by-law and where the said Notice so provides, may pay a penalty in the amount of One Hundred Dollars (\$100.00) to the office of the **MJSB** provided that said payment is made within fourteen (14) days of the date of issuance of the Notice and said payment shall be in full satisfaction thereby releasing the person named from prosecution for the said alleged violation.

91) Nothing in this by-law requires the **MJSB** to issue a Notice of Alleged Violation in lieu of initiating a prosecution in relation to an alleged violation.

REPEAL:

92) All previous Solid Waste Management Bylaws and any amendments thereto, are hereby repealed.

EFFECTIVE DATE

93) This Bylaw is effective upon publication.

David Devenne, Mayor

Maureen Hughes, Clerk

This is to certify that the foregoing is a true copy of a bylaw passed at a duly convened meeting of the Council of the Town of Mahone Bay, held the ____ day of _____, 2022.

Given upon the hand of the Mayor and Chief Administrative Officer and the seal of the Town of Mahone Bay this ____ day of _____, 2022.

Clerk's Notation

First Reading	March 24, 2022
Notice of Intent Publication	
Second Reading	
Ministerial Approval	N/A
Date of Publishing	
Forwarded to the Minister	
Posted on Town Website	



Town of Mahone Bay

Staff Report

RE: Council Policy

March 24, 2022

General Overview:

This report is to provide Council with information regarding anticipated changes in the way that virtual meetings are permitted in the province of Nova Scotia, and a draft policy amendment for the consideration of Council.

Background:

Mahone Bay Town Council enacted a Town Council policy in 2019 under which a provision was made for members to participate in a meeting via electronic measures; that policy was updated during the State of Emergency which was enacted due to the COVID-19 pandemic in order to be more responsive to the realities of having to work entirely remotely. As the Province of Nova Scotia is removing restrictions imposed as part of public safety guidelines due to the pandemic, staff feel that it is wise to review the Town's provisions for conducting virtual meetings to ensure that the policy best reflects what has been learned during the pandemic.

Analysis:

The Mahone Bay Town Council policy does provide an opportunity to hold Council meetings remotely "due to extenuating circumstances" and notes that meetings would ordinarily be held in person. The policy outlines that the same standard applies to meetings of Committees of Council and staff recommend that the policy reflect more flexibility for holding meetings by electronic means, and for committees in particular.

Over the past two years, in addition to the gathering limits and distancing requirements included in the public health guidelines, Town Hall has undergone extensive renovations and individuals have been compelled to isolate due to close contact, etc.; the flexibility enabled by the State of Emergency has allowed Council and committee meetings to proceed as scheduled without interruption. In this time staff have also observed that virtual meetings have provided greater access to the public as committee volunteers, as well as committee members from outside the Town such as representatives on the Police Advisory Board, the Watershed Advisory Board, and the general convenience provided by being able to attend a meeting without leaving family (encountering childcare issues) or work.

Since the development and implementation of the Town Council Policy, the Municipal Government Act has been amended to specifically reference virtual meetings and it is therefore the recommendation of staff that the Town Council Policy be amended to reference the Municipal Government Act which provides guidelines to ensure public notification and transparency. The draft amendment does retain the maximum number of meetings by which a member of Council will be permitted to attend electronically without leave of Council, when it is the norm for meetings of Council to be held in person.

Financial Analysis:

There are no financial implications for the adoption of the attached amended Town Council Policy.

Links to Strategic Plan:

2.2 Provide Equitable Services to Support Growth

Dedicate ourselves to the continued improvement of services and responsiveness.

Recommendation:

It is recommended, that at the April 12, 2022 meeting of Council

THAT Council adopt the Town Council Policy as amended.

Respectfully submitted,



Maureen Hughes

Town Clerk and Deputy CAO

Attached: Appendix A – Draft Amended Town Council Policy

Append B – Municipal Government Act s19

Town Council Policy

1.0 Purpose

The purpose of this policy is to provide a standard set of guidelines concerning the procedures of Council and Town Council meetings. This policy will provide Council, staff and community members with a reference for Council procedures, meeting schedules, and roles and responsibilities of Council members.

All meetings of Council must be held in accordance with the Municipal Government Act.

2.0 Scope

The Town Council Policy applies to all members of Town Council as well as Town staff and any members of the public in attendance or participating in a Town Council meeting and meetings of Town Council Committees (except as noted in the Town of Mahone Bay Committees policy).

The Town Council Policy will repeal and supersede any and all previous policies held by the Town of Mahone Bay regarding and/or governing Town Council and Town Council meetings.

3.0 Council

Town Council: Council shall consist of seven elected members; five Councillors, a Deputy Mayor and a Mayor.

Organization of Council: At the first meeting of Council after a regular or special election, the Council shall meet and administer the required oaths and appoint one of their number to be Deputy Mayor.

Responsibilities of Council: Members of council are expected to review pre-meeting packages provided, attend Council meetings and committee meetings as scheduled, respond to correspondence and attend special events. Council members are to conduct themselves in accordance with expectations as set forth by the Town of Mahone Bay.

The Council provides direction on the administration of the Town to the Chief Administrative Officer. All council members are required to vote during meetings and any non-vote will be deemed as a vote against the issue. No individual Council member shall instruct or give direction to an employee of the Town.

Appointment of Deputy Mayor: The candidate who received the most votes at the polls of the municipal election shall be appointed Deputy Mayor on their consent to this

appointment. If the person appointed as Deputy Mayor ceases to be a member of Council, or if the candidate who received the most votes does not consent to the appointment, then the member of Council who received the next highest number of votes at the most recent election shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment.

If those nominated for Council are acclaimed, then the Councillor with the longest service on Council shall be appointed Deputy Mayor, on their consent to this appointment. In the event that this isn't possible, the selection will be made by motion of Council. If the person appointed as Deputy Mayor ceases to be a member of Council then the member of Council with the next longest service on Council shall be appointed Deputy Mayor for the balance of the term on their consent to this appointment.

Responsibilities of Deputy Mayor: The Deputy Mayor will act in the absence or inability of the Mayor or in the event that the office of Mayor becomes vacant.

Responsibilities of Mayor: The Mayor will preside over meetings of Council. Prior to the meeting, the Mayor will consult with the CAO concerning the meeting agenda. The Mayor shall monitor the administration and government of the Town. The Mayor may call a special meeting should an issue arise that requires immediate attention. Where the Mayor determines that there is an emergency, the council may meet without notice or with such notice as is possible in the circumstances. The Mayor shall also act as a public spokesperson in the media; if required, this can be designated to another member of Council or staff.

4.0 Council Meetings

Regular Council Meetings: The Council meeting schedule is determined by Council, the CAO and the Town Clerk on an annual basis. No notice is provided for regular meetings.

Special Council Meetings: The Town Council shall hold Special Council meetings as may be necessary or expedient for the transaction of Town business. Special Council meetings will follow the same procedures as regular Council meetings. The CAO shall give the public three business days notice of special meetings by posting at the Town Hall and on the Town website. Failure to provide public notice does not invalidate the meeting.

Emergency Meetings: Emergency meetings are Special Council meetings held in response to an emergency as determined by the Mayor.

Meeting Calendar: There will be a meeting calendar available to Council and the public by January 2nd of each year, posted at the Town Hall and on the Town website. This calendar will list all regular meetings of the Town Council and council committees.

Council Meeting Packages: The Town Clerk shall distribute a Council package containing all the relevant documents for each regular or special meeting including: an agenda; minutes; documents corresponding to delegations or Council items; and staff reports or other materials necessary to the meeting as per the agenda. The Council

package will be distributed a minimum of three business days prior to the meeting. For special meetings these timelines may be reduced. Council meeting packages for regular meetings will be posted on the Town website three business days in advance of the Council meeting; special meeting packages will be posted in advance if possible. Closed session materials that are pre-distributed to Council members or circulated in closed session are deemed confidential information and shall not be released to the public; physical and electronic copies are to be destroyed following the meeting.

Agenda: Draft agendas for Council meetings are completed through consultation between the CAO and Town Clerk. Agenda items may be added by Council members, Town staff and the public as specified in this policy.

Council agendas are posted on the Town website and in pre-determined public locations three business days prior to the Council meeting.

Minutes: At regular meetings of Council, except when Council resolves to defer the approval of minutes for a maximum of one additional meeting, the minutes of the previous regular meeting and subsequent special meetings will be reviewed and after all necessary corrections and amendments have been made, the minutes shall be approved by Council. To facilitate this process draft minutes will be circulated five business days prior to each regular meeting and the Town Clerk will bring an updated version reflecting any suggested corrections to the meeting for approval. The minutes shall be restricted to a record of the date, location, time, Council members and staff present, and the outcomes and actions taken on all agenda items. The approved minutes will be signed by the Clerk and the Mayor, or their designates. The original, signed and sealed minutes shall be kept by the Clerk. Within three business days of approval, minutes will be uploaded onto the Town website.

Recordings: Regular Town Council Meetings and Special Town Council Meetings will be recorded and uploaded to the Town of Mahone Bay's video platform for public viewing and information. Audio recordings will be taken as a backup but will not generally be saved. Closed sessions will not be recorded. The approved written Minutes for meetings, presented to Council by the Town Clerk, remain the official record of Council meetings.

Delegations will be advised that the meetings are recorded.

Staff: The Chief Administrative Officer and the Town Clerk will generally be in attendance at meetings of Council. The CAO will assist and inform Council, the Clerk will keep a record of the meeting and may, at the discretion of the Clerk, appoint recording secretaries as appropriate. Other members of staff may be present at the invitation of Council, as directed by the CAO.

Quorum: As per the Section 20 of the Municipal Government Act quorum will be achieved by a majority of the maximum number of persons that may be elected to Council. In the case of quorum not being met within 15 minutes of the appointed meeting time, or if quorum is lost during a meeting, the meeting will be adjourned and rescheduled.

Chairperson: Once quorum is met, the Mayor, if physically in attendance, will chair the meeting. If the Mayor is not expected to be present or is not present within 15 minutes of the meeting's starting time, the Deputy Mayor shall take the chair and preside during the meeting or until the arrival of the Mayor. If neither the Mayor nor Deputy Mayor is physically in attendance within fifteen minutes of the meeting's starting time, the Chief Administrative Officer shall call the meeting to order and the Councillors present shall appoint one of the members the Chair and they will preside during the meeting or until the arrival of the Mayor or Deputy Mayor.

The Chair may vote on any motion but may not introduce motions. If the Chair wishes to introduce a motion they may request that another member of Council temporarily take the Chair; this will be recorded in the minutes.

Breaks: Once a meeting has exceeded 2 hours, the Chair will entertain a motion for a 15 minute break.

Order of Business: The order of business at a regular or special Council meeting shall generally adhere to the following structure:

- a) The Chair will call the meeting to order;
- b) Approval of the meeting agenda;
- c) Approval of the Minutes of the last regular meeting and of any special meeting(s) held since the last regular Council meeting;
- d) Presentations from the Public;
- e) Correspondence – actionable items;
- f) Correspondence – information items;
- g) Consideration of reports of staff;
- h) Motions or items brought forward by Council;
- i) Reports from Council Committees and external boards and commissions of which the Town is a member
- j) New Business;
- k) Closed session if required;
- l) Adjournment.

Public Input Session: The fifteen (15) minutes prior to the Call to Order of regular Council meetings will be allocated for a public input session. Members of the public who have comments to make will be asked to state their place of residence and will be allotted an equal share of the time allotted for public comments.

The minutes will reflect the name and residence of those who speak as well as the general topic about which they spoke. No motions or decisions shall be introduced by Council at the public information session; Council members may raise items under New Business as per the provisions of this policy.

Approval of Agenda: At the beginning of each Council meeting, Council shall approve the meeting's agenda. At this time an item can be added by a Council member under the category of New Business. If an item is deemed to be of a time-sensitive nature it

may be added under Items brought forward by Council with a motion to amend the agenda, if this motion fails the item may still be added under New Business.

Presentations: Organizations or individuals are able to make presentations, in person, at Town Council meetings. A maximum of two presentations can be scheduled for any one meeting of Council unless emergency situations exist or there is cause for more presentations as determined by the CAO and Mayor.

Presentations must generally submit a completed Presentation Application Form (attached as a schedule to this policy) to the Clerk for approval a minimum of five business days prior to the Council meeting; applications are available at Town Hall and on the Town website. Invited presenters will not be requested to complete the presentation form and may be afforded more time at the discretion of the Chair.

Approved presentations are allotted 10 minutes to present to Council; if more time is needed for special consideration, a special meeting can be scheduled to receive the presentation of a delegation.

The Chair shall interrupt the presentation when the 10 minute timeframe is exceeded and ask direction from Council on whether the presentation shall continue. If the Chair rules that the presentation is concluded, the person or persons appearing shall withdraw, and the decision of the Chair shall not be subject to challenge.

No motions or decisions shall be introduced by Council concerning a delegation's requests at the same Council meeting as the presentation save for motions to refer an issue to a Council Committee or to staff.

Correspondence: Correspondence to Council and/or correspondence requiring the attention of Council will be placed on the agenda in two categories; Action (for correspondence requiring a response of Council) or Information. Correspondence must have a full name, address or place of residence, and contact information included; anonymous correspondence will not be accepted. For a piece of correspondence to be added to the agenda for an upcoming council meeting, it must be received by the Town Clerk no later than five business days before the meeting.

Staff Reports: Reports from staff will be provided to Council in the Council package; the reports may include recommendations which require motions. A report on tasks previously assigned by Council will be provided on each agenda. The CAO will respond to questions regarding the reports.

Policy Approval Process: Policies proposed for adoption, amendment or repeal shall be circulated to Council by the CAO and will then be presented for discussion at the next meeting of Town Council. The policy will then be presented for consideration at the next meeting of Council that is held no less than seven (7) days following the date received for consideration and will appear on the agenda under Staff Reports.

By-Law Approval Process: By-laws proposed for adoption, amendment or repeal shall be presented at a meeting of Council and given first reading by motion. At least fourteen

days before a by-law is read for a second time, notice of Council's intent to consider the by-law shall be published in a newspaper circulating in Town, posted at the Town Hall and posted on the Town website. The notice shall state the object of the by-law, the date and time of the hearing provided for public input, and of the meeting at which the council proposes to consider it and the place where the proposed by-law may be inspected. Council will schedule a hearing prior to second reading, generally immediately prior to the Council meeting where second reading is on the agenda. Only Council members present at the hearing may vote on the motion for second reading. On receiving second reading a notice of the By-Law's adoption, amendment or repeal shall be published in a newspaper circulating in Town.

Town Council Committee Reports: Town Council Committee Reports will be presented by one of the Council members who sits on the Town Council Committee. The complete draft minutes from each committee meeting will be provided to all of Council for their review in the Council package following their preparation. The Council member will present only the critical highlights of the meetings and motions or items requiring Council action or direction.

Items brought Forward by Council: Any member of Council may bring forward items of business or interest for consideration by Council. Motions can be made on these items during the meeting. To add a Council item to the agenda Council members must contact the Town clerk in writing in a minimum of five business days prior to the meeting date requesting the item be added; the Council member must provide sufficient background information for inclusion in the meeting package.

Staff will provide Outlook invitations to Council members for all regular meetings of Council in a calendar year by January 2nd of that year; once accepted, Council members will receive an automated reminder to submit agenda items one week prior to each meeting.

New Business: New Business presents an opportunity to raise subjects not previously discussed or included on the meeting Agenda. Council members can provide Notice(s) of Motion for upcoming meetings of Council; motions cannot be made under New Business. The Council member making the Notice of Motion will provide the motion to the Town Clerk for submission to Council in the next Town Council meeting package. Under New Business, Council members may bring forward items of interest to Council and the public and/or ask questions of the CAO.

Closed Sessions: The Council may meet in closed session to discuss matters relating to:

- a. Acquisition, sale, lease and security of municipal property;
- b. Setting a minimum price to be accepted by the municipality at a tax sale;
- c. Personnel matters;
- d. Labour relations;
- e. Contract negotiations;
- f. Litigation or potential litigation;
- g. Legal advice eligible for solicitor-client privilege;
- h. Public security;

No decision shall be made in closed session except a decision concerning procedural matters or to give direction to staff of, or solicitors for, the Town.

The meeting minutes will note the reason Council met in closed session and the duration, but no other information.

5.0 Meeting Procedures

5.1 Motions, Voting and Speaking:

- a) All motions shall be decided by majority vote of those present. An abstention will be considered a vote against the motion. If a motion fails to secure a majority of yes votes it will be considered to have failed.
- b) A motion may be withdrawn by the mover at any time, with the consent of the seconder, before the Council has voted on it.
- c) Prior to beginning a vote on any motion a Council member may request a role-call vote. If a role call is so requested the Chair will read each member's name in alphabetical order by surname and the member will reply with a yes or no vote.
- d) When any question is before Council only the following motions can be made:
 - i) A motion to amend the original motion;
 - ii) A motion to refer the question to any committee;
 - iii) A motion to defer the consideration of the question to a time specified by motion;
 - iv) A motion that the question be put to a vote;
- e) A motion 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 will not itself be put to a vote until every Council member who has not spoken on the question and wishes to speak has been heard.
- f) Once a motion has been put to a vote the same motion will not be reintroduced for Council's consideration unless significant new information has been provided to Council. The Council will vote to reconsider a motion prior to the motion itself being put before Council.
- g) The Chair will start every question by asking "Is Council ready for the question?" and if no Council member speaks, the chair shall ask the question, after which no Council member is permitted to speak on the motion. A motion must be seconded before it is debated or discussed.
- h) The following questions will be decided without debate:
 - i) A motion to reconsider;
 - ii) A motion to allow any person other than the Council Members or CAO to address the Council;

iii) A motion to adjourn.

- i) Every Council member, prior to speaking on any question or motion, will raise their hand and wait to be acknowledged by the Chair before speaking. If more than one Council member raises their hand to speak at the same time, the Chair shall decide who will be allowed to speak first.
- j) No Council member may speak more than twice, without the permission of Council, on any motion except to explain a misconception of their remarks. The mover of a motion shall have the right to reply and sum up in closing the debate; this shall be for a maximum of two minutes and shall not count against the limit of two opportunities to speak on a motion.
- k) No Council member shall speak more than two minutes upon any matter at one time, without the leave of Council.

5.2 Points of Order:

- a) It shall be the duty of the Chair, and the privilege of Council members, to call any Council Member to order, who violates any rules contained in this policy. A point of order must be decided before the subject under consideration can proceed.
- b) When a Council member is called to order, the Council member shall remain seated and silent until the point is determined.
- c) A point of order is not debatable amongst other members of Council, unless the Chair invites discussion in an effort to assist in making a ruling. If the Chair permits discussion of a point of order, no member of Council is permitted to speak more than once.
- d) Decisions of the chair on points of order or procedure are not debatable but are appealable by any member of Council. When an appeal is made from the decision of the Chair, the Chair shall simply state the question, "Shall the decision of the Chair be sustained?" which shall be voted on without debate.
- e) If a Council member resists the rules of Council, intentionally obstructs the business of Council or disobeys the decisions of the Chair, or of Council on appeal, on any question of order or practice, after being called to order by the Chair, or otherwise disrupts the proceedings of Council, the member of Council may be ordered by the Chair to leave the Council table provided that a majority vote of Council sustains the expulsion.

If the Council member refuses to leave the table, the Chair may order the member of Council be expelled and excluded from the Council Chambers. Such member of Council may, by vote of Council, later in the meeting or at a subsequent meeting be permitted to re-enter Council Chambers and to resume participation in Council's business with or without conditions.

- f) If any question arises that is not provided for by applicable legislation or this policy, it shall be decided according to the ruling of the Chair.

5.3 Attendance at Council Meetings:

- a) Persons who are not Council members or employees of the Town of Mahone Bay who are in attendance during a meeting of Council shall observe silence and order in Council Chambers, unless given permission to speak. Any such persons disturbing the proceedings of Council will be called to order by the Chair, and, if they fail to comply, will be expelled from Council Chambers by the Chair; a majority vote of Council shall be required to sustain the expulsion. Such member of the public may, by vote of Council, later in the meeting or at a subsequent meeting, be permitted to re-enter Council Chambers, with or without conditions. An order of the Chair to expel a person from the Council Chambers constitutes a direction from the Town of Mahone Bay to leave the premises.
- b) Persons who are not Council members or employees of the Town of Mahone Bay who are in attendance during a meeting conducted by means of electronic facilities who disturb the proceedings of Council and fail to comply when called to order by the Chair, as per 5.3 (a) of this policy, will be expelled from the electronic meeting by being disconnected and/or ejected from the meeting. Such member of the public may, by vote of Council, may be permitted to re-join the meeting, as meeting technology permits, with or without conditions.

6.0 General

Questions: For 10 minutes following a Council meeting, there will be an opportunity for the public in attendance to ask questions of Council. Questions must be related to the meeting's agenda. Council members are not obligated to answer.

Professional Conduct: All Council members, staff and members of the public are encouraged to maintain professional standards of conduct during all meetings of Town Council. Abusive language or actions can result in expulsion from the meeting, Council Chambers and/or the building. Threatening language, violence, or destruction of property can result in intervention by the RCMP.

Conflict of Interest: Any Council member with a conflict of interest related to motion or actions of Council, as per the Municipal Government Act, subject to the Municipal Conflict of Interest Act, must declare this conflict. If this conflict occurs in open session, the Council member must excuse themselves from the Council table during the time which the topic is under consideration; if this conflict occurs in closed session, the Council member must excuse themselves from the meeting room during the time which the topic is under consideration. The Clerk will record the date, Councillor's name and the topic of conflict, to be filed with the Council minutes.

Conducting Meetings by Electronic Facilities: A Council or council committee meeting may be conducted by means of electronic facilities **as permitted by MGA(19A)**, when a

~~member of Council is unable to attend in person.~~ When it is the norm that Council meetings are held in person, electronic participation by a member will be permitted for a maximum of two (2) consecutive regular meetings of Council without leave of Council.

A Council member participating by means of an electronic facility is deemed to be present at the meeting, can be counted toward quorum and can vote, including casting the deciding vote in the event of a tie. If communication is lost during the meeting and cannot be reconnected, the minutes shall reflect when the Council member left the meeting.

A person can only participate electronically in a closed portion of a meeting if they assure Council that they are in a secure location where no other parties can view or hear any part of the closed session. Under no circumstances is any portion of the closed session to be recorded.

While it will generally be the norm that meetings of Council and council committee meetings are held in person, ~~in the event that an in-person meeting is not possible due to extenuating circumstances,~~ a remote meeting may be called **as permitted by MGA(19A)** and in such case the same expectations of **public notice**, transparency, and opportunity for public participation as laid out elsewhere in this policy will be maintained as for a physical meeting (via live broadcast on the Town of Mahone Bay's video platform). When a Council meeting will be conducted remotely using electronic facilities this information will be included on the agenda for public information.

Clerk's Annotation for Official Policy Book

Date of notice to Council Members of Intent to Consider
[minimum 7 days notice] March 24, 2022

Date of Passage of Policy _____

Town Clerk

Date

(4) The council may prescribe, by policy, additional duties and responsibilities of the deputy mayor or deputy warden.

(5) The deputy mayor or deputy warden has all the power and authority and shall perform all the duties of the mayor or warden when the deputy mayor or warden is notified that

(a) the mayor or warden is absent or unable to fulfil the duties of mayor or warden; or

(b) the office of mayor or warden is vacant. 1998, c. 18, s. 16; 2006, c. 40, s. 3.

Mayor or councillor resignation

17 (1) The mayor or a councillor may resign from office at any time by delivering to the clerk a signed resignation and such a resignation is effective on delivery by the clerk to the next meeting of the council.

(2) A resignation may not be withdrawn once it has been delivered to the clerk.

(3) A mayor or councillor who ceases to be ordinarily resident in the municipality ceases to be qualified to serve as mayor or as councillor.

(4) A mayor or councillor who, without leave of the council, is absent from three consecutive regular meetings of the council, ceases to be qualified to serve as mayor or as a councillor.

(4A) Subsection (4) does not apply to a mayor or councillor who is absent for fifty-two or fewer consecutive weeks due to parental accommodation during a pregnancy or commenced within one year of a birth or adoption.

(5) When a seat on the council becomes vacant, the clerk shall report the facts to the council.

(6) Notwithstanding subsection (3), where a mayor or councillor has the approval of the council, a mayor or councillor may be ordinarily resident outside the municipality but within the Province for one period of not more than six months in a term. 1998, c. 18, s. 17; 2004, c. 7, s. 2; 2018, c. 17, s. 2.

Employment restriction for former council member

18 No council member may be employed by the municipality while a council member or for a period of six months after ceasing to be a council member. 1998, c. 18, s. 18.

Council meetings

19 (1) Notice of regular council meetings is not required.

(2) In addition to regular meetings, the council may hold such other meetings as may be necessary or expedient for the dispatch of business at such time and place as the council determines, if each council member is notified at least three days in advance and the clerk gives at least two days public notice of the meeting.

(3) Where the mayor or warden determines that there is an emergency, the council may meet without notice or with such notice as is possible in the circumstances.

(4) The clerk shall call a meeting of the council when required to do so by the mayor or warden or upon presentation of a written request signed by a majority of the councillors.

(5) When calling a meeting pursuant to subsection (4), the clerk shall give at least two days public notice of the meeting.

(6) Where the council fails to meet at any time determined by law, it is not dissolved, but may hold future meetings as if there had been no failure.

(7) A meeting of the council is not an illegal or invalid meeting by reason only of

- (a) a failure to give notice; or
- (b) meeting elsewhere than provided in the by-laws, a policy or a notice of meeting. 1998, c. 18, s. 19; 2004, c. 7, s. 3.

Virtual meetings

19A (1) Where a procedural policy of the council so provides, a council meeting or council committee meeting may be conducted by electronic means if

- (a) at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
- (b) the electronic means enables the public to see and hear the meeting as it is occurring;
- (c) the electronic means enables all the meeting participants to see and hear each other; and
- (d) any additional requirements established by regulation have been met.

(2) Where a procedural policy of the council so provides, a council member or council committee member may participate in a council meeting or council committee meeting through electronic means if

- (a) the electronic means enables the public to see and hear the member as the meeting is occurring;
- (b) the electronic means enables all meeting participants to see and hear each other; and

(c) any additional requirements established by regulation have been met.

(3) A council member participating in a council meeting or council committee meeting by electronic means is deemed to be present at the meeting.

(4) The notice to the public referred to in clause (1)(a) must be given by

(a) publication in a newspaper circulating in the municipality;

(b) posting on the municipality's publicly accessible Internet site and in at least five conspicuous places in the municipality; or

(c) such other method permitted by regulation.

(5) Notwithstanding clause (1)(a), where the mayor or warden determines that there is an emergency, a meeting may be conducted by electronic means without notice or with such notice as is possible in the circumstances.

(6) The Minister may make regulations

(a) respecting council meetings and council committee meetings conducted by electronic means;

(b) respecting the participation of a council member or council committee member in a council meeting or council committee meeting by electronic means.

(7) The exercise by the Minister of the authority contained in subsection (6) is a regulation within the meaning of the *Regulations Act*, 2021, c. 14, s. 1.

Quorum of council

20 (1) A majority of the maximum number of persons that may be elected to the council is a quorum for every meeting of the council.

(2) Where there is a vacancy in a council's numbers, the council may make a decision if a quorum is present at a meeting.

(3) Where the number of council members is reduced due to vacancies in a council's numbers below the number required for a quorum, the remaining council members may make a decision at a meeting of council if

(a) there are at least three remaining council members; and

(b) a majority of the remaining council members is present at the meeting,

but the council may not pass a by-law or policy, borrow money, set a tax rate, acquire or sell property or make any other decision that has effect after, or for a term extending beyond, the date for the election to fill the vacancies in council membership.



Town of Mahone Bay

Staff Report

RE: Development of Fire Services By-law

April 12, 2022

General Overview:

This report is to provide Council with an update on the progress of the development of a Fire Services By-law.

Background:

Staff conducted a second Stakeholder Public Information meeting with the members of the Mahone Bay and District Fire Department to obtain feedback to inform the process of developing a Fire Services By-law. Council received a staff report at the December 14, 2021 regular meeting of Council with an update on the progress of the by-law, at which time staff were given direction to schedule a second consultation with the membership of the fire department. Delayed due to concerns around rising covid numbers, the session took place on February 8, 2022.

Analysis:

Next Steps

At the second session held at the Fire Hall, staff presented information on the purpose of Fire Services By-laws, how a Fire Services By-law would be important to Mahone Bay, what to expect in such a by-law, and responses to questions posed to staff by members of the fire department after they were asked for feedback at the first session in October 2021.

Staff noted specific areas of a standard Fire Services By-law for which clarification is needed, and requested information from the fire department on their current processes to ensure that the future by-law is in keeping with existing best practices which have been established by the department.

At the information session it was determined that the fire department membership would like time to discuss the information provided at the session and follow-up with Town staff. In further discussion with the fire chief staff anticipate following up with the fire department about their existing processes regarding: conflict resolution/discipline; honorariums; recognition of fire fighters as well as honourary and veteran members; and residency of fire fighters.

It is felt that further consultation with department members on these specifics will provide staff with important background information on the processes in question

and support the development of a better by-law in cooperation with the department.

Financial Analysis:

There are no financial implications for this additional consultation. In the long run additional consultation with the department will save staff time in the development and implementation of a Fire Services By-law.

Links to Strategic Plan:

Sustainable Municipal Services

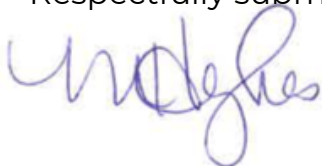
- Deliver efficient, progressive, and affordable service to our community, ensuring our prosperity for the years to come.

Recommendation:

It is recommended,

THAT Council accept this report for information.

Respectfully submitted,



Maureen Hughes

Town Clerk and Deputy CAO

Attached: Appendix A – February 8, 2022 Fire Services Follow Up Presentation to Fire Department





Fire Services By-law

Follow Up

Where are we so far?

September 13, 2021

- Stakeholder Public Information Meeting with Fire Department

Fall 2021

- Research other Fire Services By-laws
- Research local departments and their relationship with their municipal government

December 2021

- Draft Report to Council requesting a 2nd meeting with Fire Department

Delay

- COVID numbers spike

Why a fire services by-law?

To define the relationship:

- Town Council
 - Ultimately responsible
- Fire Department/members
 - Service providers
- Public (Fire Service Rate Payers)
 - Paying for it
 - Trust



Why Mahone Bay?

The Municipal Government Act requires that fire departments be registered in the municipality in which they operate

- MB Fire Department is registered under the Town

Mahone Bay Department operates with the Town Budget
(Not registered as a stand-alone entity)

Why a By-law?

The Fire Department is registered under the Town, so the Town becomes responsible for the operations, like the operations of a Town department

- Finances
- Personnel (policies, liability, responsibility)
- Use of public funds (spending/fundraising)
- Accountability to the public
- What is necessary to provide emergency services

What to expect in a Fire Services By-laws:

Who receives service

- Service territory + Mutual Aid agreements
- Under what conditions

Structure and Staffing

- Officers and roles of each (probably just Chief & Deputy)
- Qualifications
- Accountabilities – reporting/responsibilities
- Conflict resolution/disciplinary action
- Veterans and Honorary Members
- Recognition of Members

Financials

- Rate setting
- Fire Reserve
- Spending/Budget

What to expect in a Fire Services By-laws:

Personnel

- Occupational Health and Safety
 - Safe workplace (provincial legislation)
- Respectful workplace
- Criminal record checks and vulnerable sector check
- Residence (service area)
- Council confirmation of Chief and Deputy Chief
 - Accountabilities to the public regarding spending, management of personnel, management of resources

Why bother?

Town

- Accountability for ratepayer dollars
 - who is spending public money?
 - who is using public resources (trucks, hoses, etc)?
 - How are firefighters treated?

Protection

Fire Fighters

- Liability/negligence
 - Who should have reasonably known?
 - Know what to expect
 - Work with Town RE: equipment

Relationship

The fire department provides a very specific service and ensures that property owners and residents of the service area are provided top-notch emergency service.

The Town coordinates with the fire department about budget, legislation, and ensures that the department is properly equipped.

The By-law acknowledges that relationship and makes it clear.

What did you want to know?

Relationship with the Town

- What does the Town want from us?
- How does the Town support the FD administration
- Clarity about training & qualifications
- Assistance with internal regulations
- Notification/stay informed
- What is required (attendance at meetings, number of members, active members, honorary, junior)

What did you want to know?

Fire Fighters

- Recognition
- Valid driver's licenses/ criminal record checks
- Who can be a member
- Types of Fire Fighters/ Different Roles
- Dispute resolution
- Physical requirements
- Other FD General Operating Guidelines



What did you want to know?

Procedures

- Truck maintenance
- Use of building
- How do people get on the floor
- Purchase Orders
- Safety Procedures
- Meeting Procedures



What might the by-law look like?

Purpose: define the relationship between the Town of Mahone Bay and the Mahone Bay and District Volunteer Fire Department

Provision of Fire Services: town of Mahone Bay as well as communities of Mader's Cove, Oakland, and Clearland as established

- Not **responsible** for other areas
- But permitted in case of emergency and with mutual aid

What might the by-law look like?

Personnel: considered employees of the Town of Mahone Bay

Why? Protection, responsibility, but mostly the Workers Compensation Act

- 2(ae) “worker” means a worker within the scope of Part I and includes.... (v) a volunteer firefighter who is a member of a fire department registered by a municipality under section 294 of the Municipal Government Act
- What does that mean?
 - Responsibility for “employees” – safety, respectful workplaces
 - Accountability – criminal record check/vulnerable sector, proper training, proper equipment, spending

What might the by-law look like?

Personnel: considered employees of the Town of Mahone Bay

- Role of the Chief (& Deputy Chief)
- Code of Ethics
- Discipline
- Recognition of Service
- Honorary members
- Training
- Records



What might the by-law look like?

Accountability: use of public funds + public trust

- Reporting requirements
- Use of funds/ resources
- Public accountability – annual public meeting?



Process: Draft By-law to Approved By-law

1. Draft By-law submitted to Council for consideration
2. 1st Reading
3. Advertisement of Draft & Public Hearing
4. Public Hearing
5. Council considers for 2nd and Final Reading (approval)



Further thoughts?

You can contact me directly:

Maureen.Hughes@townofmahonebay.ca

902-624-9321

Or you can contact Town Hall and they will get a message to me:

clerk@townofmahonebay.ca

902-624-8327



THANK YOU



townofmahonebay.ca

clerk@townofmahonebay.ca



Town of Mahone Bay

Staff Report

RE: Town Logo

April 12th, 2022

General Overview:

This staff report is intended to provide Council with information on the anticipated process for development of a new logo for the Town.

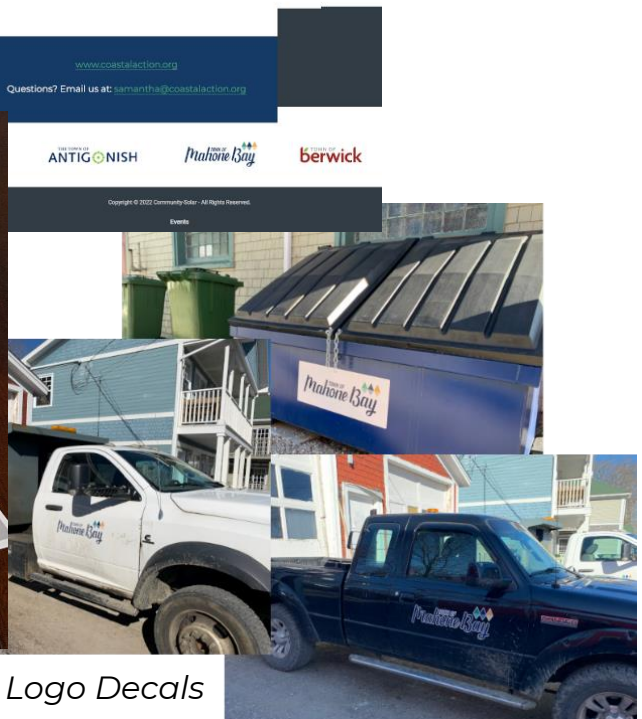
Background:

The current Town logo was one of two designs developed for the Town of Mahone Bay by Skysail Brand Marketing and Design for consideration as a corporate logo. It was officially adopted by Council in the Fall of 2019. The Town's corporate logo is used in a variety of ways including online (websites and social media), in print (letterhead, posters, public notices, plans and reports, tickets and notices, business cards and employee identification, etc.) and in other applications such as vehicle decals and flags at Town Hall.



Current Logo online

Current Logo in Print



Current Logo Decals

At the regular Council meeting of September 14th, 2022 the following motion was passed:

“THAT Council consider reviewing the Town logo and request that staff prepare a report on an RFP process to develop a new logo for the Town of Mahone Bay.” Motion carried.

Analysis:

Staff have reached out to other municipalities who have undertaken to develop new logos in recent years, and reviewed numerous Request for Proposals (RFP) documents, to reach the following conclusions:

- With the current logo process it was made clear from the outset that it was intended to be a corporate brand. If Council is to consider a new logo it will be important to define whether it is intended to be a corporate brand, or to represent the entire community. Given the feedback received concerning the current logo, it is presumed a new logo would be an “entire community” brand for Mahone Bay.
- This definition entails a robust public participation process in the development of the new logo as it must represent the “entire community”. Other units who have undertaken this process have typically done so over 6-24 months; timeliness should not be the primary consideration for the process.
- An Engagement Plan should be developed, in accordance with the Town’s Public Engagement Policy. This Plan would set expectations for public participation per the IAP2 Public Participation Spectrum:

Public Participation Spectrum

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	To obtain public feedback on analysis, alternatives and/or decision.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

The Town of Kentville's Council for example, when developing their current logo, made the determination at the outset that they would not make the final decision on the logo but that the logo selection would need to result from a public process with the final logo being presented to Council for approval at the end of the process. On the IAP2 Spectrum above this would be a decision to Empower the public.

- Council's decision on the level of public participation anticipated in the logo design process will significantly influence the Engagement Plan, particularly the selection of engagement tools. Surveys and engagement sessions may be contemplated, along with other engagement methods. Some municipalities established special committees with public representation to lead the design process.
- Through the Request for Proposals (RFP) process the Council will provide the resources needed to implement the Engagement Plan, in addition to any provided in-house. The RFP process, shaped by the Engagement Plan, will define the contractor's role in the design process (scope of contracted services), from providing support to a design committee, to conducting surveys and facilitating engagement sessions, and - at a minimum - to the production of one or more logo designs and revisions.

Financial Analysis:

On review of a variety of RFP process' undertaken by other units to develop a new municipal logo, and the scope of work included therein, staff believe that a reasonable budget for the contemplated scope of work would be \$25,000. It is recommended that this figure be used for the draft 2022-23 budget.

Development of an Engagement Plan will help to further define the scope of contracted services and will inform the RFP process, which could result in an increase or decrease in the estimated cost of services. It is recommended that the Engagement Plan be developed ahead of the annual budget process.

Should the Town proceed to the RFP process and proposals received are in excess of the defined budget (\$25,000 proposed for the time being) Council would have the option to increase the budgeted amount for development of a new logo. As this is a special operating initiative it would typically be financed from Operating Reserve to avoid distortion in current year expenditures, so any increase above budget would not impact other operations.

On approval of a new logo there would also be costs associated with replacing the current logo. It is estimated that 80 hours of staff time and \$5,000 would be required to complete the transition to the new logo.

Climate Analysis:

N/A

Strategic Plan:

N/A

Recommendation:

It is recommended,

THAT Council direct staff to prepare a draft Engagement Plan for the development of a new logo for the Town [defining the nature of the brand to be developed (corporate v. community) and the level of public participation anticipated by Council (according to the IAP2 spectrum)]; and,

THAT staff be directed to include the development of a New Town Logo as an operating initiative in the draft 2022-23 budget, at an estimated cost of \$25,000, to be funded from Operating Reserve.

Attached for Council Review:

None

Respectfully Submitted,



Dylan Heide
Town of Mahone Bay CAO



Town of Mahone Bay

Staff Report

RE: Vaccination Policy Update

April 12th, 2022

General Overview:

This staff report is intended to recommend amendment of the Town's Vaccination Policy in consideration of the end of the Provincial state of emergency for COVID-19.

Background:

The Vaccination Policy was approved by Council December 14th, 2022. Staff, Council members and volunteers were given until February 28th to provide proof of vaccination.

The Policy can be considered broadly successful in achieving its initial objectives as all members of staff, Council and the Mahone Bay Volunteer Fire Department have now demonstrated their vaccinated status.

The provincial state of emergency for COVID-19 ended on March 21st, 2022.

Analysis:

With the ending of the state of emergency it is reasonable to review the Vaccination Policy. With current staff and Council having already demonstrated their vaccination status the policy can shift to focus on new employees. Given the end of the state of emergency and anticipated return to summer seasonal activities, it may be advisable to rescind the provisions requiring vaccination of volunteers so as not to encumber societies operating from Town facilities such as the Mahone Bay Pool Society and Wooden Boat Society.

Financial Analysis:

There are no anticipated costs with the revision of the Vaccination Policy.

Climate Analysis:

N/A

Strategic Plan:

N/A

Recommendation:

It is recommended that, after due consideration at the regular meeting on April 28th,

THAT Council adopt the draft amended COVID-19 Vaccination Policy as presented.

Attached for Council Review:

- Previously Approved Policy
- Draft Amended Policy

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Dylan Heide', with a long horizontal flourish extending to the right.

Dylan Heide
Town of Mahone Bay CAO

1.0 Statement

The Town of Mahone Bay is committed to providing a safe working environment for our employees, Council, and members of the public with whom we interact. Protective measures within the workplace are the responsibility of the employer. The purpose of this policy is to provide the Town's expectations and requirements of staff, Council, volunteers, and committee members with respects to COVID-19 vaccination requirements so as to protect all workers and the public we serve.

2.0 Scope

This Policy applies to all Town of Mahone Bay employees, Council, volunteers, and committee members regardless of workplace or worksite location, including those who are working remotely. This Policy does not apply to members of the public who are accessing Town services and programs however Town staff may require proof of vaccination status from members of the public in accordance with Provincial directives.

The Town may, at the discretion of the Chief Administrative Officer, apply this Policy to contractors who are working on Town premises.

3.0 Definitions

"Fully vaccinated" means receipt of 1 dose of a vaccine authorized as a 1 dose vaccine series such as Janssen plus 14 days, or 2 doses of a vaccine authorized as a 2 dose vaccine series such as Pfizer, Moderna or AstraZeneca plus 14 days, or a complete series of any other World Health Organization authorized series of COVID-19 vaccine such as Sinopharm or Sinovac plus 14 days. To demonstrate full vaccination an acceptable copy of the Nova Scotia COVID-19 Vaccination Record (or other acceptable record if vaccinated outside of Nova Scotia) must be produced.

"Not fully vaccinated" means no receipt of any vaccine dose or receipt of 1 dose of a vaccine authorized as a 2 dose vaccine series such as Pfizer, Moderna or AstraZeneca plus 14 days.

"Vaccine" means a vaccine against COVID-19 that has been approved by either the Public Health Agency of Canada or the World Health Organization.

4.0 Provisions

4.1. The Town of Mahone Bay will require all employees, Council, volunteers, and committee members to be fully vaccinated against COVID-19 and provide proof of

vaccination by February 28, 2022. Proof of vaccination records will be kept confidential and used only as required to administer the Policy.

4.2. Those who cannot be vaccinated based on an approved written medical exemption may request an exemption from the CAO, by providing the appropriate documentation from a qualified medical professional as determined by the Province of Nova Scotia. If the exemption request is accepted by the CAO, those people must participate in the Rapid Testing Program. At-home testing kits will be available at no cost to employees participating in the Rapid Testing Program.

4.3. Employees who fail to comply with the requirements of this policy by February 28, 2022 will be placed on an immediate unpaid leave of absence and may be subject to disciplinary action, up to and including dismissal. Volunteers – including volunteers with Societies operating on Town property and firefighters with the Mahone Bay & District Fire Department – who fail to comply with the requirements of this policy by February 28, 2022 will be placed on an immediate suspension. Council and Committee members who fail to comply with the requirements of this policy by February 28, 2022 will be prohibited from attending meetings in person.

4.4. Based on operational needs, positions vacated by the unpaid leaves of absence may be temporarily filled.

4.5. Vaccinations will be only one part of the employer's steps to maintain a safe workplace. The Town of Mahone Bay may continue to implement other measures, such as wearing a mask and physical distancing even if the Province discontinues those steps.



Clerk's Annotation for Official Policy Book

Date of notice to Council Members of Intent to Consider
[minimum 7 days notice] November 25, 2021

Date of Passage of Policy December 14, 2021

Town Clerk

Date



1.0 Statement

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"Vaccine" means a vaccine against COVID-19 that has been approved by either the Public Health Agency of Canada or the World Health Organization.

4.0 Provisions

4.1. The Town of Mahone Bay will require all new employees Council, volunteers, and committee members to be fully vaccinated against COVID-19 and to provide proof of

vaccination as a part of the hiring process. Proof of vaccination records will be kept confidential and used only as required to administer the Policy.

4.2. Those who cannot be vaccinated based on an approved written medical exemption may request an exemption from the CAO, by providing the appropriate documentation from a qualified medical professional as determined by the Province of Nova Scotia. If the exemption request is accepted by the CAO, those employees may be required to participate in a Rapid Testing Program. At-home testing kits will be available at no cost to employees participating in a Rapid Testing Program.

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4.4. Based on operational needs, positions vacated by the unpaid leaves of absence may be temporarily filled.

4.3. Vaccinations will be only one part of the employer's steps to maintain a safe workplace. The Town of Mahone Bay may choose to continue to implement other measures, such as wearing of masks and physical distancing even if such measures are not mandated by the Province discontinues these steps. Such measures will be applied at the determination of the CAO. These measures may apply to employees, Council, volunteers, and committee members.

Clerk's Annotation for Official Policy Book

Date of notice to Council Members of Intent to Consider
[minimum 7 days notice] November 25, 2021

Date of Passage of Policy December 14, 2021

Town Clerk

Date



Town of Mahone Bay

Staff Report

RE: Electrical Utility Rate Study

April 12th, 2022

General Overview:

This staff report is intended to provide Council with an update concerning the planned electrical utility rate study as well as related recommendation.

Background:

The Town's 2021-22 budget approved by Council May 27th, 2021 included an allocation for the conduct of an electrical utility rate study in 2021-22, intended to support a potential rates application to the Nova Scotia Utility and Review Board in 2022. The 2021-25 Strategic Plan also prioritizes the conduct of an electrical utility rate study.

Staff have been working with our colleagues at the Alternative Resource Energy Authority (AREA) to progress our rate study along with similar requirements from the other municipal electrical utilities (MEUs). The consultant who had previously supported the MEUs in the conduct of rate studies is no longer available to us. AREA conducted a tendering process on behalf of the Town of Mahone Bay, Town of Berwick, Town of Antigonish and Riverport Electric Light Commission, to contract a consulting firm with the capacity to undertake the needed rate studies for all MEUs (in the immediate term and as needed going forward).

This tendering process resulted in BDR being selected by AREA and over the past several months AREA, MEU and BDR staff have been working to define the rate study process which would be undertaken. AREA staff have now reached out to the MEUs seeking approval to proceed with the rate studies with BDR.

The following additional background is provided by AREA staff, further illustrating the importance of proceeding with the rate studies as planned:

Wholesale electricity for 2023 imported power will be much more costly than historically experienced because commodity market prices have skyrocketed. Furthermore, the first phase-in of Back-Up/Top-Up costs, which will be 25% in 2023, will further aggravate costs pressure for municipal electric utilities because AREA only charges a small fee on imports, passing through all the benefits and NSPI costs to the utilities.

The NS Utility and Review Board has an extremely busy 2022 schedule. Given the significant increase in 2023 supply costs, the municipal electric utilities should immediately perform the necessary rate work to prepare a general rate application. Sufficient time from application to decision should be considered so that the municipal electric utilities secure approval to increase rates for January 1, 2023 to avoid financial issues.

Analysis:

AREA staff have advanced the following proposed approach with BDR, to be undertaken with participation of all four MEUs:

Rate Study with Rate Design

Cost per utility = \$16,000 with 11-week duration of work, with all 4 municipal utilities participating.

(a) Approach and Methodology

A “rate study” may include detailed design, with specific charges, for customer class rates, but goes beyond the computation of charges on a status quo basis. A true rate study provides the analysis necessary for a utility (or its regulator) to make an informed decision about possible changes to rate structures and levels, and if necessary, to develop an appropriate strategy for rates over the next few years.

A rate study is not something that a utility carries out annually, but typically takes place under one or more of the following conditions, to which the utility needs to respond through rate design proposals:

- a regulatory requirement, or industry trends, for more modern rate structures, especially time-varying rates
- requirement for recovery of costs to provide standby or backup service to customers with self-generation capacity
- the utility expects a new load, of a size and type that does not fit existing class structures
- the utility anticipates a significant change in its cost structure (such as a different type of purchase contract, new supply mix, etc.) or the level of a type of cost

- the existing customer class structure or rate structure results in relatively similar customers being treated differently as to pricing
- a policy requirement of the regulator or government such as for conservation incentives
- the utility needs rates to support a particular customer program
- the existing structure creates undue financial risk for the utility if number of customers, load factors, time of use, or average use change significantly, or
- the existing rate structure is not well understood by customers
- the classifications and rate levels are believed to involve undue subsidization between classes of customers.

Therefore, the Rate Study would start with a meeting between the utility and the consultant, so that the consultant better understands the conditions that are creating the need for the study. Prior to that meeting if possible, or soon after the meeting, the utility should provide a rate schedule, and any other material that explains the concerns about the rate structure or customer class structure. The consultant will then make a preliminary review of the existing customer class definitions and rate structures, to determine what additional issues or questions should be added to the list for study.

This Approach and Methodology assumes that the utility can provide a relatively recent Customer Cost Allocation Study ("CCAS") to use as a point of reference in determining whether there is undue cross-subsidization between or within classes, and whether the rates "track" costs (i.e. help to minimize financial risk for the utility), and also whether they appropriately recover the revenue requirement.

First the problem, issue or challenge in the rate design will be identified through discussion between the utility and the consultant.

Next, the consultant will identify one or more possible rate design solutions.

Third, the consultant will build a model for testing of the possible alternative rate design solutions. In very small utilities, if data are available, the analysis spreadsheet could include every customer. Alternatively, a data set could be built from a frequency distribution of consumptions. The rate design would be applied to the individual or frequency distribution of billing determinants, in order to find one or more alternative sets of charges that will recover the target rate design. Within a single type of rate design, different charges would be tested to

determine which will meet the goals, while minimizing negative impacts on individual customers in the class. And finally, various strategies will be tested to identify a mitigation strategy if large negative impacts cannot be eliminated.

This is the major analysis phase of a rate study project, and depending on the number of customer classes for which new rate designs are wanted, can take several weeks.

The consultant will then present the results to the client, and support the client in identifying strategies and rate designs for further development. Based on these discussions the consultant prepares a report.

For rate studies ordered by a regulator, expert testimony may be part of the assignment.

AREA insight: This scope reviews the ability of utility rates to recover costs and generate returns. BDR details a comprehensive process. Upon completion, AREA expects a significant reduction in the annual, ongoing costs related to regulatory rate work, as municipal staff can link annual fiscal budgets to the rate study spreadsheet to quickly determine if a general rate application is required, then use that modified spreadsheet to support the general rate application.

The rate studies also enable each municipal electric utility to test various inputs (wholesale power costs, capital projects, operational costing, staffing costs, etc.) against its profitability and customer rates. Given the decarbonization transition, this will prove to be a very valuable analytical tool.

Financial Analysis:

The Town (electrical utility) cost for the rate study would be \$16,000. This represents our share of costs distributed equally between all four MEUs (who have now approved participation). Any further BDR assistance related to the filing of a general rate application would be in addition to the \$16,000.

The 2021-22 annual budget allocated \$5,000 for the conduct of the rate study, which is an amount arrived at in discussion with the consultant who had previously supported the MEUs in the conduct of rate studies. Staff recommend approving the increased allocation for the study, satisfied with AREAs efforts to obtain the necessary consulting capacity through their procurement processes.

Climate Analysis:

Completion of an electrical utility rate study will inform future rate design activities intended to support and encourage utility rate payers in transitioning way from fossil fuels.

Strategic Plan:

- 1.1. Improve Performance of Town Owned Utilities
 - Undertake strategic water, wastewater & electrical rate studies and adjust rates as appropriate

Recommendation:

It is recommended,

THAT Council direct staff to proceed with the electrical utility rate study as proposed by AREA with BDR, in collaboration with MEU partners, at a cost of \$16,000, to be reflected in the draft 2022-23 annual budget.

Attached for Council Review:

None

Respectfully Submitted,



Dylan Heide
Town of Mahone Bay CAO



Town of Mahone Bay

Staff Report

RE: Comfort Stations Update

April 12th, 2022

General Overview:

This staff report intended is to provide Council with an update and recommendation relating to winter operation of the Town's comfort stations.

Background:

Staff provided a report to Council at the regular meeting of Oct 12, 2021 concerning winterization of the Town's comfort stations (report attached as appendix) in consideration of which the following motion was passed by Council:

"THAT Council direct staff to proceed with planned renovation of the comfort stations on Edgewater Street and Main Street for year-round use, and that the operation of the comfort stations for 2021 be extended until the Christmas holiday; and THAT a letter be written to MBTCC Chair Jeff Phillips informing him of such."

As noted in the prior report the Mahone Bay Tourism & Chamber of Commerce (MBTCC) had requested the extension of comfort station operations in 2021, particularly in consideration of COVID-19 impacts on local business, many of which had to prohibit customer access to staff washrooms.

Analysis:

Winterization work was completed on schedule and arrangements were made to keep both comfort stations open until the end of 2021. Staff installed counters at both facilities at the time, to provide Council with usage statistics. The following table shows the weekly use of the comfort stations in November and December of 2021, adjusted to account for janitorial visits:

	ECS	MCS
Nov 2nd - 9th	382	61
Nov 9th - 16th	367	53
Nov 16th - 23rd	190	22
Nov 23rd - 30th	223	17
Nov 30th - Dec 7th	214	13

Dec 7th - 14th	83	0
Dec 14th - 21st	159	9
Dec 21st - 28th	198	16
Dec 28th - Jan 4th	174	9

Total	1990	200
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Edgewater Comfort Station - ECS

Marina Comfort Station - MCS

In consideration of the limited use of the comfort station at the marina during November and December, staff would recommend against the extension of operations (beyond October) at this location in the future.

Financial Analysis:

Council had budgeted \$6,000 for the winterization of the comfort stations (installation of heaters and insulation), which came in at a total cost of \$8,687.

Significant additional operating costs for the comfort stations in relation to the extended 2021 season (~\$10,000 as per the prior staff report) may be offset from Safe Restart funds, due to COVID-19 considerations. In future years increased operating costs would be borne directly by the Town, in addition to the typical annual operating cost of ~\$25,000.

Climate Analysis:

N/A

Strategic Plan:

2.2 Provide Equitable Services to Support Growth

- Strategically expand existing infrastructure to support planned growth and development

Recommendation:

It is recommended,

THAT Staff be directed to reflect only the usual seasonal operation of Comfort Stations in the draft 2022-23 budget.

Attached for Council Review:

- Oct 12, 2021 Staff Report re Winterization of Comfort Stations

Respectfully Submitted,



Dylan Heide
Town of Mahone Bay CAO

Appendix



Town of Mahone Bay

Staff Report

RE: Winterizing Comfort Stations

July 29th, 2021

General Overview:

This report is intended to update Council concerning the renovation of the Town's comfort stations for year-round use.

Background:

The 2021-22 capital budget approved by Council on May 27, 2021 included an allocation of \$6,000 to renovate the comfort stations (public washrooms) on Edgewater Street and Main Street for year-round use. Renovations are to consist of additional insulation in the attic of the Edgewater Street comfort station and the installation of baseboard heaters at both locations; estimates were prepared by the Town's Public Works Dept. in the development of the annual budget.

At Council's regular meeting on July 13th, 2021 Council passed a motion directing staff to apply to the Canada Community Revitalization Fund (CCRF) for a proposed project comprising several components in the downtown, including renovation of the comfort stations per Council's 2021-22 budget. Staff have not yet received confirmation of the status of this application.

Analysis:

The renovation of the comfort stations for year-round use is an initiative supported by the Mahone Bay Tourism & Chamber of Commerce (MBTCC), per the request received from Chair Jeff Phillips on January 4th, 2021. Chair Phillips also provided a letter of support from MBTCC for the Town's CCRF funding application.

The request to renovate the comfort stations is intended to support the local business community, particularly retail business operators whose patrons rely on the public washrooms operated by the Town. This has been particularly true during the COVID-19 pandemic which has forced the closure of many businesses washrooms to the public due to health and safety concerns (business operators have instead been directing their patrons to the nearest comfort station). The value to local retail businesses of the Town operating the comfort stations into the winter season is therefore heightened this year as a result of the pandemic. This was underlined in the Town's CCRF application.

Not having received approval for the CCRF application, the Town Council needs to determine whether to proceed with the renovations in a timely manner, if consideration is given to extending the operation of the comfort stations this year. While Town staff typically close the comfort stations by the end of October, we have received a request from MBTCC Chair Phillips to extend the operation of the comfort stations until the Christmas holiday this year, to further support retail shopping in Mahone Bay.

Financial Analysis:

In addition to renovating the comfort stations at an estimated cost of \$6,000 as per the approved 2021-22 budget, extending the operation of the comfort stations on Edgewater Street and Main Street by approximately two months in 2021 will result in additional unbudgeted operating costs. Public Works has estimated the additional costs to operate the comfort stations over this period at approximately \$10,000, including janitorial, supplies, maintenance, heating and snow and ice control as needed. The approved operating budget for the typical season is \$24,500. While this ~\$10,000 would be an unbudgeted expense it should also be noted that it should be an eligible cost for application of Safe Restart funding which has previously been received by the Town (in the amount of \$43,651) and which was not included as revenue in the 2020-21 or 2021-22 operating budgets (while staff have sought clarity on its eligible applications).

Climate Analysis:

While extended operation of the comfort stations will result in additional use of electricity (primarily for heat) this has a minor impact on the community's carbon emissions, due to the Town's largely non-emitting energy supply.

Strategic Plan:

2.2 Provide Equitable Services to Support Growth

- **Strategically expand existing infrastructure to support planned growth and development**

Recommendation:

It is recommended,

THAT Council direct staff to proceed with planned renovation of the comfort stations on Edgewater Street and Main Street for year-round use, and that the operation of the comfort stations for 2021 be extended until the Christmas holiday; and,
THAT a letter be written to MBTCC Chair Jeff Phillips informing him of such.

Attached for Council Review:

None

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Dylan Heide', followed by a long horizontal flourish.

Dylan Heide
Town of Mahone Bay CAO



Town of Mahone Bay

Staff Report

RE: Power Lines at Sports Field

April 12th, 2022

General Overview:

This staff report is intended to provide Council with options in relation to the anticipated upgrade of power lines located at the sports field.

Background:

The Town's solar garden project necessitates the upgrade of power lines located at (across) the town-owned sports field adjacent to the Mahone Bay Centre. These lines connect the sub-station on School Street to the lines on Pine Grove Street which will in turn be upgraded to serve the Solar Garden being constructed at 918 Main Street (the Town's wastewater treatment facility) via the service corridor to be established from Fauxburg Road.



Powerlines Across Sports Field

The sports field will be undergoing improvement in 2022 with additional usage anticipated as a result. Upgrading of the power lines will need to be coordinated with these improvements, meaning it would potentially be anticipated to begin as soon as May.

Analysis:

While power lines crossing over a sports field at a height of more than forty feet do not pose an imminent hazard to users, they do potentially restrict activities on the field, such as the installation of portable rugby posts (as has recently been requested by a local rugby group), or kite flying by individuals. The imminent upgrade of the lines offers Council several options in this regard.

A report was commissioned from Strum Engineering by AREA staff working on the solar garden project in coordination with Town staff, to outline the options available to Council. The report is attached as an appendix.

Financial Analysis:

There is a wide range of costs for the three options, outlined in the appendix to this report. Costs associated with the powerline upgrade would be project costs to the solar garden project and therefore eligible for cost sharing. This would impact the contingency established for the project.

Climate Analysis:

While the powerline upgrade – in serving the community solar garden – is essential to the Town Council's GHG reduction goals, the decision with regards to the lines across the sports field has no associated climate impacts.

Strategic Plan:

N/A

Recommendation:

It is recommended,

THAT Council direct staff to proceed with [an option as outlined in the Strum Engineering report] for the upgrade of the powerlines at the sports field.

Attached for Council Review:

- Options Report from Strum

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Dylan Heide', with a long horizontal flourish extending to the right.

Dylan Heide
Town of Mahone Bay CAO



Dartmouth Office
80 Eileen Stubbs Ave.
Dartmouth, N.S. B3B 1Y6
Tel: (902) 468-7325
Fax: (902) 468-1908

Sydney Office
401 Esplanade
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Tel: (902) 562-3311
Fax: (902) 562-4152

Saint John Office
76 Princess Street
Saint John, NB E2L 1K4
Tel: (506) 343-3016

048-020-300

March 16, 2022

Ms. Lenta Wright
Program & Operations Officer
Alternative Resource Energy Authority (AREA)
274 Main Street
Antigonish, Nova Scotia
B2G 2C4

Dear Lenta:

Options for 4.16kV Distribution Circuit Crossing of Mahone Bay Centre Sports Field

As requested, we have reviewed each of the options proposed for the 4.16kV distribution circuit crossing of the Mahone Bay Centre Sports Field.

As you are aware, the existing 4.16kV distribution circuit 76W-211 will be extended from Fauxburg Road to the new Solar Garden. To meet the system stability requirements outlined in the Distribution System Impact Study (Strum Engineering Report No. 048-017-300-01-20), the existing overhead line phase conductors, which run from Substation 76W on School Street to the point of interconnection with the Solar Garden circuit at the corner of Fairmont Street and Pine Grove Street size, must be upgraded from the existing #2/0AWG ACSR to 336.4kcmil ACSR, including the existing section of overhead line which crosses the western end of the Mahone Bay Centre Sports Field.

The three (3) options presented by AREA for review were:

1. Upgrading the line and replacing only the pole on the northwestern side of the field (the pole needs replacement regardless of the upgrade),
2. Upgrading the line and diverting it away from the Sports Field. This would mean an extra pole at minimum and replacing the existing pole,
3. Running the upgraded line under the Sports Field. The crew in Mahone Bay can do the trenching, etc.

STRUM ENGINEERING ASSOCIATES LTD.

We offer the following analysis and comments:

1. *Upgrading the line and replacing only the pole on the northwestern side of the field (the pole needs replacement regardless of the upgrade):*

Replacing only the pole located on the northwestern side of the Sports Field would be a standard operation for Mahone Bay Electric and would cost in the order of \$2,500. It is assumed that existing anchors and guy wires can be reused. Pole framing design, including crossarms and insulators would remain per existing design.

2. *Upgrading the line and diverting it away from the Sports Field. This would mean an extra pole at minimum and replacing the existing pole.*

This proposed diversion would supposedly require cutting trees on the western side of the field. The pole located on the northwestern side of the Sports Field would be replaced as indicated in Item 1 above, however, the location of the existing anchors and guys would change. Two (2) new poles would be required, complete with high angle framing, anchors and guy wires. One (1) pole would be located in the northwest corner of the Sports Field and the other pole would be located in the southwest corner. The existing pole on the southwestern side of the Sports Field would also require changes to the pole framing, anchors and guys to accommodate the change in approach angle of the overhead conductors. We note that changes to the conductor approach angles at the two (2) existing poles would require relocation of the existing anchors/guys, which could result in the guys being set inward towards the Sports Field, potentially creating a hazard to players on the field. We estimate a total cost of approximately \$15,000.

3. *Running the upgraded line under the Sports Field. The crew in Mahone Bay can do the trenching, etc.*

This is the best design option to provide unimpeded access and visibility to the Sports Field; but would have the highest capital cost to complete. Two (2) new overhead to underground transition (dip/riser) poles would be required, one on each side of the field; framed as deadend riser poles complete with surge arresters, cable terminations, cable guards, anchors, guy wires, etc. Three (3) 5kV power conductors would be run in an underground trench, either direct buried or in PVC conduit, along with an insulated conductor which would provide continuity of the overhead system neutral. The anchors/guy wires would be set inward towards the Sports Field. To avoid a potential hazard to players on the field, the new dip/riser poles would be moved further off the field than the present poles. Each 5kV power conductor and the insulated system neutral conductor would be approximately 95m in length (75m across the field and 10m up each dip/riser pole). The estimated installed cost of the underground option would be \$45,000.

STRUM ENGINEERING ASSOCIATES LTD.

We trust this brief review and analysis is sufficient.

If you have any questions or require further information, please do not hesitate to contact our office at your convenience.

Yours truly,

STRUM ENGINEERING ASSOCIATES LTD.

A handwritten signature in black ink, appearing to read 'R. McCarthy', with a stylized flourish at the end.



R. McCarthy, P. Eng.
Senior Electrical Engineer
(email: r.mccarthy@strumengineering.ca)



THE MUNICIPALITY OF
CHESTER

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March 28, 2022

Municipal Councils of:
Town of Mahone Bay
Town of Bridgewater
Town of Lunenburg
Municipality of the District of Chester
Municipality of the District of Lunenburg

RE: Appointment of Lunenburg County Accessibility Advisory Committee
Community Members

Dear Members of Council,

The Lunenburg County Accessibility Advisory Committee (LCAAC) currently has three vacancies for community members. Five applications were received from community members by the November 9th, 2021, deadline. The LCAAC Terms of Reference indicate that new terms will be three years in length. However, as one of the vacant positions is due to a resignation, the replacement member will serve a term expiring September 1st, 2022, completing the existing term.

The Lunenburg County Accessibility Nominating Committee comprised of the Mayors and Wardens of the five Lunenburg County municipalities (or their designates) has reviewed the applications and makes the following recommendation to the five Municipal Councils in Lunenburg County:

To appoint Sheila Landry and Bruce Walsh to the Lunenburg County Accessibility Advisory Committee for a term of three years and to appoint Peggy McCalla to the Lunenburg County Accessibility Advisory Committee with term expiring September 1, 2022.

Sincerely,

Dan McDougall
Chief Administrative Officer

NOVA SCOTIA'S TREASURE

Maureen Hughes

From: Penny Carver
Sent: Tuesday, April 5, 2022 3:54 PM
To: Maureen Hughes
Cc: Dylan Heide; David Devenne
Subject: Motion for April 12 Council Meeting

Motion to Clarify the Relationship of Council to the Mayors, Wardens & Deputies Group:

Rationale:

On a regular basis, the Mayor, Deputy Mayor, and CAO of the Town of Mahone Bay meet with the Mayors, Wardens, Deputies and CAOs representing all five municipalities in Lunenburg County. At present, there is no formal channel of communication or accountability between our Council and these ongoing inter-municipal meetings. At the same time, it is expected that Council will be provided with minutes and/or reports from all other Town external committees and board.

Since 2012 when I was first elected to Council, there have been many requests from Councillors - including myself - for reports or summaries of the MW&D meetings to be brought to Council. The response has typically been that it is not a formal meeting, that no minutes are kept, and that issues come back to Council as needed. Like some other Councillors, I never found this response satisfactory.

Recently, whether intentionally or accidentally, all ToMB Councillors were included in the circulation list for the March 23rd MW&D meeting agenda package. The material in that package included a report from our planners regarding regulations for short term rental accommodations, and information about provincial housing initiatives, among others. Although topics such as these are of deep interest and concern for all members of Council, currently there is no clear mechanism for other Council members to become aware of the documentation that is received or issues that are discussed by two members of our Council in concert with Mayors, Wardens, Deputies and CAOs from the other four Councils in Lunenburg County.

In my view, this arrangement presents a gap in accountability and transparency. I am proposing a motion that I believe will support accountability in the governance of the Town, and adhere to the Strategic Plan's action item "to update policies and by-laws to support effective governance ..."

Motion:

That an item be added to the next meeting of Mayors, Wardens and Deputies to discuss and clarify the accountability relationship between the MWD group and the five Councils that they represent, that the discussion include how members of all five Councils should be informed about meeting agendas, discussions, and outcomes, and that the outcome of this discussion be reported back to the member Councils.

Thank you,

Penny

Penny Carver
Councillor, Town of Mahone Bay

Budget Parameters – April 12, 2022
Councillor Kelly Wilson

THAT Council contribute \$1,000 to the Lunenburg County Seniors' Safety Program and that the contribution be made annually unless changed by motion.

A meeting of the Policy & Strategy Committee for the Town of Mahone Bay was held on Monday, March 28 28, 2022 at 7:00 p.m. via videoconferencing.

Present:

Mayor David Devenne
Deputy Mayor Francis Kangata
Councillor Alice Burdick
Councillor Penny Carver
Councillor Kelly Wilson
CAO, Dylan Heide
Clerk, Maureen Hughes

Absent: Councillor Joseph Feeney (regrets)
Councillor Richard Nowe (regrets)

Gallery: 0

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

1. Approval of Agenda

A motion by Councillor Carver, seconded by Councillor Burdick, **"THAT the agenda be approved as presented."** Motion carried.

2. Minutes

A motion by Councillor Carver, seconded by Deputy Mayor Kangata, **"THAT the minutes of the February 28, 2022 meeting be approved as presented."** Motion carried.

3. Proclamation Policy

Committee members reviewed the Town of Mahone Bay Proclamation Policy.

A motion by Deputy Mayor Kangata, seconded by Councillor Wilson, **"That the committee recommend THAT Council Amend the Proclamation Policy to state that**

Council will consider proclamations brought to Council by residents and taxpayers of the Town of Mahone Bay.” **Motion defeated.**

4. Flag Policy

The committee discussed the Town of Mahone Bay Flag Policy.

A motion by Councillor Carver, seconded by the Councillor Burdick, **“THAT the committee recommend that Council revise the Flag Policy to include that the Town fly the Acadia First Nations Flag on a permanent Town pole, that when applicable the Town follow the federal practice of flying the flag at half mast, that the African Nova Scotian flag be flown in the month of February, that requests from individuals will be considered, and that Council be permitted to fly specific flags at their discretion in which case the Town will assume the associated costs.”**

Motion carried.

5. Timing of Closed Sessions

The committee discussed the timing of closed sessions as part of Council meetings.

A motion by Councillor Burdick, seconded by Deputy Mayor Kangata, **“THAT the Committee recommend that Council direct staff to prepare a report on the potential of adding a third monthly regular Council meeting.”** **Motion carried.**

6. Next meeting

6.1 Agenda items for recommendation to Council

A motion was passed at the March 28, 2022 regular meeting of Council, setting the agenda for the meeting of the Policy and Strategy Committee to include the Review of the Strategic Plan as the sole agenda item.

6.2 Date and Time

A motion by Council Carver, seconded by Councillor Burdick, **“THAT the committee recommend that Council set the April meeting of the Policy and Strategy Committee meet on April 25, 2022 to discuss the review of the Strategic Plan.”**

Motion carried

With no further business, the meeting adjourned at 9:13 p.m.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Chair, Mayor David Devenne

Clerk, Maureen Hughes

DRAFT

A meeting of the Planning Advisory Committee for the Town of Mahone Bay was held on Tuesday, April 5, 2022 at 7:04 p.m. at the Mahone Bay Legion.

Present:

Councillor Richard Nowe (Chair)
Deputy Mayor Francis Kangata (Vice Chair) – via videoconference
Councillor Alice Burdick
John Biebesheimer
Katherine McCarron
Bryan Palfreyman
Mayor David Devenne
CAO Dylan Heide
Town Clerk, Maureen Hughes – via videoconference
Deputy Clerk, Kelly Redden
Senior Planner, Garth Sturtevant
Planner, Emily Statton

Absent Glenn Patshca (regrets)

Gallery:

Let us begin by acknowledging that we are gathered today in Mi'kma'ki. The ancestral, present and future territory of the Mi'kmaw people. Today, we gather with the intent followed by the living Peace and Friendship Treaties - with respect, cooperation and coexistence.

1. Approval of Agenda

A motion by Mr. Biebesheimer, seconded by Councillor Burdick, **“THAT the agenda be approved presented.”** **Motion carried.**

2. Minutes

A motion by Mr. Biebesheimer, seconded by Ms. McCarron, **“THAT the minutes of the January 19, 2021 meeting be approved as presented.”** **Motion carried.**

3. Standing Agenda Item – Short Term Rentals

Short term rentals was added as a standing agenda item by a previous committee, prior to the start of the Review of the Municipal Planning Strategy.

A motion by Ms. McCarron, seconded by Councillor Burdick, **“THAT the committee remove Short Term Rentals as a Standing Agenda Item.”** **Motion carried.**

4. Referrals and Presentations

No Presentations.

5. New Business

5.1 Proposed Re-zone of 66 Clairmont Street.

The committee received a staff report regarding a proposal to rezone 66 Clairmont Street (PID 60374063) from Institutional (I) to Residential (R). Ms. Statton reviewed the request to rezone as it relates to the Municipal Planning Strategy and Land Use By-law.

Committee members were advised that the rezoning request was received at the same time as a request for a development agreement and that a Public Information Meeting was held on October 7, 2021 for both the request to Rezone the property from Institutional (I) to Residential (R) and the requested development agreement but public questions were in relation to the requested Development Agreement. Committee members were advised that the decision whether or not to rezone should be considered solely on the impact on the town and as a separate issue from the requested development agreement.

A motion got by Mr. Biebesheimer, seconded by Councillor Burdick, **“THAT the Mahone Bay Planning Advisory Committee recommend that Council amend the Land Use By-law to rezone the property at 66 Clairmont Street (PID 60374063) to Residential.”** **Motion carried.**

Planning staff advised committee members that they are not able to proceed with a report to the Planning Advisory Committee regarding the requested Development Agreement at this time. Following the October 2021 Public Information Meeting staff forwarded to the developer a list of details for which they needed confirmation or further information but have not received the information that they need to proceed. The request for a development agreement will remain dormant until staff receive further information from the developer.

The meeting adjourned by motion at 7:35 pm

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Chair, Richard Nowe

Town Clerk, Maureen Hughes

DRAFT



Staff Report #1

Prepared for:	Town Council		
Meeting Date:	April 12 2022		
Subject:	Land Use By-law Amendment - Proposed Rezone of 66 Clairmont Street from Institutional to Residential		
Prepared by:	Emily Statton, Planner	Date:	February 16, 2022
Reviewed by:	Garth Sturtevant, Senior Planner	Date:	February 16, 2022

APPLICANT	Jane Raeburn on behalf of M.A.D.E. for Mahone Bay
PROPOSAL	To rezone 66 Clairmont Street from Institutional to Residential to enable development on the site.
LOCATION	66 Clairmont Street, Mahone Bay (PID: 60374063 & 60634151)
LOT SIZE	2,293 m ² (24,682 ft ²)
DESIGNATION	Institutional (I)
ZONE	Institutional (I)
SURROUNDING USES	Single unit residences neighbouring along and across Clairmont Street, Multi unit residences on Cara Lane/Kinburn Street. Park use (Tiny Tots Playground) across the road on Clairmont Street, Institutional use in surrounding areas (firehall lands), large apartment complex (Quinlan) north of the property, on the opposite side of the brook, facing Main Street.
NEIGHBOUR NOTIFICATION	Where Council has given intent to amend the Land Use By-Law for a property rezone, property owners within 30 m (98 ft) of the subject properties will receive direct mail notice and a notice will be posted at the site.

Background

By letter dated June 21, 2021, to the Council of the Town of Mahone Bay, Jane Raeburn (hereafter referred to as the "Developer") requested that Council consider a rezone of 66 Clairmont Street (PID: 60374063) from Institutional (I) to Residential (R). The Developer proposes to construct a 48-unit residential structure.

The subject property is located on Clairmont Street in the midst of the Town with a lot size of 2.293 m² (24,682 ft²). South of the property, across Clairmont Street is an area that is predominantly residential with a town-owned and maintained park (Tiny Tots Playground). On the north property boundary, it borders Ernst Brook, which is a protected watercourse shown on Map 4 within the Town's Municipal Planning Strategy. Historically, the subject property contained the Masonic Lodge was founded in 1874. The structure is still erect, and the property has remained vacant. For the purpose of this report, the Lodge will be referred to in the past tense (i.e., former lodge/ structure).



This report analyses the proposal in relation to the requirements of the Land Use By-law and the Municipal Planning Strategy for a rezone of the property. There is enabling policy for such a request. Policy 4.7.6 in the Municipal Planning Strategy, Section 4.7 Institutional Development and Land Use states that Council shall:

4.7.6 consider changing the zoning of land from Institutional to Residential without amendment of this Municipal Planning Strategy in accordance with Policies 6.3.1, 6.4.1 and 6.4.2

Policies 6.3.1, 6.4.1 and 6.4.2 relate to Land Use By-law amendments and/or Development Agreement criteria and are critiqued against any such request.

Land Use By-law

The following provisions of the Land Use By-law apply:

- **General Provisions:** N/A
- **Zone:** Institutional (I)
Section 10.2 stipulates that Residential uses in the currently zoned Institutional zone is not permitted in accordance with Municipal Planning Strategy Policy 10.2.1
- **Architectural Control Area:** N/A
- **Protected Watercourse:** The property borders one side by Ernst Brook, which is a protected watercourse within the MPS
- **Parking:** For residential buildings, one and one half (1 ½) spaces per unit.
- **Map:** This rezone request will require a map revision for the identified property.

Municipal Planning Strategy Policy Analysis

MPS Policy	Policy Text	Staff Comment
2.1.3	It is the policy of Town Council to:	
	i) provide a planning framework wherein the established section of the community can grow and prosper and new development can be accommodated in an orderly and sustainable manner.	<i>The rezone enables potential residential growth by adding a property to the residential zone.</i>

MPS Policy	Policy Text	Staff Comment
	ii) control land use and development in a manner that will reduce conflicts between incompatible uses and that will not overburden existing services.	<i>The rezone from Institutional to Residential will create a more fluidity between uses in the area. The majority of properties in the surrounding area are zoned Residential.</i>
	iii) minimize any adverse effects of development and change upon the environment of the Town on the surrounding countryside.	<i>Rezoning the unutilized structure to a residential use can encourage positive effects on development and environmental changes.</i>
	iv) encourage preservation of the architectural and cultural heritage of the Town and to minimize any impact of change or new development that would negatively affect this heritage.	<i>The property is not located within the Architectural Control area; however, the proposed rezone would encourage residential builds and these would be evaluated during review of the development agreement application.</i>
	v) encourage development and employment opportunities in a attempt to stabilize the Town's declining population in order to maintain and enhance its viability as a town and as a community.	<i>The proposed rezone encourages residential development as it opens opportunity to build a new structure on the property and provide potential housing options.</i>
	vi) encourage development that is compatible with the Town's role as an historic scenic community.	<i>The proposed rezone will provide opportunity for new residential development that would be evaluated during review of the development agreement application.</i>
	vii) protect the aesthetics and environment of the harbour and waterfront and to maximize access to the water.	<i>The subject property is not located near the water and will not have negative impacts on access to the water or waterfront environment/aesthetics.</i>

MPS Policy	Policy Text	Staff Comment
	viii) encourage the development of housing affordable to residents of average income.	<i>The proposed rezone will encourage housing options as it will create the ability to build potential residential units.</i>
	ix) encourage residential growth.	<i>The proposed rezone from Institutional to Residential use will encourage opportunity for residential growth by providing ability to create new residential unit(s).</i>
	x) encourage year-round residential and commercial occupancy.	<i>The proposed rezone will encourage year-round residency and could bring commercial growth by increasing population.</i>
3.0.1	To maintain, improve and expand Town services, facilities, and programs, subject to financial constraints.	<i>The proposed rezone will not affect town services, facilities, or programs financially.</i>
3.1.3	Not to approve any Land Use By-law amendment or development agreement, until Council is satisfied that the development proposal will not create undue traffic hazards, result in undue traffic congestion, or unduly interfere with pedestrian movement on Public Streets.	<i>The proposed rezone will not affect traffic or parking.</i> <i>There is a future proposed use that requires a DA. This is for a 48-unit residential structure. Council may consider this when thinking about a rezone.</i>
3.2.3	Not to approve any Land Use By-law amendment or development agreement, until Council is satisfied that the development proposal will not create undue demands on the water system.	<i>The act of rezoning the property from institutional to residential will not create pressure on the current water system. Any future development would need to be evaluated once an application was submitted.</i>
3.3.3	Not to approve any Land Use By-law amendment or development agreement, until Council is satisfied that the development proposal will not create undue demands on the sewage collection and treatment system.	<i>The act of rezoning the property from institutional to residential will not create pressure on the current wastewater system. Any future development would need to be evaluated once an application was submitted.</i>

MPS Policy	Policy Text	Staff Comment
3.7.3	Not to approve any Land Use By-law amendment or development agreement, until Council is satisfied that the development proposal will not create undue demands on the electric power distribution system.	<i>The act of rezoning the property from institutional to residential will not create pressure on the current electric power system. Any future development would need to be evaluated once an application was submitted.</i>
3.9.1	To encourage affordable residential growth within the Town which is compatible with the existing physical character of the Town, and does not place a financial burden on the Town.	<i>Rezoning the property to Residential will provide opportunity to encourage residential growth.</i>
3.10.3	To encourage a variety of housing types throughout the serviced area of the Town which makes efficient use of the existing infrastructure	<i>The proposed rezone from Institutional to Residential will allow for single and/or 2-unit dwellings on a single lot by development permit.</i>
3.11.3	Encourage property owners to maintain buildings in a state of good repair and carry out any alterations to them in a manner which enhances the historic character of the Town	<i>The current structure on the lot has been vacant. Rezoning the property to Residential enables opportunity to repair or remove the structure for new opportunity.</i>
4.1.4	within the Residential Zone, residential developments which are not permitted by Policy 4.1.2 or Policy 4.1.3 may be permitted by development agreement in accordance with Policies 6.4.1 and 6.4.2	<i>Intention of the rezone, for future development. An application for a Development Agreement for a Multi-unit apartment building has been received.</i>
4.7.6	Consider changing the zone of land from Institutional to Residential without amendment of this Municipal Planning Strategy in accordance with Policies 6.3.1, 6.4.1, and 6.4.2.	<i>This policy permits the request for rezone to proceed for 66 Clairmont street without amendments to the MPS.</i>
6.3.1	Where any development requires amendment to the Land Use-by-law, no amendment shall be adopted by Council unless the application is for a specific development proposal which would conform to the requirements of the Land Use By-law as amended. Notwithstanding the proposed use, Council shall give consideration to the impact of other permitted uses in the zone.	<i>There is a future proposed use that requires a DA. This is for a 48-unit residential structure. Council may consider this when thinking about a rezone.</i>

MPS Policy	Policy Text	Staff Comment
6.4.1	That when considering amendments to the Land Use By-law, and in considering development agreements in addition to all other criteria as set out in the various policies of this Planning Strategy, Council shall be satisfied that:	
	a) the proposal conforms to the intent of the Planning Strategy;	<i>The request for rezone conforms with the intent of the plan through policy 4.7.6. The proposed use is Residential.</i>
	b) the proposal conforms to the applicable requirements of all Town By-laws; except where the application is for a development agreement in which case the Land Use By-law requirements need not be satisfied.	<i>The application conforms to all requirements for application.</i>

MPS Policy	Policy Text	Staff Comment
	<p>c) the proposal is not premature or inappropriate due to:</p> <ul style="list-style-type: none"> i) financial ability of the Town to absorb costs related to the development; ii) adequacy of Town services, specifically including water supply; iii) the adequacy of physical site conditions for on-site services; iv) creation or worsening of a pollution problem including soil erosion and siltation; v) adequacy of storm drainage and pattern including potential for creation of flooding problem; vi) adequacy and proximity of school, recreation, emergency services, and other community facilities; vii) adequacy of street networks and site access regarding congestion, traffic hazards, pedestrian safety, and emergency services. 	<p><i>Institutional to Residential:</i></p> <ul style="list-style-type: none"> i) no extra cost/financial burden for the town to rezone the property. ii) No change in the structure, just change in use so little to no impact on town services iii) No change in the structure, just change in use so little to no impact on town services iv) No change in the structure, just change in use so little to no impact on town services v) No change in the structure, just change in use so little to no impact on town services vi) No change in the structure, just change in use so little to no impact on town services vii) No change in the structure, just change in use so little to no impact on town services
	<p>d) The development site is suitable regarding grades, soil, geological conditions, location of watercourses, flooding, marshes, bogs, swamps, and susceptibility to natural or man-made hazards, including sea level rise.</p>	<p><i>For the proposed rezone, the site is adequate.</i></p>
	<p>e) That the proposal will not significantly alter the existing character, or stability of the surrounding neighbourhood;</p>	<p><i>The proposed rezone will not alter the existing character as the surrounding uses are predominately residential.</i></p>

MPS Policy	Policy Text	Staff Comment
	f) That the proposal will be integrated into the surrounding area by means of good landscaping and sensitive site orientation and with screening provided by means of fences or hedges as required;	<i>The property has some vegetation and green screening on property boundaries. For the purpose of rezoning, this policy is satisfied.</i>
	g) All other matters of planning concern have been addressed.	<i>They have been addressed.</i>
6.4.2	When considering zoning changes and Development Agreements Council shall be satisfied that:	
	a) the development shall not generate emissions such as noise, dust, radiation, odours, liquids or light to the air, water, or ground so as to create a recognized health or safety hazard, and that the impact of such emissions on the development potential and value of properties in the vicinity has been minimized;	<i>As a residential use, no such impacts are anticipated.</i>
	b) subject to the physical characteristics of the site, the development shall achieve optimum separation from adjacent properties which are not in a similar use, and screening in the form of fences, vegetation, or berms as appropriate shall be constructed or installed wherever possible in order to minimize impact on the abutting uses;	<i>Adjacent and surrounding properties are of similar use. There is a park located on the adjacent property. Residential structures are located on the same and opposite side of Clairmont Street.</i>
	c) it shall be clearly demonstrated by the applicant that the development can be serviced with central or on-site sewer and water and that the disposal of sewage and other effluents as well as the demand on the water source will not have a negative impact on the quality and quantity of the water resources of the area;	<i>The act of rezoning the property from institutional to residential will not create pressure on the current sewer system. Any future development would need to be evaluated once an application was submitted.</i>
	d) the traffic resulting from the development will neither create undue traffic hazards, traffic congestion, or pedestrian hazards, nor unduly degrade the accustomed environment of existing residential uses;	<i>The rezone to residential will allow for a variety of dwelling options. Any proposed development will be evaluated by the Traffic Authority for the Town prior to approval being granted.</i>

MPS Policy	Policy Text	Staff Comment
e)	sufficient parking and adequate safe access to parking lots shall be provided for the intended use of the property;	<i>The requirement for a residential structure is one and one half (1 ½) parking spaces. If property is rezoned to Residential, any proposed development will have to be evaluated against this.</i>
f)	all areas intended for vehicular traffic, and any areas used for the open storage of equipment or stock shall be surfaced with stable materials to prevent dust from blowing onto adjacent properties, and shall be designed to allow for adequate drainage, snow removal and snow storage.	<i>The lot current has a small gravel area along the front property line that allows for parking within the street right-of-way. It also has a sloped small gravel area that could accommodate drainage and parking.</i>
g)	<p>that the proposal does not exceed a height of 13.7 metres (45 feet) above the average surface of the ground around the building (exclusive of chimneys, antennae, flagpoles and church spires) except where this grade is below the grade of the adjacent street, in which case Council may consider an increased height which is otherwise in conformance with this Municipal Planning Strategy provided that the proposed building does not exceed:</p> <ul style="list-style-type: none"> i. 16.7 metres (55 feet) in height and ii. the height of any main building within 15 metres (50 feet) of it, and iii. a height of 13.7 metres (45 feet) above the grade of the street. 	<p><i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a Multi-unit apartment building.</i></p> <p><i>The current structures fits within the requirements.</i></p>
h)	the primary architectural features of the proposal, (including but not limited to bulk, scale, roof shape, building materials, exterior cladding and shape and size and relationship of doors and windows) shall be visually compatible with nearby buildings, as demonstrated by perspective sketches showing the proposal in context with the streetscape.	<p><i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a multi-unit apartment building.</i></p> <p><i>The current structures fit within the requirements.</i></p>

MPS Policy	Policy Text	Staff Comment
i)	that the proposal is compatible with the existing character, or stability of the surrounding neighbourhood	<i>As a proposed residential use, it would be compatible with the surrounding residential uses and neighbouring boatshed. Staff believe this rezone does not negatively impact neighbourhood stability or character.</i>
j)	Outdoor lighting fixtures, including illuminated signs, shall use the lowest possible intensity consistent with safety, shall use fixtures which eliminate glare and in particular shall not project any glare or direct illumination onto adjacent properties.	<i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a multi-unit apartment building.</i> <i>The current structures fit within the requirements</i>
k)	any residential building shall be located on a site that is not subject to nuisances or a degraded living environment caused by existing land use activities;	<i>The subject property is located in an area that is predominantly residential. No nuisances or degradations are expected.</i>
l)	any residential development shall include usable outdoor recreation space that is suitable for erection of playground equipment, or for other active and passive recreational uses	<i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a multi-unit apartment building.</i>
m)	any residential development site shall be landscaped with trees, shrubs, lawns, fences, and hard surfaced walkways, as necessary to create a residential living environment;	<i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a multi-unit apartment building.</i>
n)	no Development Agreement shall be approved until all necessary permits required by Federal, Provincial, and Municipal government agencies have been issued or Council is satisfied that the required permits will be issued;	<i>N/A for a rezone application. This policy will be evaluated against the application for a Development Agreement to facilitate construction of a Multi-unit apartment building.</i>

MPS Policy	Policy Text	Staff Comment
	o) where Council determines, on the advice of a qualified person, that there is a significant risk of environmental damage from any proposed development which does not require an assessment under the Environmental Assessment Act, environmental studies shall be carried out by the developer for the purpose of determining the nature and extent of any environmental impact and no agreement shall be approved until Council is satisfied that the proposed development will not create or result in undue environmental damage	<i>Staff feel the proposed rezone will not require an assessment under the Environmental Assessment Act. Future development applications will be assessed at that time.</i>
	p) the provisions of Policies 4.5.1 and 4.5.4 (Heritage Preservation) are satisfied.	<i>Policy 4.5.1 & 4.5.4 are not applicable for this request as they refer to strictly development agreements and architectural control.</i>

Discussion

The property being considered under rezone, its location, and enabling policy has created a unique development opportunity for the Town. The property is located on Clairmont Street within the Institutional Zone. New residential uses are not permitted in the Institutional Zone; however, Policy 4.7.6 within the Municipal Planning Strategy enables the rezone of land from Institutional to Residential without amendment of the Municipal Planning Strategy in accordance with Policies 6.3.1, 6.4.1, and 6.4.2. The amendments to the LUB would simply be a map alteration changing the property at 66 Clairmont Street from showing as Institutional (I), to the new zone, Residential (R). In the above policy analysis, it can be noted that the request for rezone conforms with the related MPS policies.

This discussion and consideration of the rezone is the necessary first step in the request of the Applicant to develop the lands at 66 Clairmont Street as envisioned. Staff have received an application and direction to pursue a Development Agreement, to be enabled through the rezone to facilitate the planned development of a 48-unit residential complex. This process will formally begin (as a separate file) once the property has been successfully rezoned. The development proposed for 66 Clairmont Street supports the request of the applicant to rezone the property. A formal review of the proposed structure will occur as part of the Development Agreement process for the building, however, the description of the proposed building aligns with existing MPS policies.

Public Information Meeting

A Public Information Meeting regarding the rezone request and proposed Development Agreement was held on October 07, 2021, beginning at 7:00 p.m. at the Town Legion in Mahone Bay.

In Attendance:

- 32 members of the general public attended this meeting;
- Jane Raeburn & Bob Youden, Developer of 66 Clairmont Street;
- Staff – Emily Statton, Planner, Garth Sturtevant, Senior Planner and Maureen Hughes, Clerk, Deputy CAO.

A brief introductory presentation was given to the member of the public and the Developer and a discussion ensued consisting of the following points:

From members of the public:

- Importance of scale- requested a comparison to surrounding structures
- Hopes that this succeeds as the Town needs more housing options
 - Great step forward in addressing housing issues
- Ecological components
 - Issues concerning the river/brook on setbacks, runoff, flooding, environmental concerns
- Concerns on traffic increases
 - Fast traffic and lack of parking proposed
 - Want for one-way traffic
- What is considered an affordable unit?
- Privacy/boundary obstruction
 - Number of units viewing the river
 - Distance from left boundary, how high is the structure going to be vs. current tree height?
 - Balconies on each unit?
 - Green screen/screening and privacy for neighbouring properties
 - Structure to block sunlight on neighbouring properties (shade & sun study)

The meeting was closed at approximately 8:00 p.m. The Developer and members of the public were invited to attend the upcoming Planning Advisory Committee meeting.

Planning Advisory Committee

A Planning Advisory Committee meeting was held on April 05, 2022, beginning at 7:00pm regarding the rezone request, at the Town Legion in Mahone Bay. Discussion was had and a motion was made by the committee ***“THAT the Mahone Bay Planning Advisory Committee recommend that Council amend the Land Use By-law to rezone the property at 66 Clairmont Street (PID 60374063) to Residential”***. The meeting closed at approximately 7:45 p.m.

Conclusion

The property is located at 66 Clairmont Street, Mahone Bay, in the Institutional zone which permits residential uses on this property by way of a rezone process. This request is keeping within the policies of the Municipal Planning Strategy. The subject change meets the criteria noted in the policy analysis.

Options

The Committee may make a motion in support of one of the following options:

1. That Town Council give 1st reading to amend the LUB to rezone the property at 66 Clairmont Street (PID: 60374063) from Institutional to Residential and set a Public Hearing date for May 10th, 2022, at 6:30pm.
2. That Town Council NOT amend the LUB as per the requested rezone of property at 66 Clairmont Street from Institutional to Residential; or
3. That Town Council defer making a decision and request further information that Council feels necessary in order to make a decision.

Attachments

- 1) Application/Proposal
- 2) Updated Land Use Bylaw Zoning Map

Town of Mahone Bay Council
493 Main Street, Mahone Bay

June 21, 2021

Jane Raeburn
VP New Development
MADE for Mahone Bay

To Mayor Devinne, Members of Council, Dylan Heide, Heather Archibald & Garth Sturtevant:

Re: Development Agreement Application for Masonic Lodge Property Redevelopment

INTRODUCTION

Please accept the following as a formal request to commence the necessary actions for a Development Agreement for the lands at 66 Clairmont Street and the property immediately east and adjacent to 66 Clairmont Street.

The purpose of this Development Agreement would be to allow for the construction of an apartment complex of 48 units.

PROJECT DESCRIPTION

The proposed building will be constructed within the setbacks proscribed by the Land Use Bylaw and the Department of Natural Resource guidelines. The building will be 5 storeys, including the parking garage, which will be below grade underground parking. We are making every effort to ensure that the building is within structural height requirements, with a maximum variance not greater than the 10% variance allowed within the Bylaws.

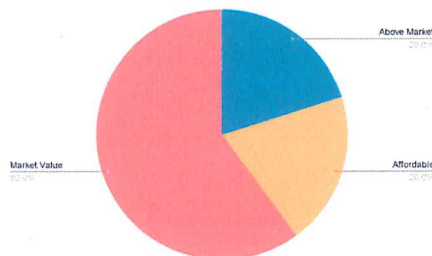
The building will include a flat "living" roof to address environmental issues such as: reflected heat, heat island effect, and stormwater runoff and retention. The green roof will also be accessible to tenants, proven to provide positive psychological benefits. The overall structure will also have a net reduction of approximately 10% of the green space that currently exists, providing the same ecological opportunities for microorganisms and pollinators.

HOUSING STRATEGY

We have created three-categories for unit type in our housing project strategy, including: units that are affordable, units of market value and units that are above market value. This strategy has been designed to address the critical housing shortage throughout the area, in particular, the Town of Mahone Bay. We currently refuse 5-10 people per week who are seeking accommodations in Mahone Bay due to lack of availability.

Our proposed building will have:

- a) 60% at market pricing
- b) 20% meeting the CMHC Affordability Guidelines
- c) 20% above market pricing



The premium apartments will help to reduce rents in the affordable units. We will also be incorporating a number of “microunits” into the structure to provide housing options for those living on a limited net disposable income. We will consider microunits any unit less than 600 square feet.

ACCESSIBILITY & AFFORDABILITY

We’ve chosen to concentrate our efforts on properties that we currently own in Mahone Bay, on Clairmont Street and Main Street due to their suitability for pedestrian activity. As part of environmental strategy, providing housing in a walking environment helps reduce the carbon footprint in our community. The building will be located within 500 meters of the pharmacy, the supermarket, the bank, the post office and close proximity to the churches and restaurants and on a level walking area.

The building will be designed to accommodate seniors but will not be limited to a senior tenant population. We are incorporating visitability guidelines into all of the units and will have the recommended number of fully handicapped accessible units.

We are currently the largest provider of affordable housing in Mahone Bay and this project will add another ten affordable housing units.

IMPROVED HOUSING OPTIONS

We anticipate that the construction of this new complex will have the additional benefit of opening up single-family residences in the area and options for young families and new people looking to move into the area. The majority of our clients are downsizing and as a result, the homes they are moving out of become available.

WATER MANAGEMENT & SITE DETAILS

We will be installing a retaining wall approximately 3 meters from the edge of the river to raise the ground elevation by approximately 6 ft. for flood prevention from river overflow.

Upon acceptance of our proposal, we will create a detailed engineered water management plan for the site, as well as a proposed landscaping plan. The trees that we are currently removing are only those within the construction envelope. We have no desire to remove additional trees, however we must create the appropriate space for the construction footprint and protect our future tenants.

This will be the first residential complex in the town of Mahone Bay, and on the South Shore, incorporating a living green roof to its design. We are delighted to add this feature to our building as it is not only beneficial to our tenants, but also to the environmental goals of the town. The environmental benefits are something that our organization cares deeply about.

FINANCIAL IMPACT

We anticipate that these units will add between 100-125 residents to the town and provide a substantial tax revenue contribution, improved utilization of existing infrastructure, increase the consumption of Mahone Bay's electrical power grid and provide a substantial and demonstrable contribution to the retail sector in the town.

We would anticipate that approximately 75% of those moving into the building would be 55 or over, which also represents the demographic which is most likely to be involved in community volunteer activities - providing an additional asset to the community.

The key to economic sustainability and viability of communities today relies on their ability to increase population density in areas where services already exist. Improved packing density means a higher rate of revenue generation per square foot compared to sprawling suburbs.

The construction of this project, utilizing components from all economic strata, will provide for a more homogeneous environment, avoiding the creation of high or low income areas. It has been our experience, with properties that we currently own, that the income level of tenants in this environment is not identifiable.

We appreciate the ability to commence this process. We look forward to building yet another successful residential complex.

Regards,

Jane Raeburn
VP Project Development
MADE for Mahone Bay Ltd.



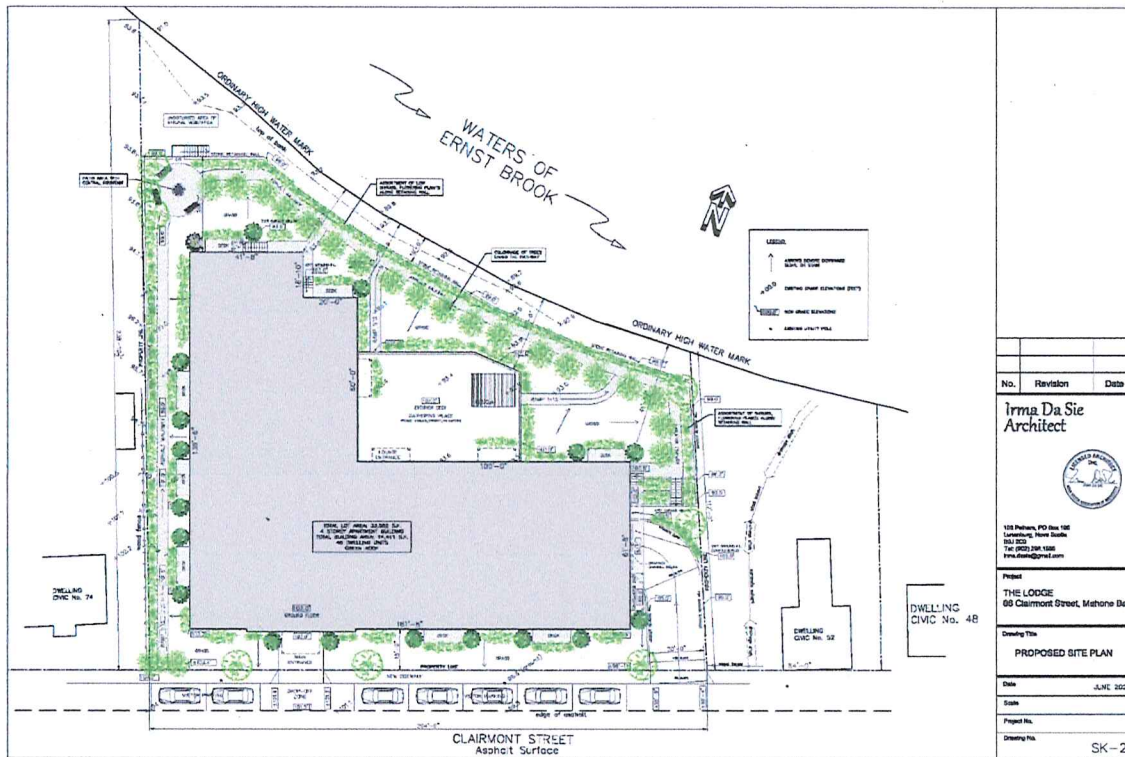
APPENDIX A - External Facade



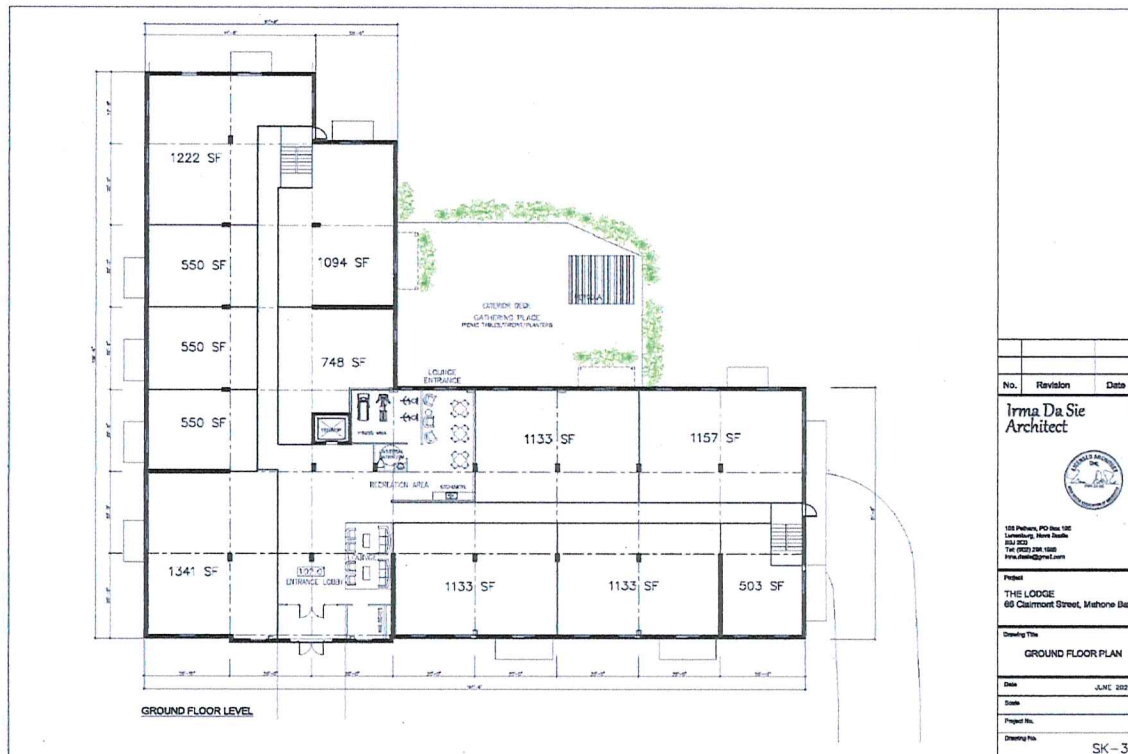
APPENDIX B - Front & East Elevation



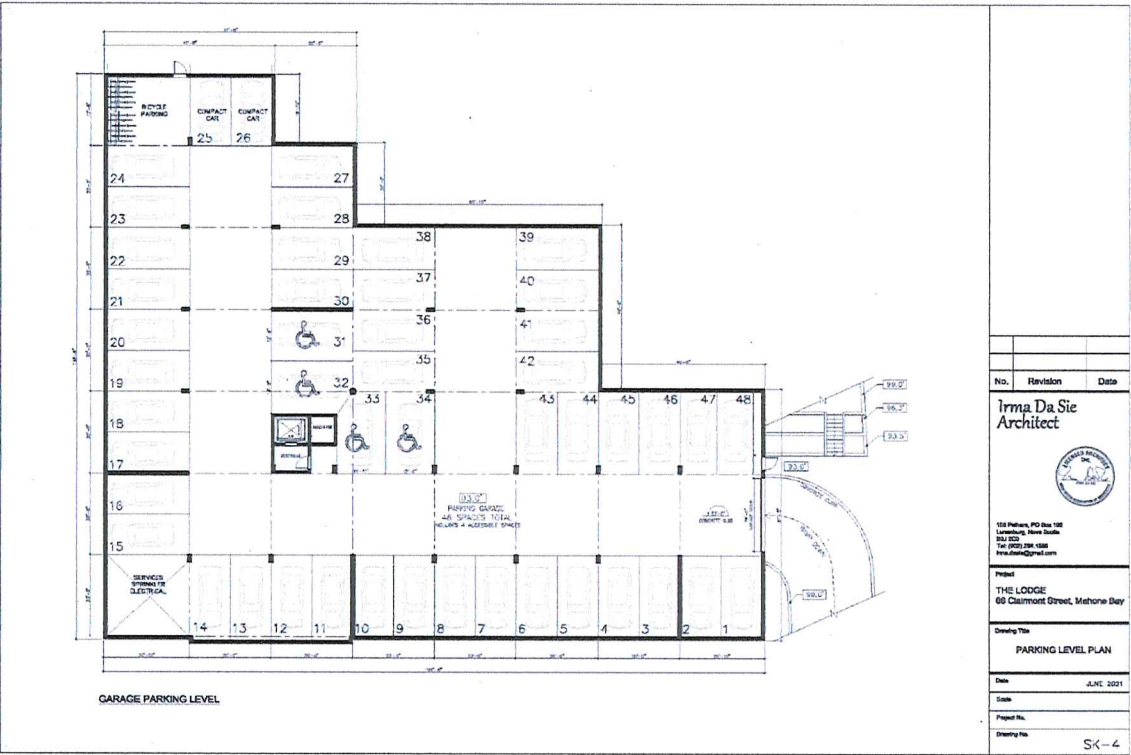
APPENDIX C - Proposed Site & Landscaping Plan



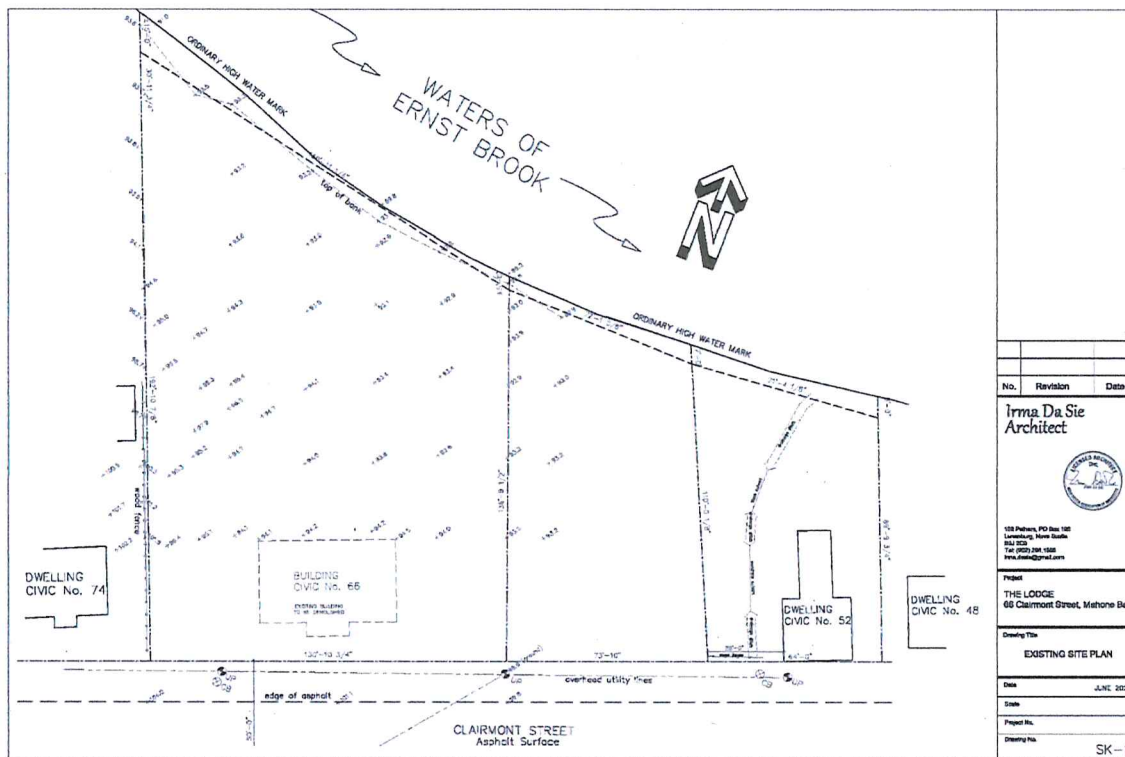
APPENDIX D - Ground Floor Plan & Interior Layout

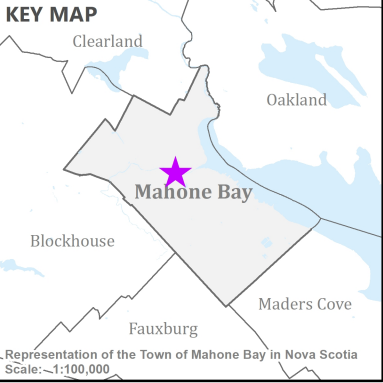
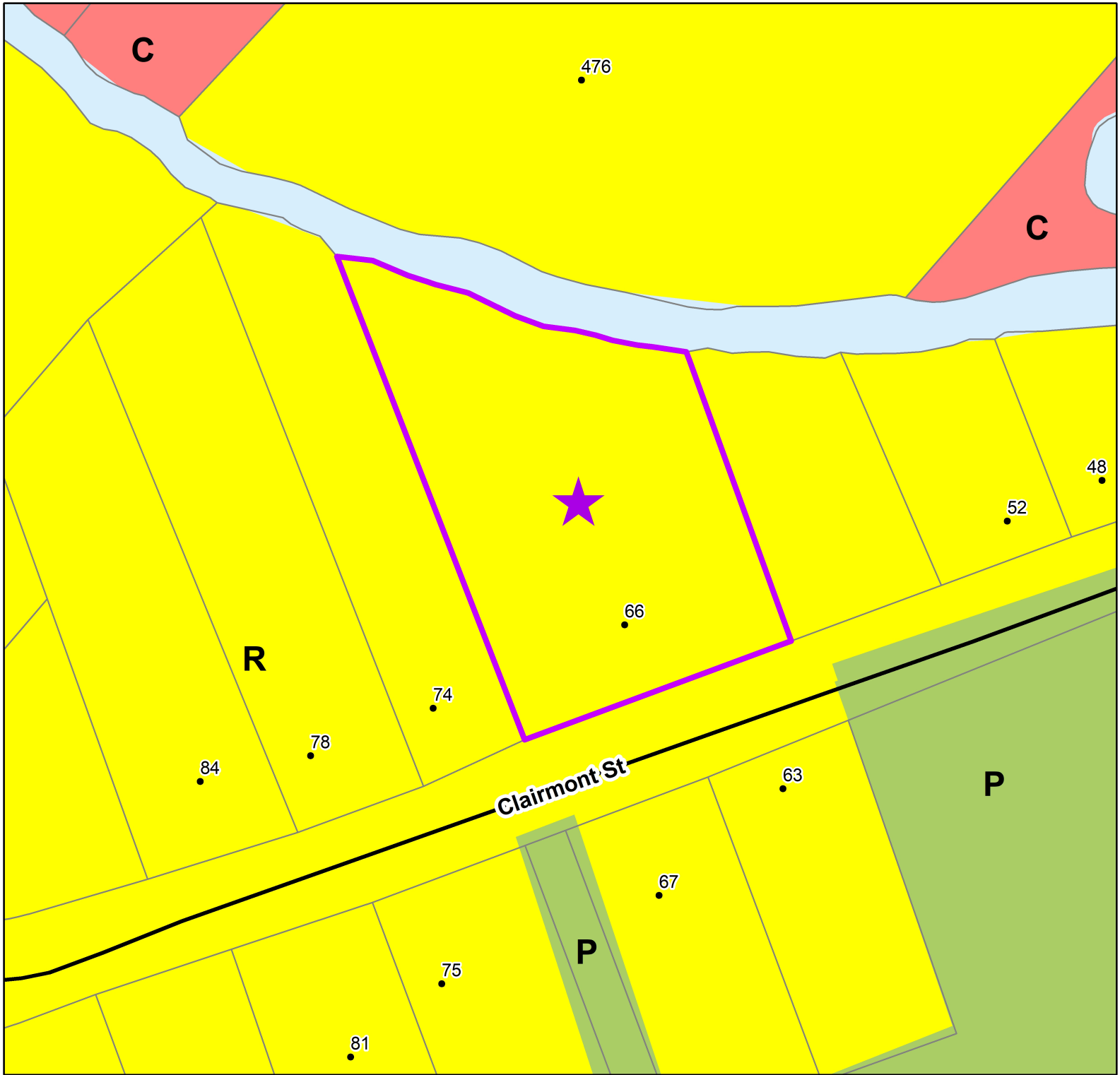


APPENDIX E - Parking Level Plan



APPENDIX F - Existing Site Plan



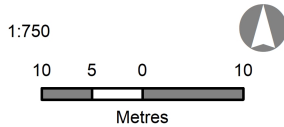


Town of Mahone Bay

**PID 60374063
66 Clairmont St**

**Institutional to Residential
Rezoning Location Map**

- Civic Address
 - Road
 - Rezoned Property
 - Property Boundary
- Zoning**
- Commercial (C)
 - Park (P)
 - Residential (R)



Sources: Digital Base Map Data from Service Nova Scotia and Municipal Relations; Geomatics Information Services Division, Nova Scotia Department of Internal Services

Prepared by the Municipality of the District of Chester

Map Disclaimer: Information shown on these drawings is compiled from numerous sources and may not be complete or accurate. The Municipality of the District of Chester is not responsible for any errors, omissions or deficiencies in these drawings. Date printed does not reflect the date of the map data.

Date Printed: 22/04/07
Coordinate System/Datum: UTM NAD83 CSRS ZONE 20N
Digital Folders Entry ID: 1132489
Actual Map Size: w 11" x h 8.5"



The special meeting of the Oakland Lake Watershed Advisory Committee for the Town of Mahone Bay was held on Monday, April 4, 2022 at 2:00 p.m. using video conferencing.

Present:

Councillor Richard Nowe (Chair)
Councillor Penny Carver
Michael Allen
Kacy DeLong, MODL Councillor
Tom Ernst
Mayor David Devenne
Dylan Heide, CAO
Scott Hoyt, Water/Wastewater System Manager
Kelly Redden, Deputy Clerk

Absent:

Approval of Agenda

A motion by Councillor Carver, seconded by Tom Ernst, "THAT the agenda be approved as presented." Motion carried.

Minutes

A motion by Councillor Carver, seconded by Councillor DeLong, "THAT the minutes of the March 14, 2022 meeting of the Oakland Lake Watershed Advisory Committee be approved as presented." Motion carried.

MODL Consultation, Policies Concerning Drinking Water Protection and Zoning

The committee discussed the presentation given by MODL (Municipality of the District of Lunenburg) planning staff at their last meeting.

A motion by Councillor Carver, seconded by Councillor DeLong, "THAT the Committee recommend that Council direct staff to write to Municipality of the District of Lunenburg planning staff, as a submission to their consultative process concerning Drinking Water Protection and Zoning, that Land-Use provisions for the Oakland Lake Watershed should:

- provide clarity as to whether regulations governing property partially within the Watershed would only apply to the portion of the property that is within the Watershed zone; and,

- ensure the Town is notified when a property sells within the Oakland Lake Watershed or when a Development Permit application for a property within the Watershed is received.

Staff will further request of MODL planning staff that they use clear and legible maps in their upcoming public engagement activities concerning Drinking Water Protection and Zoning.

Motion carried.

The meeting adjourned by motion at 2:48pm.

TOWN OF MAHONE BAY

TOWN OF MAHONE BAY

Councillor Richard Nowe

Kelly Redden, Deputy Clerk



Oakland Lake Watershed

Drinking Water Protection Policy

2022-03-14



Agenda

Context of Policy Development

- Statements of Provincial Interest
- Watershed Maps
- MODL2040 Timeline

Two Streams of Policy and Regulation Development

Policy Proposal

Next Steps



Provincial Requirements

Minimum Planning Regulations

- Requires all land in the municipality to be subject to a municipal planning strategy (MPS);
- The MPS must fulfill the minimum planning requirements; and
- Requires an MPS to be reasonably consistent with every statement of provincial interest.

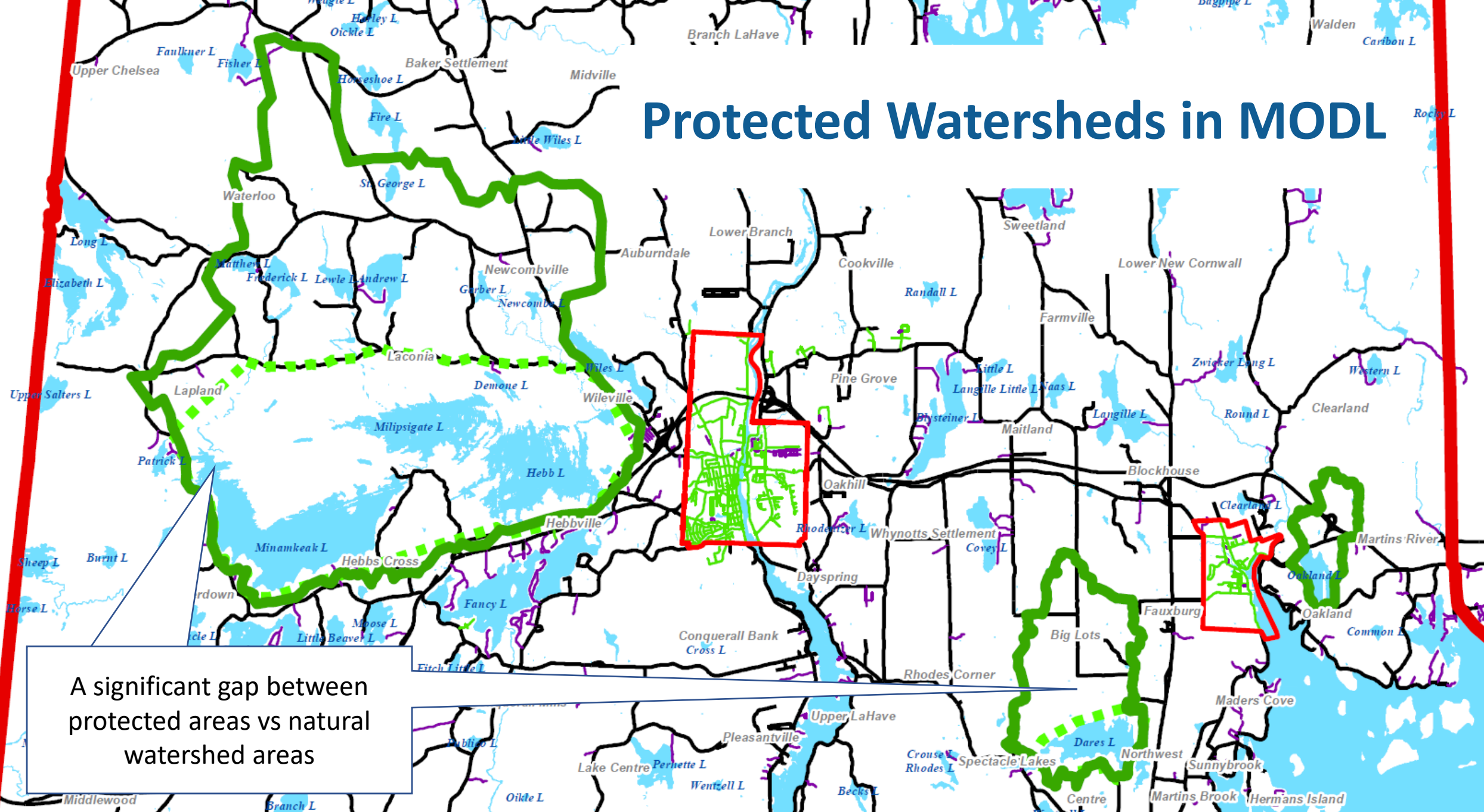


Statements of Provincial Interest

	Goal
Drinking Water	To protect the quality of drinking water within municipal water supply watersheds
Flood Risk Areas	To protect public safety and property and to reduce the requirement for flood control works and flood damage restoration in floodplains.
Agricultural Land	To protect agricultural land for the development of a viable and sustainable agriculture and food industry.
Infrastructure	To make efficient use of municipal water supply and municipal wastewater disposal systems.
Housing	To provide housing opportunities to meet the needs of all Nova Scotians.

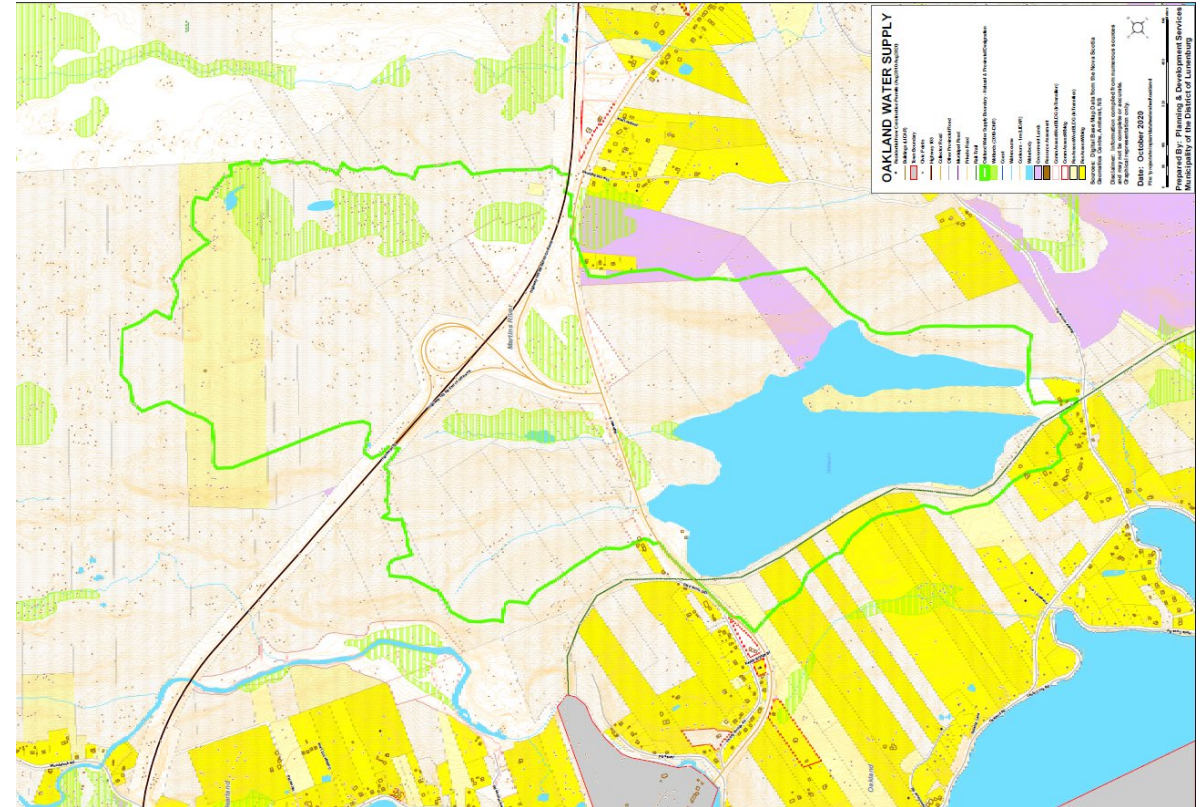
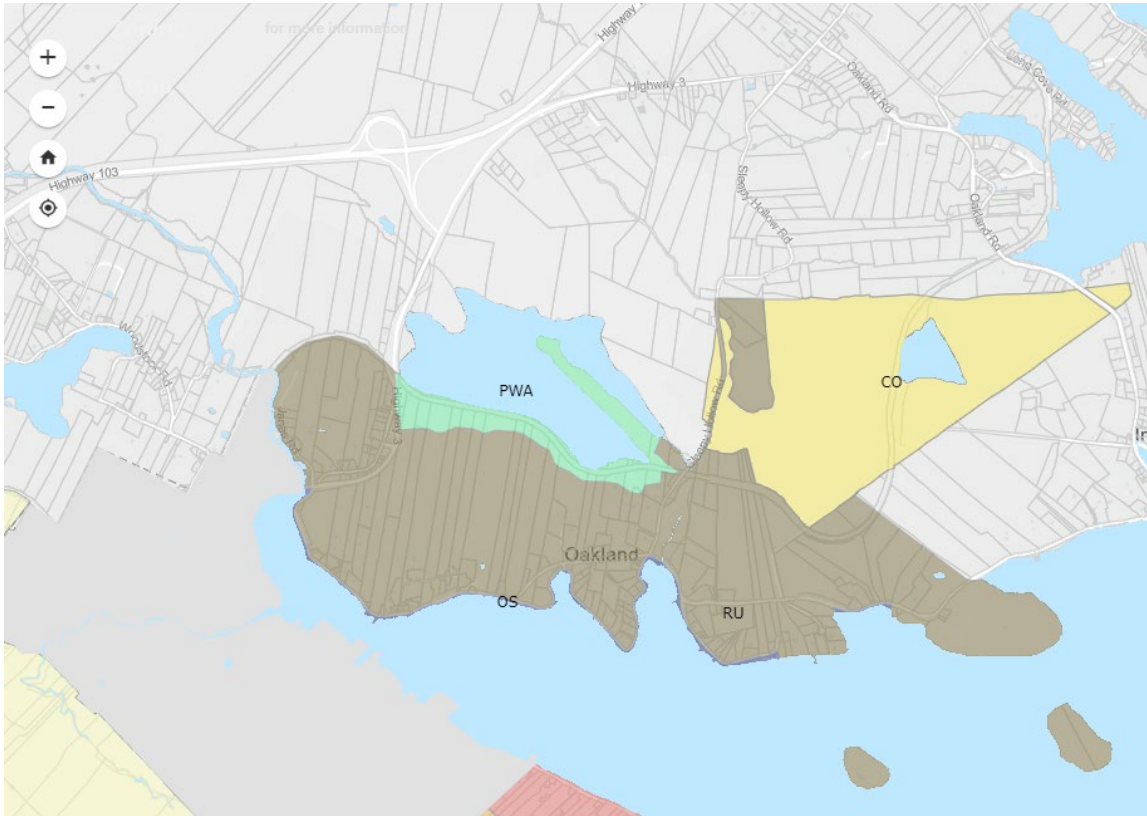


Protected Watersheds in MODL



A significant gap between
protected areas vs natural
watershed areas

Oakland Lake Water Supply Area



Guiding Principles

1. **Comply with the Provincial requirements**
(Statements of Provincial Interest Regulations)
2. **Apply a consistent approach to implement new regulations in all three watershed areas**
3. **Consider the implications for landowners**



Defining Roles

MODL Role

- Enabled through the **Municipal Government Act** and **Statements of Provincial Interest Regulations**
- Regulate and enforce land uses

Water Utility Role

- Enabled through the **Environment Act**
- Regulate and enforce activities

The two sets of regulations are designed to compliment each other and provide the best possible protection for the water supply.



Drinking Water Protection Regulatory Recap

- **Regulation of specific activities**
 - Environment Act enables
 - Utilities enforce through Protected Water Area designation
 - Oversight provided by Source Water Protection Committee
- **Regulation of land uses re: Zoning**
 - Municipal Government Act enables
 - Municipal Planning Strategy sets policy
 - Municipal Land Use By-law enforces
 - MODL creates a new overlay area for drinking water protection in which new regulations will apply
- **Regulation of land uses re: Watershed Protection District (Overlay Zone)**

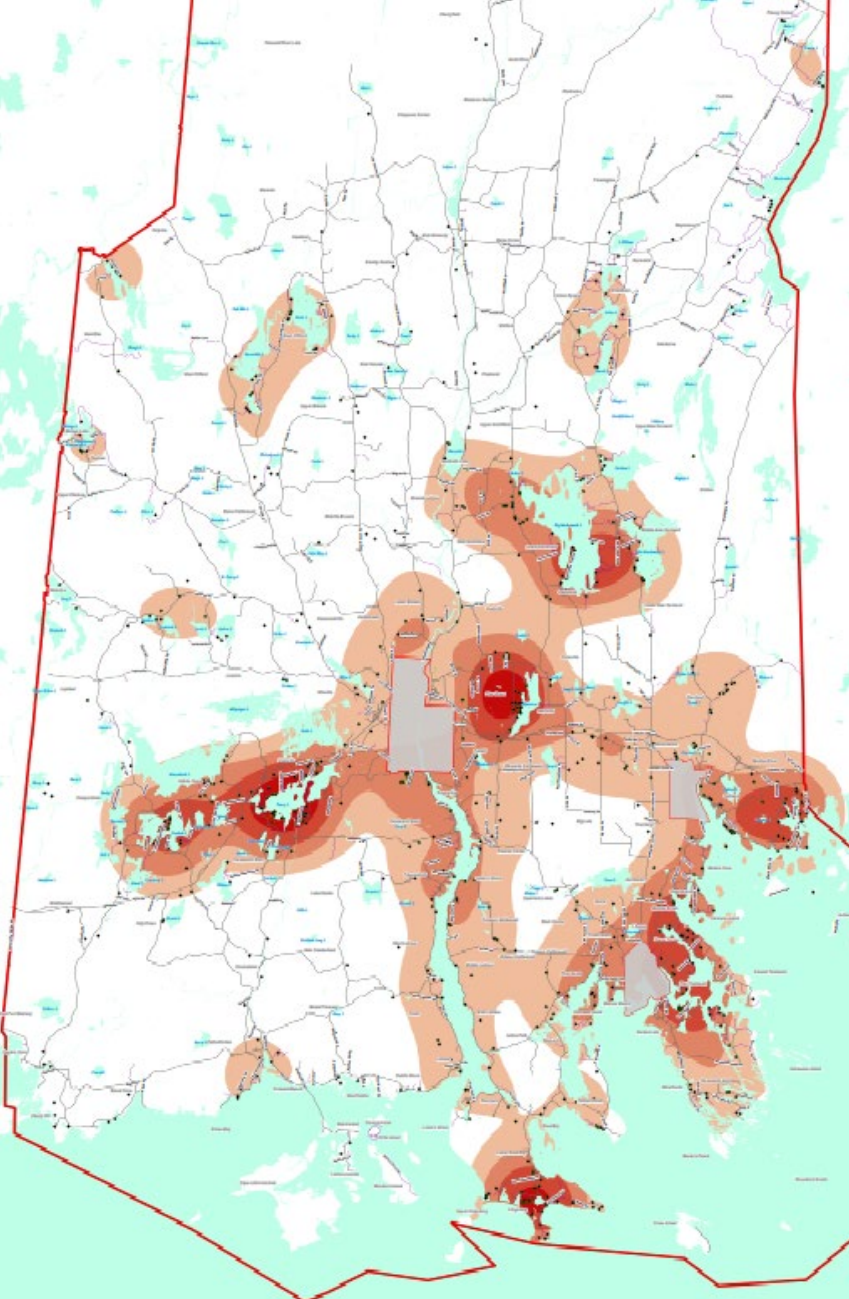


Community Impact

Oakland Lake Watershed

Natural Watershed Area/Protected Watershed Area: 87 properties, 0 dwellings





Building Permit Density (New Construction, 2010-2020)

Top 6 communities for the large number of new **residential** developments:

- Kingsburg
- Pine Groves
- Fancy Lake (Hebbville-Conquerall Mills)
- Mush-a-mush Lakes
- First Peninsula
- Martins River

Observed patterns of concentration

1. Near lakes
2. Near coastlines
3. Near towns (service centres)

SPI - Drinking Water

Planning documents must address the protection of drinking water in municipal water supply watersheds.

Measures that should be considered include

- (a) **restricting permitted uses** to those that do not pose a threat to drinking water quality;
- (b) **balancing the expansion of existing uses against the risks** posed to drinking water quality;
- (c) **limiting the number of lots**. Too many lots may result in development which cumulatively affects drinking water quality. The minimum size of lots and density of development should be balanced against the risks posed to the quality of drinking water;
- (d) **setting out separation distances** between new development and watercourses to provide protection from run-off;
- (e) establishing **measures to reduce erosion, sedimentation, run-off and vegetation removal associated with development.**



Policy proposal

Subsection (1)

The Land Use By-law must establish a watershed protection district, in which the boundary must be consistent with **the drainage divide of a public drinking water supply** operated by a municipal water utility within the Municipality.

Why?

The provincial watershed boundaries are based on low-precision surveying in 1960s, which do not account for the entire watersheds. With our LiDAR technology, the staff could identify the true natural watershed boundary.



Policy proposal

Subsection (2)

In a watershed protection district, the Land Use By-law must address the protection of drinking water by

- restricting permitted uses to **conservation, water distribution, water purification, open space, horticultural, silvicultural, residential and its accessory uses** so development does not pose a threat to water quality;
- regulating the minimum lot size to **at least 0.75 hectares** (1.85 acres) and the maximum residential density to **at most 1.33 units per hectare** (.53 units per acre);
- regulating the maximum lot coverage to **20%**;

Why?

- Heavy commercial and industrial uses are prohibited to prevent water contaminations. Growing crops, cutting down woods, building houses are permitted. **Typically, no development is permitted in a protected water area across Canada**
- Maximum of 1 unit permitted on a 2-acre lot.
- Once the area of an entire watershed has over 10% impervious surface coverage, water quality begins to decline. **In relatively undeveloped areas, maintaining a low impervious surface coverage ratio is the most effective tool.**



Policy proposal

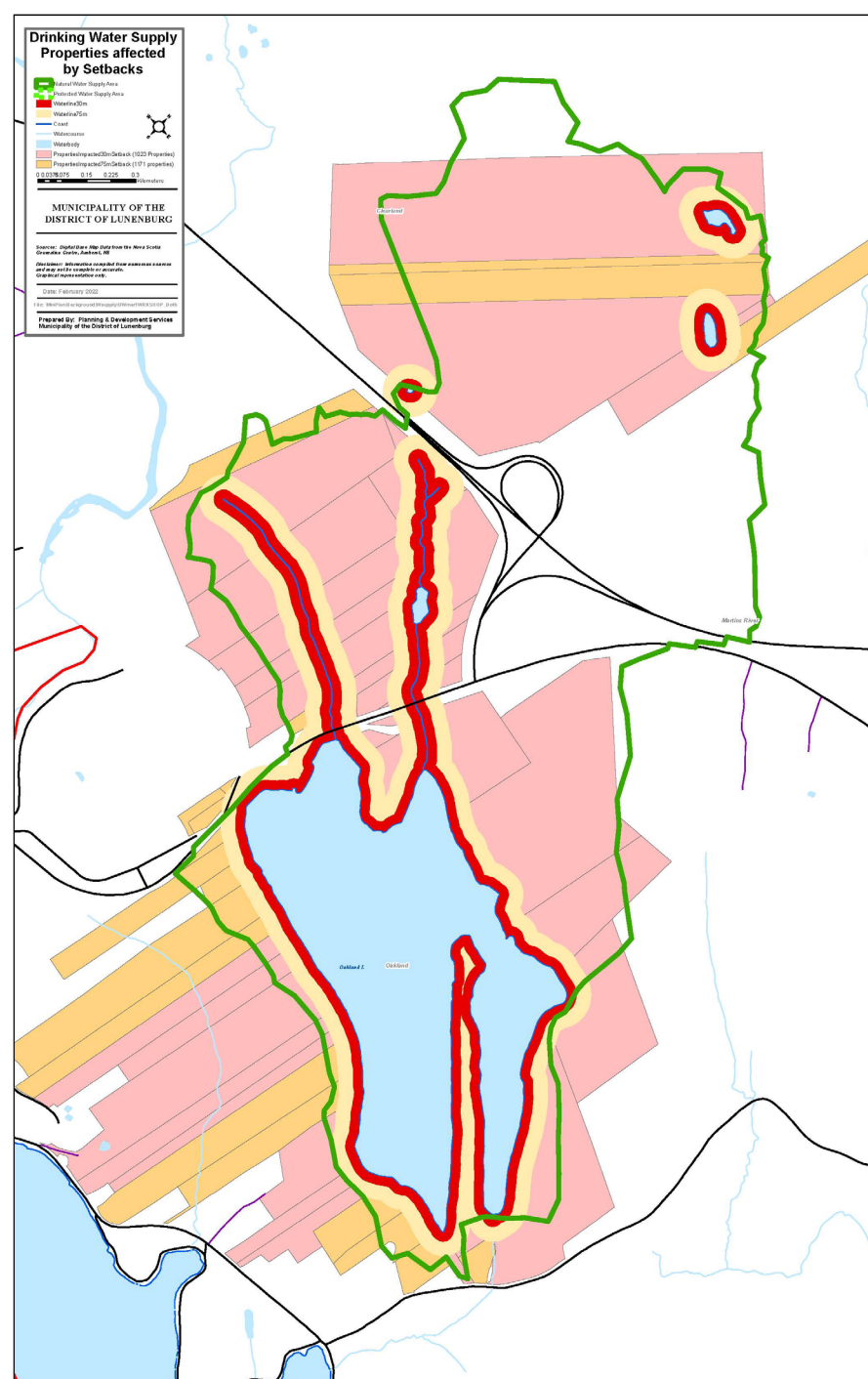
Subsection (2)

- regulating development, consistent with the watercourse buffer policy in this Municipal Planning Strategy, **at least 30 metres, or 75 metres** if within 4 kilometres upstream from a water filtration station, within an ordinary high water mark of a watercourse;
- recommending provincial guidelines for **controlling erosion** and sedimentation during the construction of a development;
- in connection with a development, regulating the planting or **retention of trees** and vegetation within the watercourse buffer in clause (d);

Why?

- A 30-metre (100 ft) buffer demonstrates consistent and complete attenuation of sediment and phosphorus, along with 50% removal of nitrogen.
- A 75-metre (250 ft) buffer may be used for the 95% removal of nitrogen and the protection of stream-breeding amphibians.
- **It is especially important to have high standards for erosion control to ensure that land disturbance does not result in the sedimentation of water bodies.**
- Having a high-quality vegetated watercourse buffer is also important.

Affected Properties and Watercourse Buffers (proposed)



Policy proposal

Subsection (2)

- **restricting the expansion of existing uses** unless permitted by a provincial enactment; and
- **notifying the water utility** responsible for operating a protected water area about an approved development permit in its protected water area designated by provincial regulations.

Why?

- Only the minimum requirement for nonconforming uses and structures, as determined by the **Municipal Government Act**, should be permitted to prohibit further encroachment. However:
 - Houses may be rebuilt if destroyed;
 - Houses may be enlarged if the additional portion is not within the watercourse buffer;
- As requested by town utilities.



Next Steps

- | | |
|---|------------|
| • Stakeholder Engagement | March 2022 |
| • Bring Draft Document to Planning Advisory Committee | April 2022 |
| • Public Engagement | May 2022 |
| • What We Heard Report to PAC | July 2022 |



Minutes of a Meeting of the
MUNICIPAL JOINT SERVICES BOARD, LUNENBURG REGION
Virtual
Wednesday, Nov. 23, 2021 6:30 p.m.

ATTENDANCE

MUNICIPALITY OF THE DISTRICT OF LUNENBURG

Mayor Bolivar-Getson
Councillor Moore
Councillor Statton
Tom MacEwan, CAO

TOWN OF BRIDGEWATER

Mayor Mitchell
D. Mayor Tanner
Councillor Conklin
Tammy Crowder, CAO

TOWN OF MAHONE BAY

Mayor Devenne
Councillor Feeney
Councillor Nowe
Dylan Heide, CAO (virtually)

REGRETS

ALSO IN ATTENDANCE WERE

Ken Smith, Interim COO
Stephanie Smits, Public Outreach (virtually)
Katherine Williams, Controller (virtually)
Eric Corkum, Site Manager, LRCRC (virtually)
Tamara Fraser, Recording Secretary (virtually)

1. CALL TO ORDER

Mayor Devenne called the meeting to order at 6:38 p.m.

2. APPROVAL OF AGENDA – Added Items

Moved by, Mayor Mitchell seconded by, D. Mayor Tanner to approve the Agenda as amended. Carried.

3. APPROVAL OF MINUTES OF SEPTEMBER 22, 2021, MEETINGS AS CIRCULATED

Moved by Mayor Bolivar-Getson, seconded by Councillor Feeney, that the Minutes of the Sept 22, 2021, Municipal Joint Services Board meeting be approved as circulated. Carried.

4. AGENDA ITEMS CARRIED FORWARD

4.1 COO Update

Mr. Smith noted a meeting was held with GE Environmental regarding the results of a sampling project for residuals in blue bags.

	Range	Median	Mode	Mean
Commercial	10-90%	40%	40%	38%
Curbside	20-40%	30%	30%	28%
Overall	10-90%	30%	25%	32%

He noted Scotia Recycling is working collaboratively with the Municipal Joint Services Board, West Hants and other units to test on Mondays a truck load from each unit to determine the actual percentage of residual by unit as well as type of residual.

Accessibility Act

Mr. Smith advised a meeting was held on November 18, 2021, with the Accessibility Coordinator for the 5 Lunenburg County units to get an understanding of our obligations under the Act. He noted as the Joint Services Board is not identified as a Prescribed Public Sector Body, we have no legislative requirements under the Act.

He added the Board has an opportunity to consider accessibility when making any future changes in policy or undertaking a capital project.

Cyber Security

Mr. Smith advised cyber security is becoming significantly more risky and our broker hasn't received a quote from the underwriter as the industry is overwhelmed trying to access the various client sectors.

Region 6

Mr. Smith noted he and Ms. Williams have offered to co-chair the Region 6 Committee. He added the committee hadn't met for a significant period of time due to Covid 19 and failed attempts recruit a Chair.

Strategic Priorities

Mr. Smith noted the Strategic Priorities session has been postponed until the new COO is in place and the facilitator has been contacted.

HR Shared Services

Mr. Smith advised on-going recruiting has kept Ms. Chase busy and to assist with the work load he has assigned a scale operator to assist in clerical duties, 3 hours per week.

Covid 19 Protocol Update

Mr. Smith advised the Covid 19 Protocol has been updated to include rapid testing, kits were received November 19, 2021. He noted there are only 2 staff members who are not fully vaccinated, and they will have to test twice per week.

Mayor Bolivar-Getson inquired if they were partially vaccinated or not vaccinated at all.

Mr. Smith noted one staff member isn't vaccinated and the other had the virus previously and has a letter from the province and physician.

Mayor Bolivar-Getson noted the letter for previous infection is not recognized by the Health Authority.

Succession Planning

Mr. Smith noted Mr. Eric Corkum, Site Supervisor, will be retiring soon and succession planning should be put in place.

HR Practices

Mr. Smith noted a review of Personnel files has begun with the following objectives:

- Ensure that each staff member has an updated job description
- Documentation substantiating the current salary/wage of each employee is up-to-date.
- Creation of a Salary Administration Policy

4.2 September 30 National Day of Truth & Reconciliation

Mr. Smith noted this is a housekeeping matter.

He explained at the last meeting the current September 30, 2021, was recognized as a holiday. This is to make a policy change.

Moved by, Mayor Mitchell seconded by Councillor Feeney, that the Board recognize the National Day of Truth and Reconciliation September 30 as a holiday and direct the COO to modify the Personnel Policy accordingly. Carried.

4.3 IT Lease

Mr. Muise advised that the lease 599 King Street is up for renewal. The terms of the lease indicate 90 days' notice to either renew or vacate. The office space was rented for IT, COO, HR and potential Safety and Procurement offices.

He noted when looking at options several factors were considered:

1. Unit 203 is currently under-utilized with only one staff, and no current plans to expand shared services;
2. It is anticipated that once a new COO is recruited, their place of work at least initially would be the waste site at Mullock Road;
3. MJSB is subject to accessibility challenges which cannot be met with the 599 King St location. Additionally, parking and loading / unloading of IT equipment is troublesome;

4. The current ITSS space includes a large meeting room which was outfitted with video conferencing technology and made available to the partners. Since all three partners have made their own investments in this type of infrastructure, that space is currently under-utilized.
5. The HRSS could operate under a combination of work from home, on-site with the partners, and using the Mullock Road meeting room on an as required basis.

He advised they have found a central site at the Visitor Information Centre in Blockhouse with a savings of \$23,000 next fiscal year. The lease dates December 1, 2021, to April 30, 2023.

This has been approved by MoDL council already, pending MJSB approval.

Councilor Statton inquired what will happen when the lease is up at the Visitor Information Centre in 2023.

Mr. Muise advised this is a 13-month solution, a short-term lease. He noted we may have the option to stay in the space even if the Visitor Information Center moves.

Councillor Statton inquired if the internet services are sufficient at the Visitor Information Centre.

Mr. Muise advised the speed requirement for our office has decreased over the years. A lot of services have been moved to the cloud and we no longer host video conferences.

Mayor Bolivar-Getson inquired if IT would be able to service the partners as quickly from the Blockhouse site.

Mr. Muise noted the travel time is similar to travel time from King Street, and obviously closer to the Town of Mahone Bay. He advised most of service requests can be completed remotely.

Mayor Devenne inquired depending on where the strategic planning takes us would this location be able to host additional services.

Mr. Muise advised there is potential to take over the site if the Board plans to expand services.

Ms. Crowder inquired if there were spaces closer to the Town of Bridgewater.

Mr. Muise noted rental space in the Town of Bridgewater are mostly large spaces or are more costly, and as such, there is no benefit in renting in the Town of Bridgewater.

Mayor Mitchell noted although he doesn't see the Blockhouse location as an ideal location, he does like the cost saving and supports the short term move.

Moved by, Mayor Bolivar-Getson seconded by Mayor Mitchell, that the Board authorize the COO to enter into a lease agreement with MoDL for IT Shared Services office space, with terms and conditions consistent with this report. Carried.

4.4 Operating Agreement – Scotia Recycling

Mr. Smith advised direction from the last Board meeting was to defer decision on the contract until this meeting so the status of EPR and more details on section 8 of the contract could be assessed.

He noted the Site has been in discussion with Scotia Recycling regarding the residual issue referred to in Clause 8.

Mr. Smith explained Scotia Recycling has provided the Site with preliminary wording for the critical clauses in the contract. It includes a CPI increase for the next contract increase, as well as a clause related to EPR, (e.g. able to pull out with one year's notice).

He noted he is recommending not terminating the contract.

Councillor Feeney inquired as to what the Scotia Recycling's perspective is on the residual as they haven't been billing us for it, and we're probably well outside the 10% threshold.

Mr. Smith noted the province is a big part of this. Glass, even though it's considered recyclable, has no market. That's why it's important to clearly identify what items make up the residual.

Councillor Feeney noted we've never complied with the 10% and inevitability the day will come when we are charged. That could potentially cost us hundreds of thousands of dollars.

Mr. Smith noted that's why we are examining the residuals and looking at pragmatic ways of decreasing the weight of residuals going to landfill.

He explained when we send things to recycle it's put in the system a certain way. This is where the province plays a role. Currently everything (residual) that goes into the blue bag is considered diverted but someone has to pay for that diverted material.

The Board agreed not terminate the Operating Agreement with Scotia Recycling Limited in relation to Clause 12 and based upon the content in the staff reports dated November 24, 2021 and September 22, 2021.

4.5 Bio-degradable Bags – Bylaw Changes

Ms. Smits reviewed by-law changes re bio-degradable bags.

She noted several sources of contamination within the organics stream were reviewed during the September 22, 2021, meeting of the Joint Services Board. She added waste bylaw amendments have been drafted which would ban the use of biodegradable plastics and oxo-biodegradable bags in the organics stream.

The amendments were reviewed and are attached to the minutes.

Ms. Smits reviewed the Outreach and Compliance plan as follows:

- Notify bag vendors of bylaw changes
- Notify food vendors in MJSB units of bylaw changes
- MJSB COO to notify the Town of Lunenburg and the Municipality of Chester of changes for consideration
- 6-month period until effective date
- Provide sample paper liners to residents and businesses
- Attach info stickers to green carts regarding changes and effective date
- Do weekly countdown ads for one month until enforcement date.

Moved by, Councillor Moore seconded by Mayor Mitchell, that the Municipality of Lunenburg, the Town of Bridgewater and Town of Mahone Bay councils review draft amendments proposed for their respective Solid Waste bylaws which ban biodegradable bags from the organics stream and define paper fast-food packaging lined with poly coatings as landfill. Carried.

Ms. Smits left the meeting at 7:30 pm.

5. NEW BUSINESS:

5.1 2nd Quarter Report

Ms. Williams reviewed the 2nd Quarter Report, a copy is attached to the minutes.

She advised revenue is on track and noted the difference in salaries over last year is due to period accruals for salaries not being completed quarterly last year, as well as a severance payout.

Ms. Williams advised she will be meeting with Supervisors to review the forecast.

Ms. Williams reviewed IT Shared Services 2nd Quarter.

Ms. Williams reviewed HR Shared Service 2nd Quarter. She noted revenue is based on estimates as 2nd quarter billings have not been completed, she added she is waiting on allocations.

Mayor Bolivar-Getson inquired about the active case files hours, increasing from 51% to 73% this year.

The Board discussed percentage active case files.

Ms. Williams stated she would consult with Ms. Chase and report back to the Board at the next meeting.

Ms. Williams reviewed the tonnage report.

5.2 Controller Update

Ms. Williams noted the report is for information.

She highlighted ongoing work projects:

- Review of Drive Structure and Electronic File Management
- Review of non-partner IT contracts
- Review of Time Management System and Data Location
- Communication Site Analysis
- Preliminary review of Scale House operational issues
- Transition and meetings with Baker Tilly, the newly appointed auditor

- Meetings with the Regional Coordinator for Region 6 Solid Waste Management and R6 Technical Committee matters

6. IN CAMERA

At 7:58 p.m., it was moved by, Councillor Moore seconded by Councillor Nowe, that the Municipal Joint Services Board go In Camera to discuss the following items:

6.1 COO Recruitment Update

Carried.

Tamara Fraser, Eric Corkum and Katherine Williams left the meeting at 7:58.

Municipal Joint Services Board In Camera in session.

At 8:43 p.m.; it was moved by Mayor Bolivar-Getson seconded by, Councillor Moore that the Municipal Joint Services Board come out of In Camera and return to open session. Carried.

Municipal Joint Services Board in session.

6.1 COO Recruitment Update

Moved by Councillor Feeney, seconded by D. Mayor Tanner, that the Board authorize the Chair to have legal counsel draft an employment contract based on the terms discussed and agreed to in-camera, and authorize the Chair to execute the same on behalf of the Board. Carried.

7. RECOMMENDATIONS/REFERRALS FROM COMMITTEES

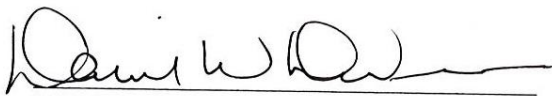
8. CORRESPONDENCE

9. ADDED ITEMS:

10. Next Meeting Date – January 26, 2022

11. ADJOURNMENT

There being no further business at 8:45 p.m., it was moved by Mayor Bolivar-Getson, seconded by Councillor Moore, to adjourn the meeting. Carried.



MAYOR DEVENNE, CHAIR


KEN SMITH, INTERIM COO