TOWN COUNCIL AGENDA
July 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 June 24, 2022 – Special
2.2 June 30, 2022 – Regular

3 Presentations

4 Correspondence – Action Items
4.1 Mary Lou Croft, Three Churches Foundation – Request RE Kindness Meters
4.2 Cathy Gaudet, Scarecrow Festival – Request for Rental of old Firehall Club Room

5 Correspondence – Information Items
5.1 NSFM – Monday Memo – June 28, 2022
5.2 Saeed El-Sarahali, WCB Board of Directors – WCB Services
5.3 NSFM – Monday Memo – July 4, 2022

6 Staff Reports
6.1 Staff Report to Council – July 12, 2022
6.2 Amended DRAFT Public Participation Plan – Town Logo Process
6.3 Staff Report – Option to Discharge Development Agreement 995 Main Street
6.4 Staff Report – Solar Garden Storm Water Management Plan
6.5 Staff Report – Municipal Boundary Review

7 Council Items

8 Committee Reports
8.1 Policy and Strategy Committee – draft minutes – June 27, 2022
8.2 Heritage Advisory Committee – draft minutes – June 29, 2022

9 New Business

10 Closed Session

A Special Meeting of Town Council for the Town of Mahone Bay was held on Friday, June 24, 2022 at 12:03 pm in via videoconference.

Present:
Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor P. Carver
Councillor J. Feeney
Councillor K. Wilson
CAO, Dylan Heide
Town Clerk & Deputy CAO, M. Hughes
Climate & Energy Program Manager, M. Horsman
AREA Project Development & Operations Manager, L. Wright
AREA General Manager, A. Long

Absent: Councillor R. Nowe

Land Acknowledgement

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. Agenda

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

2. Closed Session

A motion by Councillor Feeney at 12:14 pm seconded by Councillor Carver, "THAT Council go into closed session to discuss contract negotiations as permitted by MGA 22(2)(e)."
Motion carried

Returned to open session at 1:10pm

Business Arising from Closed Session

A motion by Councillor Wilson, seconded by Councillor Feeney, “THAT Council approve the 90% construction contract with G.P. Joule and refer it to AREA for final negotiation and signature.” Motion carried.

Council adjourned upon motion at 1:14pm.

TOWN OF MAHONE BAY

Mayor, David Devenne

TOWN OF MAHONE BAY

Town Clerk, Maureen Hughes

The Regular Meeting of Town Council for the Town of Mahone Bay was held on Thursday, June 30, 2022 at 7:00 p.m. broadcast via YouTube live.

Present:
Mayor D. Devenne
Deputy Mayor F. Kangata
Councillor P. Carver
Councillor J. Feeney
Councillor R. Nowe
Councillor K. Wilson
Town Clerk and Deputy CAO, M. Hughes
Deputy Clerk, K. Redden

Absent: Mayor D. Devenne (regrets)

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. Minutes
A motion by Councillor Wilson, seconded by Councillor Nowe, "THAT the minutes of the June 14, 2022 regular meeting of Council be approved as presented."
Motion carried.

A motion by Councillor Feeney, seconded by Councillor Carver, "THAT the minutes of the June 17, 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 June 24, 2022 special meeting of Council be approved as presented."
Motion carried.

3. Presentations
No presentations.

4. Correspondence – Action
4.1 Val Hearder, Talking Trees – Town Trees
A motion by Councillor Carver, seconded by Councillor Feeney, "THAT Council direct staff to prepare a response to Ms. Hearder identifying the information that can be found on the Town's website in respect to the questions raised and identifying the recent development of the Town's Climate and Environment Committee to address the Greenhouse Gas Reduction Plan including the action respecting Net Zero tree loss."
Motion carried.

A motion by Councillor Carver, seconded by Councillor Feeney, "THAT Council forward the letter from Ms. Hearder, with the Response from the Town, to the Climate and Environment Committee." Motion carried.

5. Correspondence – Information Items
5.1 NSFM – Monday Memo – June 13, 2022
5.2 NSFM – Monday Memo – June 20, 2022
5.3 Paula Lessard – Traffic noise

A motion by Councillor Feeney, seconded by Councillor Carver, "THAT correspondence items number 5.1 to 5.3 be received and filed." Motion carried.

A motion by Councillor Carver, seconded by Councillor Feeney, "THAT Council direct staff to send Paula Lessard a letter with thanks for sending in comments."
Motion carried.

6. Staff Reports
6.1 Council Report
Council received the Staff Report to Council for June 30, 2022.

A motion by Councillor Feeney, seconded by Councillor Nowe, "THAT the report be received for information." Motion carried.

6.2 Flag Policy
Council received a staff report to accompany a draft amended Flag Policy as directed by Council.

DRAFT

A motion by Councillor Carver, seconded by Councillor Feeney, "THAT Council approve the Mayor to send a letter on behalf of Council to Chief Deborah Robinson of the Acadia First Nation indicating Council's intent to fly a flag to honour the Indigenous people of Mi'kma'ki and requesting the advice of the Acadia First Nation Council as to the appropriate flag." Motion carried.

A motion by Councillor Feeney, seconded by Councillor Carver, "THAT Council direct staff to order three (3) commercial flagpole(s) for installation on Edgewater Street with costs to be reflected in the 2022-23 annual budget." Motion carried.

A motion by Councillor Carver, seconded by Councillor Feeney, "THAT Council direct staff to add the amended Flag Flying Policy, further amended to reflect the federal guidelines on half-masting on the day of a memorial service and wording regarding the opportunity for an individual to request a flag be flown, to a Council agenda when feedback has been received from the Acadia First Nation as to which flag is appropriate to honour the indigenous people of Mi'kma'ki." Motion carried.

6.3 Draft Public Participation Plan – Town Logo Process

Council received a draft Public Participation Plan for a process to develop a new community logo for Mahone Bay.

A motion by Councillor Nowe, seconded by Councillor Carver, "THAT Council direct staff to revise the draft Public Participation Plan to be reflective of Council's discussion of a steering committee, to be added to the agenda July 12, 2022 meeting of Council." Motion carried.

6.4 Facilities Improvement for 2022-23 Budget

Council received a staff report to support the 2022-23 budget process with respect to facilities improvement.

6.5 Recreational Assets for 2022-23 Budget

Council received a staff report to support the 2022-23 budget process with respect to recreational assets.

6.6 Service Extensions for 2022-23 Budget

Council received a staff report with information for the budget regarding the extension of services to currently unserved or partially served areas of Town.

A motion by Councillor Feeney, seconded by Councillor Nowe, "THAT Council refer items 6.4, 6.5, and 6.6 to the budget meeting scheduled for July 14th." Motion carried.

DRAFT

7. Council Items

No Council items.

8. Committee Reports

No committee reports.

9. New Business

No new business.

10. Closed Session

A motion by Councillor Feeney, seconded by Councillor Nowe, "THAT Council go into closed session at 8:22 pm to discuss contract negotiations as permitted by MGA section 22(2)(e)."

Motion carried.

Council returned to open session at 8:41 pm.

Business Arising from Closed Session

A motion by Councillor Feeney, seconded by Councillor Nowe, "THAT Council direct staff to remove the dilapidated fence bordering the sports field by the Mahone Bay Centre and write a letter to advise the adjacent property owner of this action."

Motion carried.

Council adjourned upon motion at 8:42 pm.

TOWN OF MAHONE BAY

Deputy Mayor, Francis Kangata

TOWN OF MAHONE BAY

Town Clerk, Maureen Hughes

DRAFT

Maureen Hughes

Subject: FW: Kindness Meters
Attachments: 20220628_135801.jpg; 20220628_140023.jpg; 20220628_134753.jpg; 20220628_140623.jpg

From: 3churchesfoundation@gmail.com <3churchesfoundation@gmail.com>
Sent: June 28, 2022 2:32 PM
To: Dylan Heide <Dylan.Heide@TownofMahoneBay.ca>
Subject: Kindness Meters

You don't often get email from 3churchesfoundation@gmail.com. Learn why this is important

CAUTION: This email originated from an external sender.

Hi Dylan,

Further to our earlier telephone conversation regarding placement of “kindness meters” around our town, on behalf of the Three Churches Foundation, I respectfully request that Council be approached to work with the Wooden Boat Festival Committee to secure a spot on the town wharf for a meter. We feel the wharf is an excellent location as many visitors enjoy the view and take photographs of the iconic churches from that vantage point. Attached are photos of a couple of the desired locations for consideration. With the tourist season upon us, we would like to move as quickly as possible with installation should we be granted approval.

The Foundation has received permission from BMO Manager, Erica Moore, to install a meter on their property across the street from the bank which is in the vicinity of the gazebo, another prime location for which we are most grateful. As we discussed, this meter will be installed close to the existing bollards separating the bleachers from the parking lot to avoid damage to the meter and so as not to impede snow removal, maintenance, etc. If agreeable, instead of digging and placing the meter in concrete, a meter could be bolted to the existing bollard shown in the photograph similar to the other one that is pictured in the final photograph.

We look forward to your consideration and a response at your earliest convenience so that both meters may be installed at the same time preferably.

Kind regards,
Mary Lou Croft
Board member & Treasurer

DOG WASTE STATION
PLEASE CLEAN UP AFTER YOUR DOG
PLEASE CLEAN UP AFTER YOUR DOG
DOG WASTE STATION
Take Precautions
Maintain
2m
Social Distancing

Mahone Bay Town Council

The Mahone Bay Scarecrow creative committee are requesting a short-term rental of the Fire Hall Club Room in the vacated Mahone Bay Fire hall.

The requested time frame would include the remainder of the month of July, August and September of 2022 with restricted key holder access.

The purpose of the rental would be to facilitate the construction of numerous new scarecrows to bring new life to the 2022 festival.

In a perfect scenario the festivals and events volunteers in the town would appreciate the opportunity to have a full time rental that would accommodate all the towns' festival preparations.

A full time space would allow the volunteers a home for creativity while fostering pride in the community.

With ground level access, the goal would be to inspire and nurture all ages to participate in a respectful environment that supports self-expression and values the unique.

The festivals have been a large draw for not only the town's tourists but also for new residents. There are a great number of residents of this town that were attracted by a festival visit that turned into a resident because the town offered the opportunity to create heartwarming memories through creative expression to audiences of all ages for every season.

We thank you for considering this request and look forward to your response.

Cathy Gaudet

Mahone Bay, Nova Scotia

Mahone Bay Scarecrow Festival

Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Monday, June 27, 2022 4:14 PM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: June 27, 2022

Follow Up Flag: Follow up
Flag Status: Flagged

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Monday Memo

NOVA SCOTIA FEDERATION OF MUNICIPALITIES

Policing Meeting Proposed

Policing is a hot topic for municipalities: What we pay for it, who does it, and what it costs. As these conversations happen all over Atlantic Canada, NSFM has begun work with our colleagues in Newfoundland, New Brunswick, and Prince Edward Island to convene a meeting of municipal leaders to discuss the current state of policing in our communities, our shared concerns, and the potential for addressing these concerns collectively.

A meeting is proposed for September 28-29 in Halifax. If you are interested in attending, or want more information, please reach out to NSFM CEO, Juanita Spencer

Seeking Success Stories on Municipal Housing

The NSFM Fall Conference will be held in-person from November 2nd – 4th in Halifax. More information on the conference program, accommodations, etc. will be coming in September.

The Planning Committee is looking for success stories focused on Housing. This panel session will be held on Friday, November 4th from 10:00 a.m. – 11:00 a.m. Each success story will have approximately 15 minutes to present.

Has your municipality developed a strategy to deal with the housing crisis? Is there a new initiative you'd like to showcase to your fellow municipal colleagues? The NSFM success stories sessions are always a source of great discussion. This is a great opportunity to share your innovative ideas with other municipalities!

If interested, please email your proposed submission outlining specifically what you plan to speak about. The planning committee will make their selections from the submissions received.

Please email your submission to Judy Webber by July 22nd, 2022.

Join the team at the Nova Scotia Federation of Municipalities!

We are seeking a Research Assistant for a 12-month contract position.

View the position here

Read the Spring/Summer Edition of NSFM's Municipal Observer!

Local Food Infrastructure Fund

Applications close July 15

The fourth intake of LFIF will take place from June 1, 2022 to July 15, 2022 and will focus on projects that either create a portion of (or expand) a food system or implement an entire food system. Projects must be infrastructure specific and be community-driven, dedicated to improving access to healthy, nutritious and local foods for Canadians at risk of food insecurity.

Eligible applicants include municipalities with a population under 30,000. Learn more about the fund and apply at the link above.

Nova Scotia Environment and Climate Change Begin Targeted Engagement on Revised Ambient Air Quality Standards

Canadian Human Rights Commission Seeking Public Input on Systemic Housing Issues

Federal Funding for Accessibility Research

“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 Manager of Business Development, Jesse Patenaude

Upcoming Events

Free Webinar: Getting to Know your Community Health Boards

Thursday, July 14th, 2022 10:00 a.m. – 11:30 a.m. via zoom

Do you know what a community health board (CHB) is? Do you know the name of the CHB in your catchment area? As a Nova Scotia Health (NSHA) Program, do you know the purpose of a CHB as it relates to the NSHA?

On July 14th, on behalf of the CHBs, staff of NSHA will lead you through a presentation that will answer the questions we posed above, not to mention, discuss some of the other commonalities that exist between the Federation of Municipalities and the Nova Scotia Health program. As the CHBs move into Health Planning, we think that there's a great opportunity to not only leverage municipal resources but to maximize the community engagement experience by showcasing all the great assets each community has to offer. As people continue to venture out and acclimate back to their surroundings, we believe there's an opportunity to either create new or strengthen existing relationships with the municipalities.

Presenters:
Aron Ashton - Public Engagement Community Health Board support Manager for the Eastern Zone
Jimi Kaye - Public Engagement Community Health Board support Manager for the Northern Zone

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Nova Scotia Federation of Municipalities
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Halifax, N.S. B3J 3K8
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info@nsfm.ca

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June 16, 2022

Deputy Mayor Francis Kangata
Town of Mahone Bay
493 Main Street
Mahone Bay, NS B0J 2E0

Dear Deputy Mayor Kangata:

As we enter another beautiful Nova Scotian summer, I wanted to reach out on behalf of my organization, WCB Nova Scotia.

Every day, our employees serve the workers and employers of our province, and by extension, many of the people in your municipality. We are pleased to serve more than 20,000 Nova Scotian employers and the more than 320,000 workers who they employ. While workers' compensation is provincial jurisdiction, from time to time, members of your municipality may have questions about what we do.

In particular, many of the workers we serve are first responders – such as the police officers and firefighters who serve your community. Many of these workers, and many others, are recovering from traumatic psychological injury. As you are well aware, the *Workers' Compensation Act* was amended by the Province to make support related to PTSD a presumptive benefit for first responders. Other changes include the mandatory coverage requirement for volunteer firefighters, and more recently the expansion of firefighter cancer benefits. All of these changes affect municipalities like yours.

As we move forward in 2022, we do so with a sense of optimism, openness and renewal, knowing new relationships and partnerships may bring new opportunity. I have found throughout my career that most of us who work in the public sector share the goal to create better outcomes for the people we serve.

In that spirit, please know that our organization is there for you and your constituents. Deanna Harnish, our Client Relations Officer, would be pleased to assist with any service related concerns or questions. You can reach her at (902) 430-9798, or deanna.harnish@wcb.ns.ca.

I wish you a safe and enjoyable summer.

Saeed El-Darahali
Chair, Board of Directors

Kelly Redden

From: NSFM Communications <communications@nsfm.ca>
Sent: Monday, July 4, 2022 2:52 PM
To: Town of Mahone Bay Clerk
Subject: NSFM's Monday Memo: July 4, 2022

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Flag Status: Flagged

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Monday Memo

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Eligible applicants include municipalities with a population under 30,000. Learn more about the fund and apply at the link above.

Mersey Tobeatic Research Institute Municipal Environmental Stewardship Survey

The Mersey Tobeatic Research Institute are conducting a Municipal Environmental Stewardship Survey on behalf of the Kespukwitk Conservation Collaborative (KCC). The KCC includes partners from government and non-government organizations and Indigenous communities. The KCC represents efforts to protect biodiversity in the federally nominated Kespukwitk/Southwest Nova Scotia Priority Place, designated under the Pan-Canadian Approach to Transforming Species at Risk Conservation.

This survey aims to draw the connection between species at risk and general environmental stewardship for municipalities. They would like to understand what environmental concerns matter to municipalities, and identify municipal information needs to inform the creation of a Municipal Species at Risk Stewardship Toolkit. They also hope to identify opportunities to link municipalities with local environmental groups that can help with environmental initiatives and goals.

Please submit responses by July 9.

Environmental Stewardship: the responsible use and protection of the natural environment through conservation and sustainable practices.

“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 Manager of Business Development, Jesse Patenaude

From FCM

In April, FCM sent an update on our advocacy on behalf of municipalities facing unbudgeted retroactive costs related to the RCMP collective agreement.

Following robust engagement with Public Safety on this issue, including two meetings with Public Safety Minister Marco Mendicino directly, FCM received a letter confirming that the Government of Canada will not seek payment until a decision has been reached on the need for flexibility around retroactive costs.

Municipalities are still facing significant, unforeseen costs that could force our communities to make impossible choices that would hurt our residents.

FCM's position remains that the federal government should cover all retroactive costs associated with the new RCMP labour regime, and that municipalities should be properly consulted prior to the implementation of measures that affect local fiscal sustainability and the ability to maintain effective levels of police service in communities

FCM will continue to engage directly with the Minister of Public Safety and other key federal decision-makers to advance our position and keep this issue as a top federal priority. You can help by continuing to share local data and the potential consequences of these retroactive costs for your community -- with FCM, with your local media, and with your local MPs.

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Report to Council
July 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	Oct., 2022	**50%**
		Notes: To be discussed at Policy & Strategy Committee in 2022-23; report to Council anticipated thereafter.		
	Staff to develop a multi-year	08-Sep-20	Jul., 2022	**75%**

2	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.	Notes: In progress. Staff have consulted with accessibility coordinator. Staff recently discussed with MBTCC executive who expressed support for the program. Report to Council anticipated in July.			
3	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.	26-Nov-20	Sep., 2022		**75%**
		Notes: In progress. Discussion initiated with MODL Planning staff. Timeline coordinated with Plan Mahone Bay process.			
4	Direct staff to include accessible hearing solutions in the Accessibility Operational Plan, anticipated in 2021-22	25-Mar-21	Jul., 2022		**75%**
		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.			
	Staff to apply to the Canada	08-Jun-21	Oct., 2022		**75%**

5	Healthy Communities initiative and the Canada Cultural Spaces Fund to sponsor Phase 3 improvements to the Michael O'Connor Memorial Bandstand.	Notes: Canada Healthy Communities Initiative application did not receive approval. Canada Cultural Spaces Program application will be submitted by the Fall of 2022 for implementation ahead of the 2023 season (if approved).			
6	Staff to initiate a Home Charger Pilot Program for electric vehicle owners under the Grow the Load Initiative.	29-Jul-21	Sep., 2022		**75%**
		Notes: In Progress. Town staff coordinating with AREA staff on development of pilot program.			
7	Staff to produce a report on the Town's Procurement Policy.	28-Jul-21	Sep., 2022	**Not yet begun**	
		Notes: Assigned to new Manager of Finance (Treasurer).			
8	Staff to provide a report on the Townsuite programs which may be relevant to the Town's operations.	29-Jul-21	Jul., 2022		**75%**
		Notes: In progress. Assigned to new Manager of Finance (Treasurer).			
9	That minimum standards for housing be reflected in any housing strategy that the Town may develop.	14-Sep-21	Oct., 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). Regular regional housing strategy staff meetings now taking place.			
	Approve the reimbursement to	28-Oct-21	Jul., 2022		**75%**

10	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.	Notes: In progress. Reimbursement issued. Staff working with MODL; discussion of tax sale proceedures assigned to new Manager of Finance.		
11	Direct staff to issue an RFP for legal services.	28-Oct-21	Aug., 2022	**Not yet begun**
		Notes:		
12	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	Oct., 2022	**Not yet begun**
		Notes: Date TBD.		
13	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	Jul., 2022	**75%**
		Notes: Report will be provided to Council in July; recommendations to be reflected in 2022-23 budget process.		
14	Complete the Municipal Heritage Property Registration process for Town Hall at 493 Main Street.	11-Jan-22	Jul., 2022	**75%**
		Notes: Heritage Property Hearing took place February 24, 2022, registration underway.		
	Staff to communicate with the	27-Jan-22	Jul., 2022	**75%**

15	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.	Notes: In progress. Staff in communication with owner, signage to be erected in July, coordinated with line painting.			
16	Approve the Public Engagement Plan for the Municipal Boundary Review as presented.	27-Jan-22	Jul, 2022		**75%**
		Notes: Mailer to be sent to public by end of June with information on a public session to be held in September (per update report on July 12 agenda).			
17	Staff to develop draft protocols for the new community hall as an emergency shelter.	27-Jan-22	Sep., 2022		**25%**
		Notes: AEC now doing preliminary work in this regard with REMO.			
18	Staff to complete negotiation and establish terms and conditions whereby the Mahone Bay Soccer Club/Mahone Bay Centre will have a contractural responsibility to provide scheduling, management, and ongoing maintenance of the field and that same be provided to Council for approval.	27-Jan-22	Jul., 2022		**50%**
		Notes: Staff have reached out to Mahone Bay Soccer Club/Mahone Bay Centre Society to begin negotiations on the draft management agreement, two initial meetings have taken place in May and staff are now in the process of drafting a proposed agreement on this basis, for further discussion.			
	Approve service corridor route	27-Jan-22	Jul., 2022		**75%**

19	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.	Notes: In progress. Correspondence has been exchanged; awaiting completion of survey and updated valuation for property parcels.						
20	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	Jul., 2022					**50%**
		Notes: Staff report anticipated for the July 28, 2022 Council agenda.						
21	Defer the heritage grant request from the owners of 77 Edgewater Street to the 2022/23 budget.	24-Feb-22	Jul., 2022					**75%**
		Notes: Forwarded to the finance department for 2022/23 budget consideration.						
22	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	Jul., 2022					**75%**
		Notes: In progress. Recording took place in April. Final editing underway now.						
	Direct staff to schedule the	24-Feb-22	Jul., 2022					**75%**

23	follow-up session with Deloitte as offered in the Management Letter to the 2020-21 Audit.	Notes: Staff have been in contact with Deloitte in this regard and further update audit committee members at the Committee's July meeting.		
24	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	Sep., 2022	**Not yet begun**
		Notes:		
25	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	**75%**
		Notes: In progress. Improvement of crossings at Kedy's, Anglican Church, Medical Clinic and Long Hill Trail completed. Lutheran Church crossing will be completed shortly.		
26	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	Jul., 2022	
		Notes: In progress, will be reflected in draft 2022-23 operating budget.		
	Staff to initiate discussions with	08-Mar-22	Jul., 2022	**50%**

27	the Nova Scotia Liquour Commission concerning potential cyclist and pedestrian safety improvements to their property on Main Street.	Notes: In progress.			
28	Approve AREA staff to resume discussion with staff at the Department of Municipal Affairs to confirm the recovery of muncipal assets and AREA staff time.	08-Mar-22	Jul., 2022		**75%**
		Notes: In progress.			
29	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 40km/hr	24-Mar-22	Jul., 2022		**75%**
		Notes: Letter being drafted now, to include reference to Town's recent transportation infrastructure improvements intended to improve pedestrian and cyclist safety.			
30	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.	24-Mar-22	Jul., 2022		**75%**
		Notes: In progress.			
	Staff to prepare a report on an	24-Mar-22	Sep., 2022		**25%**

31	Electric Vehicle car sharing program to be presented to the Climate and Environment Committee.	Notes: Anticipated at the September 7, 2022 meeting of the Climate and Environment Committee. Estimates reflected in draft 2022-23 operating budget.		
32	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.	04-Apr-22	Jul., 2022	**50%**
		Notes: In progess.		
33	Direct staff to obtain a comparative review of the old fire station building and an associated valuation for potential divestiture.	04-Apr-22	Sep., 2022	**25%**
		Notes: In progess.		
34	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.	12-Apr-22	Sep., 2022	**50%**
		Notes: Underway now. Staff have contacted NSUARB to advise of upcoming rate application.		
35	Staff to proceed with Option 3, running the upgraded powerline under the Sports Field.	12-Apr-22	Jul., 2022	**75%**
		Notes: Final design completed, coordinating construction with field improvements, wire expected on site second week of July.		
	Council revisit the vaccination policy by the end of the	28-Apr-22	Mar., 2023	**Not yet begun**

36	policy by the end of the 2022/23 fiscal year.	Notes: to be revisted in early 2022.						
37	Council [...] approve a budget allocation of $80,000 from electrical utility capital funds in the Town's 2022-23 budet for the puchase of a voltage regulator, and direct staff to proceed to tender for the purchase of a voltage regulator.	28-Apr-22	Jul., 2022					**50%**
		Notes: Tender document under development now for issuance second week of July, closing late July.						
38	Direct staff to draft a letter to the property owners of identified potential heritage properties informing them of the Municipal Heritage Property Program and bring that draft letter back to the next Heritage Advisory Committee Meeting.	28-Apr-22	Jul., 2022					**75%**
		Notes: Anticipated for an upcoming 2022 HAC agenda.						
39	Staff to investigate the potential for a volunteer recognition event.	10-May-22	Jul., 2022					**25%**
		Notes: In progress.						
40	Staff to provide a report on the next steps to develop a housing plan for Mahone Bay.	10-May-22	Jul., 2022					**25%**
		Notes: In progress.						
	Council direct staff to reflect	26-May-22	Jul., 2022					**50%**

41	accessibility best practices- including proposed chip-seal track/trail surface at the Sports Field as part of the current ongoing project.	Notes: Direction incorporated into scope of work, staff coordinating with contractors/Mahone Bay United.			
42	staff to prepare a response to Ms. Hearder identifying the information that can be found on the Town's website in respect to the questions raised and identifying the recent development of the Town's Climate and Environment Committee to address the Greenhouse Gas Reduction Plan including the action respecting Net Zero tree loss.	30-Jun-22	Jul., 2022		**50%**
		Notes: Draft response letter in review. Information to be forwarded to the Climate and Environment Committee once response has been sent.			
43	Forward the letter from Ms. Hearder [Town Trees], with the response from the Town, to the Climate and Environment Committee.	30-Jun-22	Jul., 2022		**25%**
		Notes: In progress.			
44	Staff to send Paula Lessard a letter with thanks for sending in comments.	30-Jun-22	Jul., 2022		
		Notes: completed.			
	Mayor to send a letter on	30-Jun-22	Jul., 2022		**75%**

45	behalf of Council to Chief Deborah Robinson of Acadia First Nation indicating Council's intent to fly a flag to honour the Indigenous people of Mi'kma'ki and requesting the advice of the Acadia First Nation Council as to the appropriate flag.	Notes: Draft in review.			
46	Staff to order three (3) commercial flagpoles for installation on Edgewater Street with costs to be reflected in the 2022-23 annual budget.	30-Jun-22	Jul., 2022		**75%**
		Notes: In progress.			
47	Council direct staff to add the amended Flag Flying Policy, further amended to reflect the federal guidelines on half-masting on the day of a memorial service and wording regarding the opportunity for an individual to request a flag be flown, to a Council agenda when feedback has been received from the Acadia First Nation as to which flag is appropriate to honour the indigenous people of Mi'kma'ki.	30-Jun-22	Sep., 2022	**Not yet begun**	
		Notes: Draft to wait for response from Acadia First Nation RE appropriate flag.			

48	Staff to revise the draft Public Participation Plan to be reflective of Council's discussion of a steering committee to be added to the agenda July 12, 2022 meeting of Council.	30-Jun-22	Jul., 2022	**100%**
		Notes: On July 12, 2022 Council agenda.		
49	Refer items 6.4 Facilities Improvements for 2022-23 Budget, 6.5 Recreational Assets for 2022-23 Budget, and 6.6 Service Extensions for 2022-23 Budget to the July 12, 2022 meeting of Council.	30-Jun-22	Jul., 2022	**75%**
		Notes: Forwarded to the budget meeting on July 14, 2022.		
50	Staff to remove the dilapidated fence bordering the sports field by the Mahone Bay Centre and write a letter regarding this action to the adjacent property owner.	30-Jun-22	Jul., 2022	**50%**
		Notes: In progress.		

Town of Mahone Bay
Public Engagement Plan:
Development of a New Community Logo

Presented to Council: June 30, 2022
Amended Public Engagement Plan Presented to Council: July 12, 2022

GUIDING PRINCIPLES

Town of Mahone Bay public engagement is:

- Meaningful;
- Informed;
- Timely;
- Accessible;
- Transparent;
- Appropriately scaled;

NATURE OF ENGAGEMENT

- **Matter for which public engagement is being sought:**
  Development of a Community Logo for Mahone Bay

  "Staff to prepare a draft Engagement Plan for the development of a new community logo for the Town, to replace the current logo, and which would empower the public to decide on a logo for Council approval."

- **How input will be used:**
  The public will be empowered to decide on a logo for Council approval.

- **Identified stakeholders:**
  Residents, taxpayers, and the business community of Mahone Bay.

- **Impact of the matter on stakeholders:**
  A community logo will represent the community as a whole and therefore community sense of identification will inform the process.

- **Timeline for engagement / decision:**
  July – August:
    - Council to appoint two members of Council to sit on a limited time Steering Team to develop a community logo
    - Community Engagement RE: decision to adopt a community logo and seek five community members to sit on a limited time steering team to develop a community logo.

  September:
    - Steering Team members will develop an RFP for a designer who will be responsible for development and implementation of a public process to identify the local character defining elements to inspire potential designs.

  October – January:
    - Public process led by designer reporting to Steering Team.

  February:
    - Community decision resulting from public process, on recommendation from Steering Team

  March 2023:
    - Council approval

- **What information is required to participate and where is it available:**
  Information on the past and future Town logos – will be available on the Town website
  Information on the 2019/20 logo development – will be available on the Town website
  Information on the components of future logo development – will be available on Town website
  Information for Steering Team members for the development of an RFP – will be provided by staff to steering team members

- **Particular circumstances (including states of emergency and public health directives):**
  Long process to encourage accessible public engagement process. Planning must allow for possible return of public health measures. Process to produce a community recommended logo for Council approval by the end of February 2023

ENGAGEMENT TOOLS
Which public engagement tools will be utilized:

- [x] **Public hearing;**

  Notes: _A public hearing will be held to discuss draft logo decision when available for Council approval. _____

- [x] **In-person meetings, round-table discussions, town halls, open houses, or workshops;**

  Notes: _public sessions per designer's proposal_____

- [x] **Digital engagement which may include webinars, message boards / discussion forums, and online polls or surveys;**

  Notes: _Polls and/or surveys per designer's proposal_____

- [x] **Written engagement which may include written submissions, email feedback, mail-in surveys, polls and workbooks;**

  Notes: __Written submissions will be accepted at various stages of engagement per designer's proposal. _____

- [x] **Engagement by representation including the appointment of members of the public to Town committees;**

  Notes: _Two members of Council to be appointed to a limited time Steering Team_____

- [x] **Providing information through the media, websites, social media, and other channels;**

  Notes: _Information on all components of the public engagement will be shared on the Town's website, and facebook page. _____

- [ ] **Other:**

  Notes: _____

REQUIRED RESOURCES

- **Communication plan to inform the public about the public engagement plan and opportunities to provide input:**

Community Engagement RE: decision to adopt a community logo
July – August 2022

- Phase 1 July and August: Launch of information about previous logos of the Town, and information on the development of the 2019 "3 diamonds" logo, emphasizing decision to proceed with new COMMUNITY logo – this will include information posted on the website, notification in the Mayor's newsletter, and on the Town's facebook page
- Recruit five members of the community to serve on a volunteer limited-time steering committee to develop an RFP to engage a designer who will be responsible to propose and implement a public process to identify the local character defining elements to inspire potential designs.

Development of a draft logo
September

- Steering Team to release an RFP for a designer who will be responsible to develop and implement a public process to identify the local character defining elements to inspire potential designs

October 2022 – January 2023

- Public process led by designer

Community decision
February 2023

- Public process led by designer results in Steering Team decision on draft logo to go Council

Council approval
March 2023

- Final Council decision on proposed logo (with public hearing)
- Forward information to 2023/24 budget for updating logo on Town materials

- **Required resources and costs:**

Staff time: approximately 100 hours
Graphic designer for development of logo: $25,000
Cost of updating logo on Town materials: to be identified to be forwarded to 2023/24 budget

Date: June 30, 2022

General Overview:

By email dated June 9, 2022 (Appendix A) the property owners of 995 Main Street, Brent and Kim Kraushar, are seeking to submit Development and Building Permit applications to construct a single unit residence on the property in accordance with an approved Development Agreement (MB-DA2019-001) dated July 16, 2019.

Part 5.1 of the MB-DA2019-001 (Appendix B) states *that "The DEVELOPER undertakes to ensure that construction of the site shown in Schedule "B" commences within eighteen (18) months of the date of this Development Agreement coming into effect.;"*

Further Part 16.2 states *"That the Council of the TOWN may discharge this Development Agreement if the development described herein has not been commenced within eighteen (18) months of this Agreement;"*

The effective date of the Development Agreement is July 19, 2019, following registration at the Provincial Land Registry. This follows the mandated 14 days appeal period, advertised on June 19, 2019. The 18-month window to commence development closed on January 19, 2021. The property owners have submitted a Development Permit application; however, it remains incomplete and therefore no construction has begun or occurred at the site.

Staff have discussed the current situation with the Solicitor, and it has been determined that while Council may discharge the Development Agreement based on the provisions of 16.2, at this time, there is no obligation that Council discharge the Agreement.

Choosing to take no action regarding the discharge will allow the property owners to continue with the application to receive a Development Permit. Approval of the Development Permit is subject to the remainder of the proposal complying with the terms of the Development Agreement.

Background:

In 2018 and 2019 the property owners of 995 Main Street worked with planning staff to have a Development Agreement drafted and ultimately approved to permit the construction of a single unit residence on the site.

This site was given special protection in the existing Municipal Planning Strategy found at Section 4.6.5 stating *"It shall be the policy of Council to consider residential uses by development agreement in the existing boathouse at 995 Main Street only, in accordance with policies 6,4,1 and 6.4.2 and provided the non-commercial uses of the property do not occupy more than 50% of the floor area of the existing building"*.

With the Development Agreement approved by Council and registered with the Provincial Land Registry, the property owners were able to submit the required information to the Development Officer to receive a Development Permit. As noted previously, the open Development Permit application remains incomplete, and no work has occurred at the site.

Analysis:

Staff have reviewed the existing Development Agreement and other than the noted clauses above, confirm that there is no obligation on the part of Council to discharge the Agreement at this time.

Council does have the option to discharge if they believe there is reason to do so. This could include that a new public process should be undertaken, given the existing terms were not adhered to. In addition, a case could be made that there has been a change or shift that justifies repeating the Development Agreement process based on the amount of time that has passed. The Town is also well into the process of reviewing and revising the Municipal Planning Strategy and Land Use By-law. Council may wish to reconsider this proposed development and the allowance to construct a new single unit dwelling and wharf immediately adjacent to Mahone Bay based on the discussions and thinking proposed in the new planning documents.

The property owners in their request to continue under the existing Development Agreement states that "...was hoping the town would take into account that we have been through a global pandemic where no work could happen for many months in any industry."

Financial Analysis:

There are no immediate financial implications obvious to planning staff. Permitting the construction is likely to have implications on the assessed value of the property which would result in a higher tax bill paid to the Town.

Links to Strategic Plan:

N/A

Recommendation:

It is recommended,

THAT Council take no action regarding the discharge of MB-DA2019-001 at this time, thereby allowing the application for a Development Permit to proceed in the standard manner in accordance with the terms of the effective Development Agreement for 995 Main Street.

Respectfully submitted,

Garth Sturtevant, MCIP, LPP
Senior Planner

Appendix A

Garth Sturtevant

From: Kim Kraushar [redacted]
Sent: June 14, 2022 1:48 PM
To: Garth Sturtevant; Brent Kraushar
Subject: Re: #External: 995 Main St., Mahone Bay

Hi Garth
Ok please let me know as soon as possible when we can proceed. After hearing from you that the agreement was still valid, we have our architect and engineer finalizing our plans to move ahead with the permit application asap.
I knew that there was a note in the DA regarding an 18 month duration but was hoping the town would take into account that we have been through a global pandemic where no work could happen for many months in any industry……..
We would also like to talk to someone again regarding receiving town services of sewer and water. You and the mayor had mentioned over 3 years ago that funding was there to remove the straight pipes dumping raw sewage into the bay and bring town services to all residences. I'm sure Covid has impacted this process but we're hoping the town will be considering correcting these issues in the very near future.
One of the reasons - along with Covid and supply chain issues - we have not felt comfortable going ahead with building is we'd rather not invest $50,000 dollars for septic and water if the town has plans to supply it - we'd rather invest it in our future as member of town services. Every time we inquire, we are encouraged that this is a real possibility but when nothing happens we remain at a discouraging standstill.
I can't imagine the town can continue to get away with this negligence around the environmental impact of straight pipes. As boaters, we see the negative impact this has the boating community. People are commenting they won't stay in the Bay because the smell of sewage is too strong. The 6 homes near us are concerned about this issue of straight pipes and access to town water but are also holding off on costly solutions because as taxpayers they feel the town should be contributing to remedying this problem.
If you have any concrete insight or can connect us with someone who does we'd greatly appreciate it as we'd love to move forward comfortably with our plans to build.
Thanks

Kim
Kim Kraushar
Interlude Spas
Merrithew Master IT
[redacted]

On Jun 14, 2022, at 12:10 PM, Garth Sturtevant <gsturtevant@chester.ca> wrote:

Hi Kim,

Following up from yesterday, I now have a clear path in mind to confirm that you will be able to proceed with construction in accordance with the existing development agreement. I will be preparing a brief report to present to Council to outline the current situation. While the development has not officially commenced within 18 months, you had applied for a permit, which was then left incomplete. Additionally, Council is not obligated to terminate the agreement based on the lack of work on the site, but they would have this option.

My report will outline the current situation and your request to begin with permit applications. I will be seeking a motion from Council that they do not wish to proceed with a discharge at this time. Following that motion, you should be in a position to apply for a permit with Heather.

I will be speaking with the Acting CAO for the Town in the near future to determine when my report may be considered by Council. I will provide an update once I have a date for that meeting.

If anything here is unclear or you have additional questions at this time, please let me know.
Best,
Garth

THE MUNICIPALITY OF CHESTER

Garth Sturtevant
Senior Planner
Community Development & Recreation

Municipality of Chester
PO Box 369
186 Central Street, Chester, NS, B0J 1J0

Office: 902-275-4135
General Inquiries: 902-275-2599
Web: www.chester.ca

Consider the environment. Do you really need to print this email?

This message contains confidential information and is intended only for the intended recipients in communication with the Municipality of Chester. If you are not an intended recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

From: Garth Sturtevant
Sent: June 13, 2022 10:28 AM
To: Kim Kraushar [redacted]
Cc: Heather Archibald <harchibald@chester.ca>
Subject: RE: #External: 995 Main St., Mahone Bay

Hi Kim,

After sending the email below, I spoke to Heather, who advised she had received your email separately.

I also wanted to advise that while the Development Agreement is still in effect for the property, upon closer inspection, there is a question around clause 5.1 which states that construction was to begin within 18 months of the approved development agreement. As this has not occurred, I am in the process of investigating what options might exist to allow you to move forward without amending the current Development Agreement.

Heather and I will keep in touch on this and will advise you as soon as we determine the appropriate path forward.

Best,
Garth

From: Garth Sturtevant
Sent: June 13, 2022 9:50 AM
To: Kim Kraushar [redacted]
Cc: Heather Archibald <harchibald@chester.ca>
Subject: RE: #External: 995 Main St., Mahone Bay

Good Morning Kim,

I see in your initial email that Heather's email address had an error so it would not have reached her. I have copied Heather in this email.

Glad to hear that you are preparing to proceed with a permit to construct the house at 995 Main. The Development Agreement you reference remains in effect for the property and will allow you to submit a Development Permit and Building Permit application so long as they are compliant with the terms of the Development Agreement.

At this point, you will work with Heather to obtain your Development Permit. As the Development Agreement is complete and in effect, unless you require changes to the Agreement, I will not be involved moving forward.

I will advise that Heather is extremely busy, so there may be a delay in her responding, but with the corrected email address, this will now go in her queue to receive a response.

All the best,
Garth

From: Kim Kraushar [redacted]
Sent: June 9, 2022 11:20 AM
To: harchibauld@chester.ca
Cc: Garth Sturtevant <gsturtevant@chester.ca>
Subject: #External: 995 Main St., Mahone Bay

This email originated from outside of the organization. Do not click links or open attachments unless you recogize the sender and know the content is safe.

Hello Heather and Garth

Kim and Brent Kraushar here. Not sure if you remember us but we own a lot in Mahone Bay at 995 Main St. We are hoping to get the process going again with respect to building a home on the property. We had gotten to a point in the process but our file was closed as it was incomplete.

Heather, we are working with our architect and engineer to complete the list of outstanding information you previously sent us in order to fully complete our building permit application.

I've attached our development agreement in this email for you to reference.

I am preparing to re-send the Development Permit and the Building Permit once I receive our most recent plans from ABLE and Precipice.

This attached Development Agreement was issued on June 19, 2019. Am I to use this as my reference ? Is this agreement still valid or if I have to re-apply for this as well?

Thanks in advance for your time,

Kim

Kim Kraushar

INTERLUDE SPAS

Appendix B

Statement of Registered and Recorded Interests

Land Registration Date/Time: 2013-05-30 17:48:47
Date/Time of Issuance of SRI: 2019-07-25 10:31:26
Date/Time of Parcel Register Update: 2019-07-25 10:30:56

Registration District: LUNENBURG COUNTY
User Reference:

PARCEL INFORMATION:

Parcel Identification Number (PID): 60371291
Civic Address and Lot Number: 995 MAIN STREET MAHONE BAY
Condominium Corp. Number:
General Location of the Parcel: MAHONE BAY
Parcel Access Type: PUBLIC

REGISTERED OWNER'S INFORMATION:

Owner Name: BRENT KRAUSHAR
Qualifier:
Interest Type: FEE SIMPLE
Document Reference: 113253190 2018-09-14 13:47:52

Instrument Type: DEED
Address of Owner: 58 OCHTERLONEY STREET
DARTMOUTH NS CA
B2Y 1C2
Non-resident of Nova Scotia? NO

Owner Name: KIMBERLEY KRAUSHAR
Qualifier:
Interest Type: FEE SIMPLE
Document Reference: 113253190 2018-09-14 13:47:52

Instrument Type: DEED
Address of Owner: 58 OCHTERLONEY STREET
DARTMOUTH NS CA
B2Y 1C2
Non-resident of Nova Scotia? NO

MANNER OF TENURE: JOINT TENANTS
Description of Tenure:

BURDENS ON THE REGISTERED INTERESTS:

Interest Holder Name: TOWN OF MAHONE BAY

*Indicates Parcel Register changes in process

Qualifier:		
Interest Type:	PARTY TO AGREEMENT (BURDEN)	
Document Reference:	114812689	2019-07-19 14:30:41
Instrument Type:	AGREEMENT RE USE OF LAND	
Address of Interest Holder:	POST OFFICE BOX 530 MAHONE BAY NS CA B0J 2E0	

NON-ENABLING INSTRUMENTS:

Document Reference:	113171798	2018-08-30 11:19:52
Instrument Type:	RETRACEMENT PLAN	
Document Reference:	113176441	2018-08-30 15:53:30
Instrument Type:	RETRACEMENT PLAN	

QUALIFICATION:

The names lists for Tenant in Common interest holders that are not registered pursuant to the *Land Registration Act* have been obtained from Property Online and have not been searched for completeness or accuracy. No representations or opinions are made with respect to these Tenants in Common. The list of Tenants in Common not registered pursuant to the *Land Registration Act* cannot be relied upon as advice on the current state of title of those interests in the subject parcel. A search of the records at the appropriate Registry of Deeds office is required to determine the current owner(s) of the Tenants in Common not registered pursuant to the *Land Registration Act*.

*Indicates Parcel Register changes in process

Form 24

Purpose: to change the registered interest, benefits or burdens

(Instrument code: 450)

(If change(s) requested relate(s) to one or more of the following and no other interests are being added or removed on this form: manner of tenure, description of manner of tenure, non-resident status, parcel access or NSFLB occupant. Note: This form cannot be used to correct an error in a parcel register).

(Instrument code: 451)

(Change to existing servient or dominant tenement PID number in a parcel register as a result of subdivision or consolidation. Note: This form cannot be used to correct an error in a parcel register)

For Office Use

Registration district: LUNENBURG

Submitter's user number: 3441

Submitter's name: SAMUEL R. LAMEY, Q.C.

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

114812689 LR☑ ROD☐
Document #

JUL 19 2019 14:30
MM DD YYYY Time

In the matter of Parcel Identification Number (PID)

PID	60371291
PID	

*(Expand box for additional PIDs, **maximum 9 PIDs per form**)*

The following additional forms are being submitted simultaneously with this form and relate to the attached document (check appropriate boxes, if applicable):

☐ Form 24(s)

☐ Form 8A(s)

Additional information *(check appropriate boxes, if applicable):*

☐ This Form 24 creates or is part of a subdivision or consolidation.

☐ This Form 24 is a municipal or provincial street or road transfer.

☐ This Form 24 is adding a corresponding benefit or burden as a result of an AFR of another parcel.

☐ *This Form 24 is adding a benefit or burden where the corresponding benefit/burden in the "flip-side" parcel is already identified in the LR parcel register and no further forms are required.*

Power of attorney

X No power of attorney applies to this document

This form is submitted to make the changes to the registered interests, or benefits or burdens, and other related information, in the above-noted parcel register, as set out below.

The following burdens are to be added in the parcel register:
(Note: An amending PDCA is required if the changes being made to the burden section are not currently reflected in the description in the parcel register).

Instrument type	DEVELOPMENT AGREEMENT
Interest holder and type to be removed *(if applicable)*	
Interest holder and type to be added *(if applicable)* *Note: include qualifier (e.g., estate of, executor, trustee, personal representative) (if applicable)*	TOWN OF MAHONE BAY/ PARTY TO AGREEMENT (BURDEN)
Mailing address of interest holder to be added *(if applicable)*	P O BOX 530 MAHONE BAY, NS, B0J 2E0
Reference to related instrument in names-based roll/parcel register *(if applicable)*	
Reason for removal of interest *(for use only when interest is being removed by operation of law)* ***Instrument code: 443***	

Certificate of Legal Effect:

I certify that, in my professional opinion, it is appropriate to make the changes to the parcel register as instructed on this form.

Dated at CHESTER, in the County of LUNENBURG, Province of Nova Scotia, on JULY 18, 2019.

Signature of authorized lawyer

Name: Samuel R. Lamey, Q.C.

Address: P O Box 310, Chester, NS, B0J 1J0

Phone: 902-275-3544

E-mail:

Fax: 902-275-3473

☐ This document also affects non-land registration parcels. The original will be registered under the *Registry Act* and a certified true copy for recording under the *Land Registration Act* is attached.

THIS DEVELOPMENT AGREEMENT made this 16th day of July, A.D. 2019

BETWEEN:

BRENT KRAUSHAR & KIMBERLEY KRAUSHAR of Halifax Regional Municipality in the Province of Nova Scotia, hereinafter called the "DEVELOPER"

OF THE FIRST PART

-AND-

TOWN OF MAHONE BAY, a duly incorporated municipal body, hereinafter called the "TOWN"

OF THE SECOND PART

WHEREAS the DEVELOPER intends to develop property at 995 Main Street within the bounds of the TOWN identified as PID number 60371291 and described in Schedule "A" attached hereto;

AND WHEREAS the DEVELOPER has applied to the TOWN for a permit to use that part of the lands described in Schedule "A" attached hereto, to construct one residential dwelling unit and residential wharf hereinafter referred to as the PROPOSED DEVELOPMENT;

AND WHEREAS the Plan attached hereto as Schedule "B", composed of documentation labelled as B-1 to B-6, depicts the location of the PROPOSED DEVELOPMENT on the lot with floor plans, elevations, and perspective drawings;

AND WHEREAS the property(s) identified as PID number 60371291 contained a boathouse / commercial boat shop which may be replaced by a new structure as per Section 4.5.12, the Existing Structures Clause of the Town of Mahone Bay Land Use By-law;

AND WHEREAS the property described in Schedule "A" is situated in an area which is both designated Open Shoreline on the Land Use Designation Map of the Town of Mahone Bay Municipal Planning Strategy and zoned Open Shoreline (OS) on the Zoning Map of the Town of Mahone Bay Land Use By-law;

AND WHEREAS Policy 4.6.5 of the Municipal Planning Strategy enables residential uses on this land as the Policy reads that "It shall be the policy of Council to consider residential uses by development agreement in the existing boathouse at 995 Main Street only, in accordance with policies 6.4.1 and 6.4.2 and provided the non-commercial uses of the property do not occupy more than 50% of the floor area of the existing building";

AND WHEREAS the Council of the TOWN, by resolution passed at the meeting on the 11th day of June, A.D. 2019, approved the execution of this Agreement by the parties hereto;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the foregoing recitals and for other goods and valuable consideration the parties hereto agree as follows:

1. GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 The TOWN hereby agrees that a Development Permit may be issued to the DEVELOPER for the PROPOSED DEVELOPMENT subject to the terms and conditions of this Development Agreement;

1.2 Nothing in this Agreement shall exempt the DEVELOPER from complying with Federal, Provincial and Municipal laws, by-laws and regulations in force within the TOWN, including the Building By-law. Except as provided for in this Agreement, nothing herein exempts the DEVELOPER from other Municipal by-laws including the Land Use By-law, or from obtaining any Federal, Provincial or Municipal license, permission, permit, authority or approval required thereunder including any permission required under the *Fire Prevention Act* and the *Environment Act*.

2. USE OF LAND

2.1 Subject to Clause 15 below, the DEVELOPER undertakes to ensure that the use of the lands described in Schedule "A" attached hereto shall be limited to:

2.1.1. the construction and residential occupation of one (1) residential dwelling unit as shown in Schedule "B" where the replacement of the former boathouse is permitted through Section 4.5.12, the Existing Structures Clause of the Town of Mahone Bay Land Use By-law. For greater clarity, no accessory structures are permitted other than those considered minor accessory structures under the Town of Mahone Bay Land Use By-law;

2.1.2. the operation of one (1) small-scale business which occupies no more than 25 percent of the floor area of the building and subject to Clause 11.2 of this Development Agreement. For greater clarity, small-scale business uses shall be limited to offices, boarding or rooming houses, craft workshops, guesthouses, personal service shops, studios for the practice or instruction of fine arts or craft, and repair shops excluding engine repair; and

2.1.3. the construction of a driveway, parking spaces, drainage works, residential wharf and landscaping elements as shown in Schedule "B" and the construction of one (1) floating dock.

2.2 Subject to Clause 15 below, the DEVELOPER shall be prohibited from operating the following within the PROPOSED DEVELOPMENT:

2.2.1. marine commercial uses; and

2.2.2. a tourist home.

3. STORMWATER MANAGEMENT

The DEVELOPER undertakes to ensure that:

3.1 Prior to any Development Permit being issued, the DEVELOPER shall submit a Stormwater Management Plan, prepared by a qualified person, to the satisfaction of the TOWN verifying that storm water and drainage patterns are adequate for the subject development so as to avoid flooding, and that storm water is not directed onto any adjacent property or into the TOWN sewer system.

4. EROSION AND SEDIMENTATION

The DEVELOPER undertakes to ensure that:

4.1. Prior to any Development Permit being issued, the DEVELOPER shall submit an Erosion and Sedimentation Control Plan, prepared by a qualified person, to the satisfaction of the TOWN verifying that the siltation and erosion of coastal material into Mahone Harbour are minimized during and following construction, and that silt and erosion debris is not deposited onto any adjacent property during or as a result of construction.

5. PERIOD OF CONSTRUCTION

5.1 The DEVELOPER undertakes to ensure that construction of the site shown in Schedule "B" commences within eighteen (18) months of the date this Development Agreement coming into effect;

5.2 The DEVELOPER undertakes to ensure that the development of the site shall be completed as shown in Schedule "B" within thirty-six (36) months from the start of construction;

5.3 Construction work on the property shall not begin earlier than 7:00 a.m. and shall not continue past 8:00 p.m, and no exterior construction work shall be undertaken on Sundays.

6. STRUCTURES

The DEVELOPER undertakes to ensure:

6.1 that the exterior appearance of the building shall be substantially as shown in Schedule "B" and shall have:

6.1.1.exterior cladding that is horizontal in nature;

6.1.2.vertically oriented windows on the North, South, and West Elevations;

6.1.3.a roof pitch of 5:12, or greater;

6.1.4.a roof surfaced with dark shingles;

6.1.5.a maximum height of 8.5 metres from the average grade to the midpoint of the roof and eaves.

6.2 exterior alterations to the building after completion shall be subject to this Development Agreement;

6.3 the proposed building is positioned on the site as per Schedule "B", where the precise location of the proposed building may vary so long as the following setbacks are maintained:

6.3.1.a rear yard setback of 88 feet;

6.3.2.a front yard setback of 5 feet;

6.3.3.side yard setbacks of 30 feet and 36 feet.

6.4 that the cantilevered roofs as shown in Schedule "B" shall not be altered so as to create semi-enclosed or permanently enclosed areas;

6.5 prior to any Development Permit being issued, the DEVELOPER shall submit the necessary approvals for the residential wharf and floating dock shown in Schedule "B"; and

6.6 in acknowledging the inherent risk associated with development of coastal lands, measures shall be taken to protect the property from the possible incursion of seawater so as not to have a negative impact on the PROPOSED DEVELOPMENT and neighbouring properties.

7. LANDSCAPING AND FENCING

7.1. The DEVELOPER undertakes to ensure that landscaping of the property shall be completed as shown on Schedule "B", within thirty-six (36) months from the start of construction;

7.2. The DEVELOPER undertakes to ensure that the property and grounds are maintained in good order, including landscaping and fences; and

7.3. That all other matters of landscaping and fencing shall conform to the requirements of the Town of Mahone Bay Land Use By-law.

8. SIGNS

The DEVELOPER undertakes to ensure that all permanent exterior advertising or project identification signs shall comply with Part 14 ("SIGNS") of the Land Use By-law and Development Permits shall be obtained.

9. ILLUMINATION

The DEVELOPER undertakes to ensure:

9.1. light from all exterior lighting sources shall be downcast with luminaries shields and must not be directed upon adjacent properties or Mahone Harbour; and

9.2. light from all exterior lighting sources shall not flash, move or vary in intensity such that it creates a hazard to public safety.

10. SANITARY SERVICES

The DEVELOPER undertakes to ensure:

10.1. that an onsite sewage disposal system shall be constructed to meet Nova Scotia Department of Environment specifications. Prior to the issuance of a Development Permit, the DEVELOPER must submit approval from Nova Scotia Department of Environment for an onsite sewage disposal system;

10.2. notwithstanding Clause 10.1, the DEVELOPER undertakes to ensure connections to municipal sewer systems are properly functioning and are satisfactory to the TOWN. The DEVELOPER must obtain necessary approvals from the TOWN for connections to the municipal sewer system and ensure the connections are properly functioning and are satisfactory to the TOWN.

11. PARKING

The DEVELOPER undertakes to ensure:

11.1. that two (2) parking spaces as shown in Schedule "B" are maintained and kept free of all structures and materials at all times; and

11.2. that one (1) additional parking space on the property described in Schedule "A" shall be provided if a small-scale business is operated within the building.

12. OPERATION AND MAINTENANCE

The DEVELOPER undertakes to ensure:

12.1 that all structures are maintained in good repair and in a tidy and useable state. This includes exterior finishes of the building and landscaping elements;

12.2 that all driveways and parking locations shown on Schedule "B" shall be surfaced with stable materials to prevent dust form blowing onto adjacent properties, Mahone Harbour, and to prevent erosion; and

12.3 that any waste materials produced at the site shall be disposed of in compliance with the TOWN's Solid Waste By-law.

13. FIRE PREVENTION

13.1 The DEVELOPER takes to ensure that all aspects of the development, operation and maintenance of the structures and property is in compliance with the Fire Safety Act of the Province of Nova Scotia.

14. LIABILITY

14.1. The DEVELOPER undertakes to indemnify and save harmless the TOWN from any claims, damages, expenses or costs arising out of, or in connection with, or incurred with respect to anything required to be done by the DEVELOPER in accordance with this Agreement, or with respect to any claim or expense incurred by the TOWN in repairing or replacing any work done by or on behalf of the DEVELPOER during the development of the site described in Schedule "A".

14.2. The TOWN shall not carry out any repairs or replacements or incur any expenses or costs at the DEVELOPER's expense unless the TOWN has given five (5) days prior written notice to the DEVELOPER which directs the DEVELOPER to carry out such repairs or replacements and which gives notice of its intention to carry out such repairs or replacements or incur any such expense, and the DEVELOPER has failed to carry out the repairs or replacements or pay the expenses itself; except that in situations which the TOWN deems to be an emergency the TOWN may notify the DEVELOPER and act forthwith at the DEVELOPER's expense;

14.3. In accordance with Section 264 of the *Municipal Government Act,* where the Town has incurred expenses pursuant to Clause 14.1 or Clause 14.2 the costs of the work are a first lien on the property described in Schedule "A".

15. CHANGES AND ALTERATIONS

15.1 That all matters in this Agreement not specified in Sub-clause 15.2 below, are substantial matters which shall not be changed or altered except by amendment to this Agreement in accordance with the relevant statutes; and

15.2 That the following matters are not substantial matters and may be changed or altered without amendment to this Agreement but with the written consent of the Council of the TOWN provided that the Council of the TOWN determines that the changes do not significantly alter the intended effect of this aspects of the agreement:

15.2.a alterations to the landscaping design prior to and during building construction;

15.2.b reduction in the footprint, height, or volume of the building;

15.2.c minor alterations to the building's exterior prior to, during, or after construction. For greater clarity, this is limited to:

15.2.c.1.the orientation of siding material employed; and

15.2.c.2.type of roofing material employed.

15.2.d reduction in the parking requirements for a small-scale business within the building.

16. TERMINATION OF AGREEMENT

16.1 That this Agreement shall be in effect until discharged by resolution of the Council of the TOWN in accordance with the relevant statutes, whereupon the Land Use By-law shall apply to the lands described in Schedule "A";

16.2 That the Council of the TOWN may discharge this Development Agreement if the development described herein has not been commenced within eighteen (18) months of this Agreement;

16.3 That the Council of the TOWN may discharge this Development Agreement if the use described herein is discontinued for a period of no less than twelve (12) months;

16.4 That the Council of the TOWN retains the option of discharging this Development Agreement should any fact provided to the TOWN by the DEVELOPER or its agents constitutes a material misrepresentation of the facts upon which this Agreement is based; and

16.5 That the Council of the TOWN may discharge this Agreement if the DEVELOPER breaches any terms of the Agreement.

17. APPLICATION OF LAND USE BY-LAW

That without restricting the generality of the foregoing any aspect of any development on the property not specified above is subject to the requirements of the Land Use By-law.

18. EFFECT

18.1 That, in accordance with Section 229 of the *Municipal Government Act*, this Agreement shall continue to apply to the property until discharged by Council of the TOWN;

18.2 That this Agreement shall ensure to the benefit of, and be binding upon the TOWN and its successors and assigns, and shall ensure to the benefit of and be binding upon the DEVELOPER, its heirs, executors, administrators, and assigns, the owner or owners from time to time of the property described in Schedule "A", until discharged by the Council;

18.3 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

19. OWNERSHIP

19.1. The DEVELOPER is the sole owner of the subject property (PID 60371291) as described in Schedule "A".

19.2. The DEVELOPER further certifies that they have full authority to construct and operate the proposed development.

IN WITNESS WHEREOF the parties to this Agreement have hereunto set their hands and seals on the day and year first above written.

BRENT KRAUSHAR & KIMBERLEY KRAUSHAR

WITNESS

Signature: _____ Per: _____

Print Name: Kim Boutilier Print Name: Brent Kraushar

WITNESS

Signature: _____ Per: _____

Print Name: Kim Boutilier Print Name: Kim Kraushar

TOWN OF MAHONE BAY

WITNESS

Signature: _____ Per: _____

Print Name: Kim Boutilier **David W. Devenne, Mayor**

WITNESS

Signature: _____ Per: _____

Print Name: Kim Boutilier **Maureen Hughes**, Town Clerk

PROVINCE OF NOVA SCOTIA

COUNTY OF LUNENBURG,

ON THIS this 18th day of July, A.D. 2019, before me, the subscriber personally came and appeared Kim Boutilier, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the **TOWN OF MAHONE BAY,** one of the parties thereto, duly executed the same in her presence by affixing thereto its corporate seal identified by the signature of David W. Devenne, its Mayor and Maureen Hughes, Town Clerk duly authorized officers in that regard.

_____

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

JODI D. MAILMAN
A Barrister of the Supreme
Court of Nova Scotia

PROVINCE OF NOVA SCOTIA

COUNTY OF LUNENBURG,

ON THIS this 18th day of July, A.D. 2019, before me, the subscriber personally came and appeared Kim Bartlett, a subscribing witness to the foregoing Indenture, who having been by me duly sworn, made oath and said that the **BRENT KRAUSHAR & KIMBERLEY KRAUSHAR,** one of the parties thereto, duly executed the same in her presence.

A BARRISTER/COMMISSIONER OF THE SUPREME COURT OF NOVA SCOTIA

JODI D. MAILMAN
A Barrister of the Supreme
Court of Nova Scotia

SCHEDULE "A"

PROPERTY DESCRIPTION

PID # 60371291

All that certain water lot or lot of land covered with water situate, lying and being in Mahone Bay, in the County of Lunenburg and Province of Nova Scotia more particularly bounded and described as follows:

Beginning at an iron pipe on the high water mark on the Southwest shore of Mahone Bay at the Northeast angle of lands now or formerly of James Hamm;

THENCE North 43 degrees east, 150 feet;

THENCE North 47 degrees West, 132 feet;

THENCE South 43 degrees West, 150 feet to an iron pipe at the high water mark on the said shore and at the Southeast corner of lands formerly of James Whynacht;

THENCE Southeasterly by the shore at high water mark to the place of beginning. Being a water lot No. 22011 as conveyed to George Harris Smeltzer by Grant dated the 28th day of November, 1919 recorded in Grant Book 4 at Page 304 on the 6th day of February, 1920.

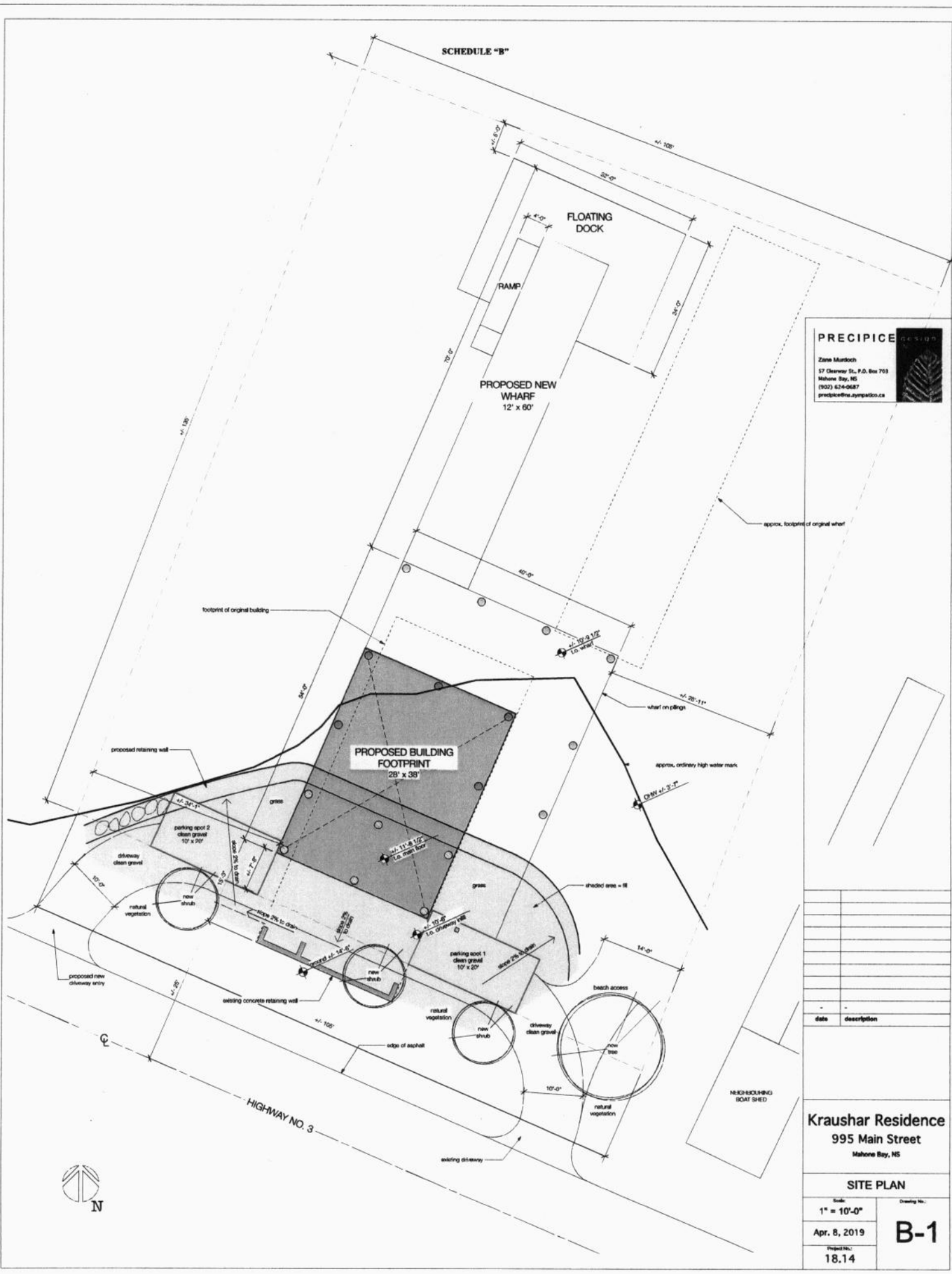
SAVING AND EXCEPTING THEREFROM a portion of the said water lot conveyed by Harris George Smeltzer to J. Freeman Smeltzer by Deed recorded in Book 103 at Page 256, being a strip of land 27 feet x 150 feet on the Eastern side of the said water lot.

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

Compliance:

The parcel originates with an instrument (registration details below) and the subdivision is validated by Section 291 of the Municipal Government Act

Registration District: LUNENBURG COUNTY
Registration Year: 1949
Book: 114 Page: 65 Document Number: 92



PRECIPICE design
Zane Murdoch
57 Clearway St., P.O. Box 703
Mahone Bay, NS
(902) 624-0687
precipice@ns.sympatico.ca

date	description
-	-

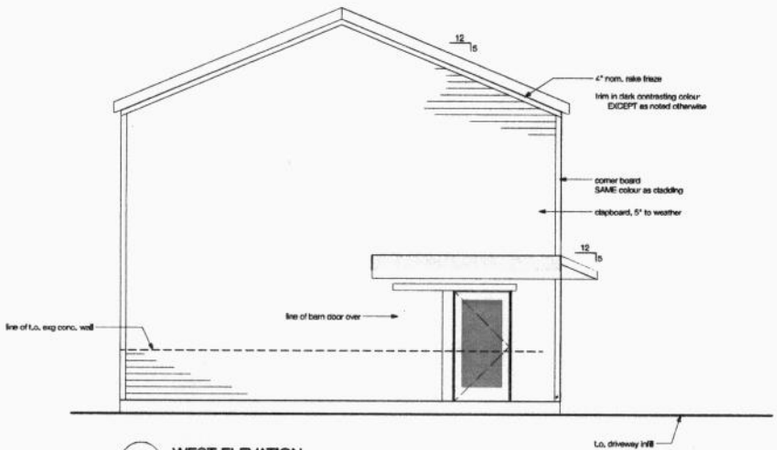
Kraushar Residence

995 Main Street

Mahone Bay, NS

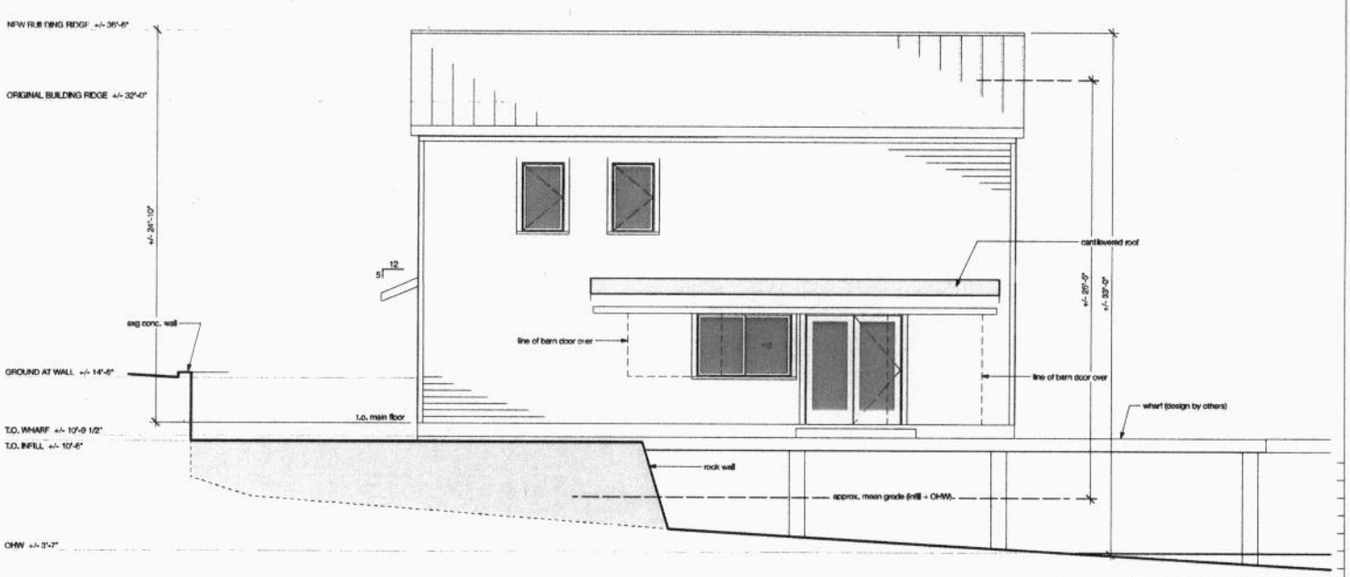
SITE PLAN

Scale:	Drawing No.:
1" = 10'-0"	B-1
Apr. 8, 2019	
Project No.: 18.14	



1 WEST ELEVATION
Scale: 3/16" = 1'-0"

PRECIPICE design
Zane Murdoch
57 Clearway St., P.O. Box 703
Mahone Bay, NS
(902) 624-0687
precipice@ns.sympatico.ca



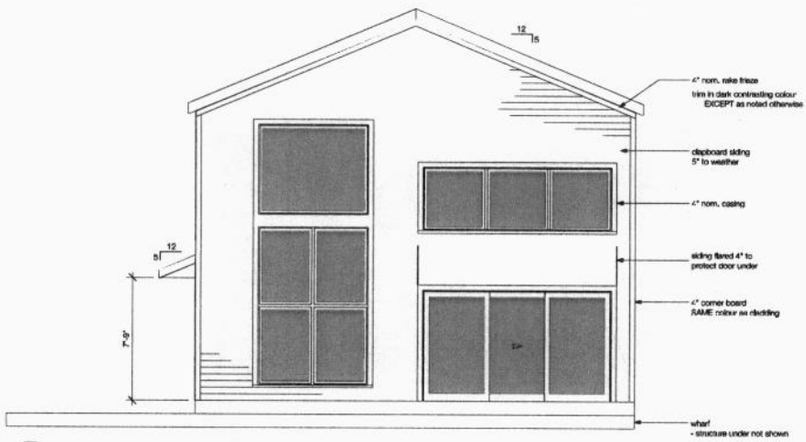
2 SOUTH ELEVATION
Scale: 3/16" = 1'-0"

date	description
18aug22	Added structural information.

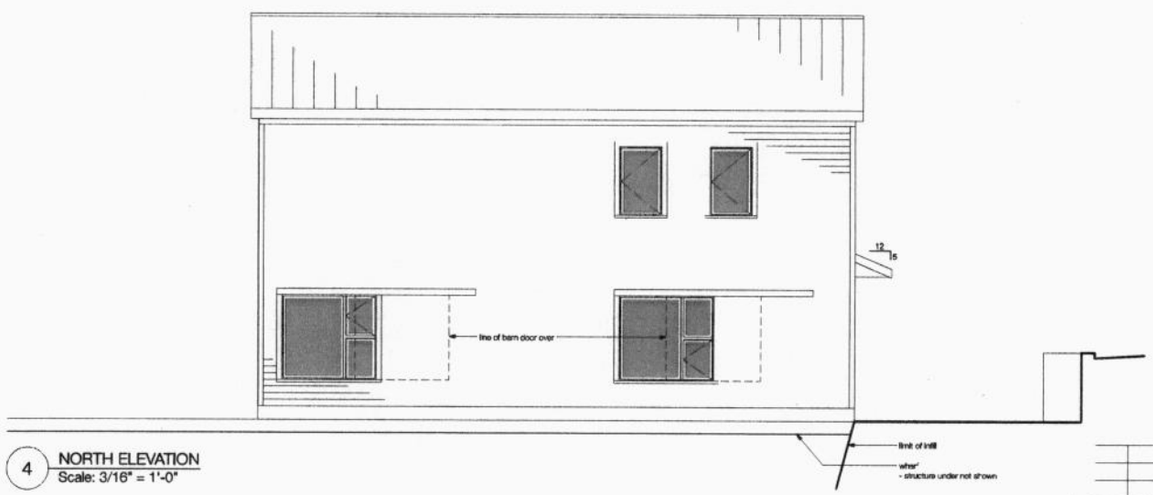
Kraushar Residence
995 Main Street
Mahone Bay, NS

BUILDING ELEVATIONS

Scale:	Drawing No.:
3/16" = 1'-0"	B-2
Apr. 8, 2019	
Project No.: 18.14	



2 EAST ELEVATION
Scale: 3/16" = 1'-0"



4 NORTH ELEVATION
Scale: 3/16" = 1'-0"

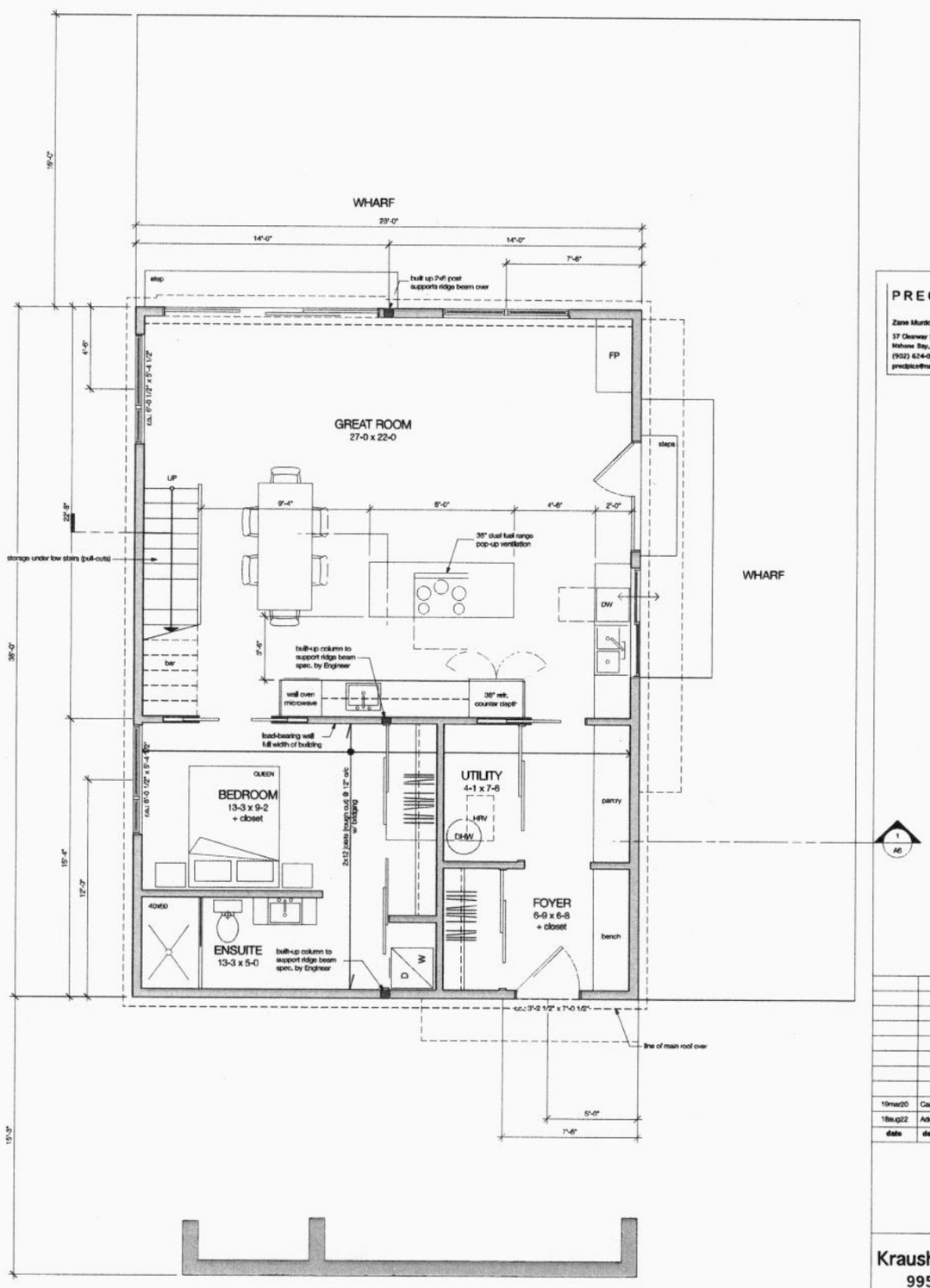
PRECIPICE DESIGN
Zane Murdoch
17 Clearway St., P.O. Box 703
Mahone Bay, NS
(902) 624-0687
precipice@ns.sympatico.ca

date	description
18aug22	Added structural information.

Kraushar Residence
995 Main Street
Mahone Bay, NS

BUILDING ELEVATIONS

Scale:	Drawing No.:
3/16" = 1'-0"	B-3
Apr. 8, 2019	
Project No.: 18.14	



MAIN FLOOR GROSS AREA: 1,064 S.F.

PRECIPICE design

Zane Murdoch
17 Clearway St., P.O. Box 703
Mahone Bay, NS
(902) 624-0687
precipice@ns.sympatico.ca

date	description
19mar20	Carport removed.
18aug22	Added structural information.

Kraushar Residence

995 Main Street

Mahone Bay, NS

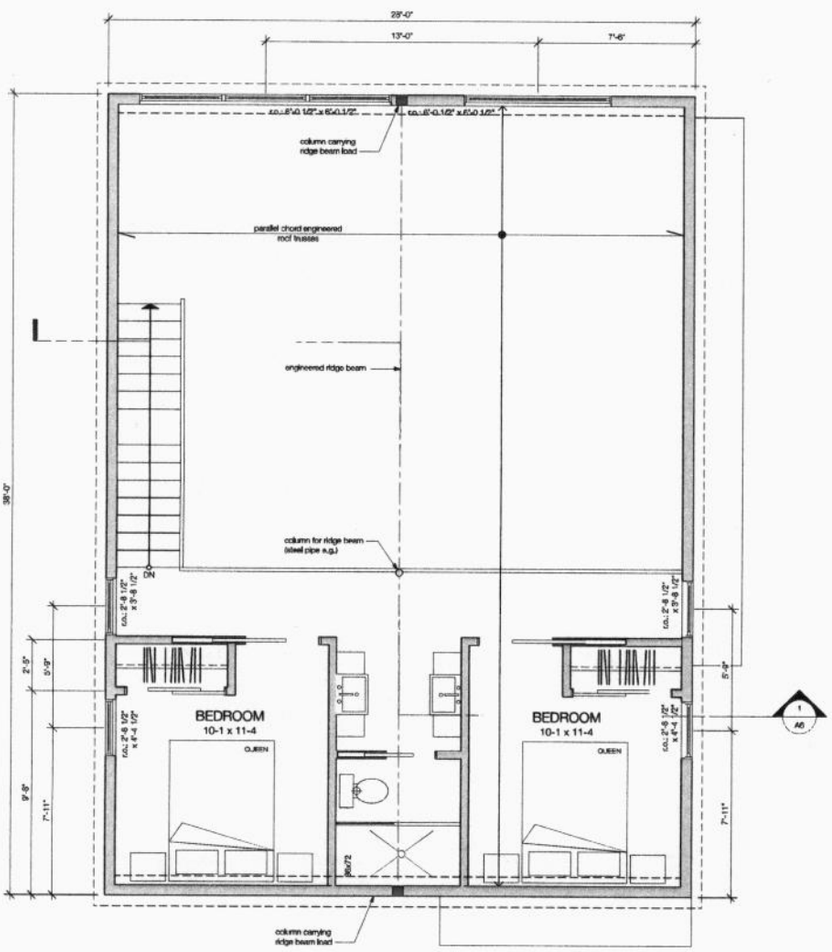
MAIN FLOOR PLAN

Scale: 1/4" = 1'-0"

Apr. 8, 2019

Project No.: 18.14

Drawing No.: B-4



LOFT FLOOR GROSS AREA: 435 S.F.

PRECIPICE DESIGN

Zane Murdoch
17 Clearway St., P.O. Box 703
Mahone Bay, NS
(902) 624-0687
precipice@ns.sympatico.ca

date	description
19mar20	Carport removed.
18aug22	Added structural information.

Kraushar Residence
995 Main Street
Mahone Bay, NS

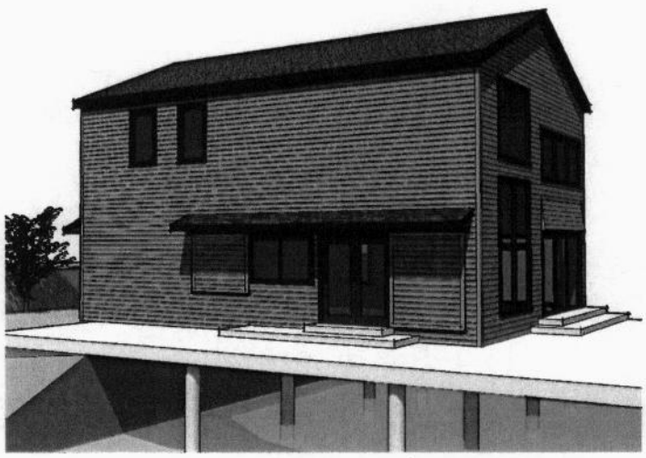
UPPER FLOOR PLAN

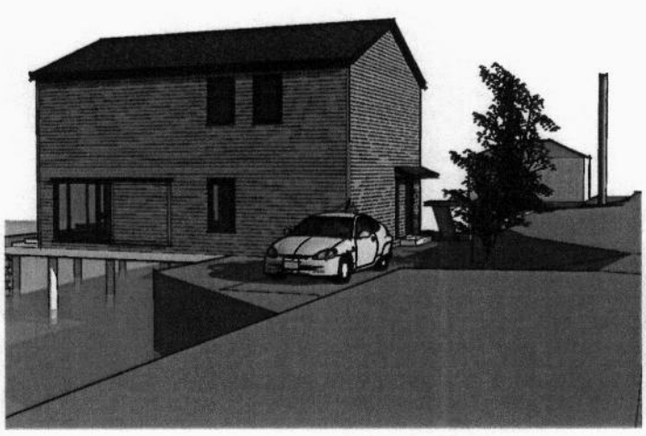
Scale: 1/4" = 1'-0"

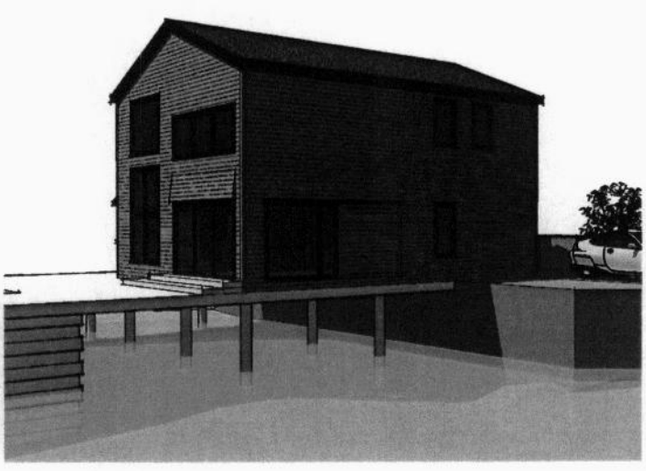
Apr. 8, 2019

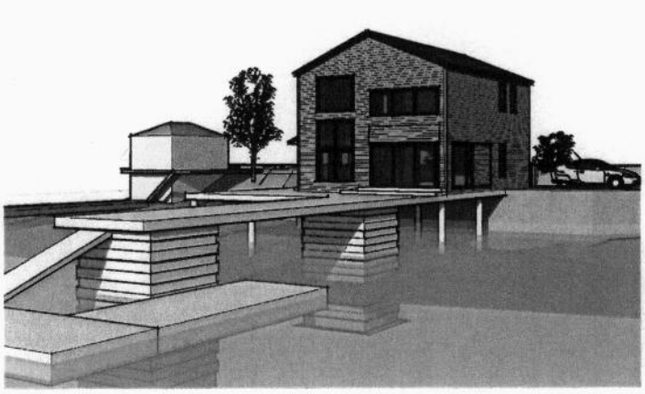
Project No.: 18.14

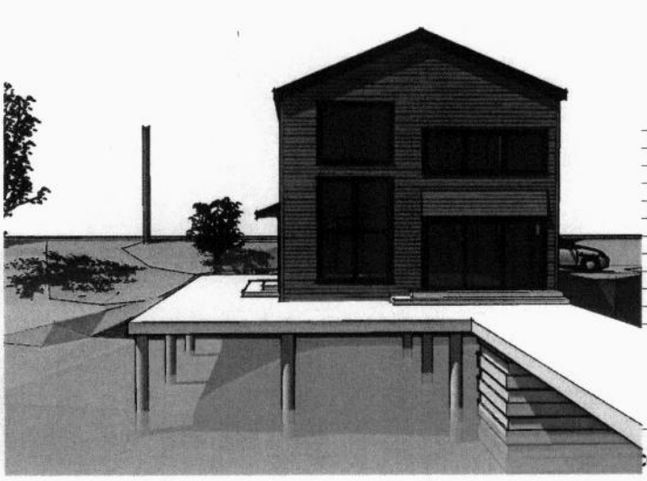
Drawing No.: B-5











Mahone Bay, NS

MODEL

Scale:	Drawing No.:
not to scale	B-6
Apr. 8, 2019	
Project No.: 18.14	

Town of Mahone Bay
Staff Report
Re: Community Solar Garden Stormwater Management Plan
July 12th, 2022

General Overview:

The purpose of this report is to present Council with the draft Stormwater Management Plan for the Community Solar Garden.

Background:

The Alternative Resource Energy Authority (AREA) received provincial Low Carbon Communities funding for feasibility work in relation to the Community Solar Garden project in 2019. With this feasibility work completed, AREA applied for funding for three Community Solar Projects on behalf of Mahone Bay, Berwick, and Antigonish. In July 2021 the federal and provincial funding was announced for all three of the Towns' solar garden projects. AREA is serving as the project manager for the projects.

The Community Solar Garden will be built at the Mahone Bay wastewater treatment facility site, located at 918 Main St. On Jan. 30th, 2022 the Town received a letter from several residents living adjacent to the Community Solar Garden site, expressing concerns about the project including concerns about stormwater management. A response letter was provided to these residents from the regular meeting of Council on February 24th, 2022 and further communication with these residents has taken place regarding stormwater and erosion control at the Community Solar Garden site. Council has directed staff to commit to factoring these concerns into design plans for the Community Solar Garden, and to develop a comprehensive stormwater management plan for the project.

Council approved a site layout for the Community Solar Garden as recommended by AREA staff on March 8th, 2022. The approved layout was used to inform the development of the site grading plan, which was then approved by Council on May 31st, 2022. Confirming the grading plan allowed contractors to proceed with the design and the application of stormwater management best practices for the Community Solar Garden.

Analysis:

At the direction of Council, AREA has prepared a draft Stormwater Management Plan for the Mahone Bay Community Solar Garden (see attached). This document outlines the location and method of stormwater and erosion control measures which are recommended for the Community Solar Garden site. Additionally, it

provides an outline of the goals and standards to be achieved by the stormwater management measures.

Financial Analysis:

On November 12th, 2021 Council voted to have the Town of Mahone Bay's representative to the AREA Board to sign the contribution agreement with the Province for the solar garden project. 73% of the funding for this project is provided from federal and provincial sources. The Town is expected to contribute the final 27% of the funding for the project. The estimated total cost of the project is $5,805,686. When complete, the Community Solar Garden will supply the Town with cost effective, sustainable energy at a lower rate than the utility could purchase from the market.

Climate Analysis:

Electricity has been identified as the largest contributor of greenhouse gases in Mahone Bay. Emissions from electricity result from the Town's reliance on purchasing energy from non-renewable sources to supplement our own renewables production.

Increasing our supply of municipally-owned renewable energy is an integral part of the Town's Greenhouse Gas Reduction Action Plan. Action #5 of the GHG Reduction Action Plan notes that the target for the Town is to have 100% of Mahone Bay's grid electricity supplied from renewable sources by 2030. Ellershouse windfarm already supplies ~ 40% of the energy for the Town, and once completed the Community Solar Garden will produce ~16% of Mahone Bay's electricity.

Links to Strategic Plan:

3. Environmental Leadership:

3.1 Reduce Community Greenhouse Gas Emissions

- Implement community Greenhouse Gas (GHG) Reduction Action Plan

Recommendation:

It is recommended,

THAT Council approve the Mahone Bay Stormwater Management Plan.

Attached for Council Review:

- Draft Mahone Bay Community Solar Garden Stormwater Management Plan

Respectfully submitted,

Martha Horsman

Climate and Energy Program Manager

CAUTION
UNDER GROUND UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE. UTILITIES ARE TO BE LOCATED PRIOR TO CONSTRUCTION.

Horizontal Datum:
North American Datum 1983 (NAD83) (CSRS2010) Modified Transverse Mercator (MTM) Grid Coordinates, Zone 5.

Vertical Datum:
Canadian Geodetic Vertical Datum, 2013 Adjustment (CGVD2013), Geodetic Elevations

FENCE DETAILS:
TOTAL LENGTH OF FENCE = 555m
TOTAL NUMBER OF GATES (2 x 3.0m) = 1

PID 60371416
PID 60371408
PID 60371382
PID 60371374
PID 60616695
PID 60682622
LANDS OF
KIM MARIE RAINES
EDWARD HAROLD ADAMS

N 4922384.242
E 25510404.737
TIE INTO EXISTING SECURITY FENCE
N 4922373.119
E 25510414.782
N 4922408.445
E 25510431.515
INSTALL SEDIMENT CONTROL FENCE HS702
N 4922434.127
E 25510457.478
INSTALL SECURITY FENCE WITH 3 STRAND BARBWIRE AS PER SECURITY FENCE DETAIL HS-602
CONSTRUCT SWALE - SEE DETAILS ON DRAWING 22-0689-101-C101
N 4922507.199
E 25510536.125
INSTALL SEDIMENT CONTROL FENCE HS702
N 4922472.817
E 25510600.108
INSTALL 800mmØ x 9m CSP c/w EROSION PROTECTION OUTLET ON GEOTEXTILE
N 4922466.480
E 25510606.500
INSTALL 300mmØ x 66m CSP c/w EROSION PROTECTION OUTLET ON GEOTEXTILE
TURNAROUND FOR A WB-20 DESIGN VEHICLE - SEE DETAILS ON DRAWING 22-0689-101-C101
20mmØ CSP
REMOVE EXISTING 250mmØ x 10m CSP
INSTALL 600mmØ x 9m CSP c/w EROSION PROTECTION OUTLET ON GEOTEXTILE
N 4922462.247
E 25510610.752
N 4922460.137
E 25510612.885
INSTALL DOUBLE 3.0m GATE WITH 3 STRAND BAREWIRE AS PER SECURITY FENCE DETAIL HS-602
ARMOUR STONE
BUILDING
INSTALL SEDIMENT CONTROL FENCE HS702
N 4922408.624
E 25510565.772
CONSTRUCT SWALE - SEE DETAILS ON DRAWING 22-0689-101-C101
INSTALL SECURITY FENCE WITH 3 STRAND BARBWIRE AS PER SECURITY FENCE DETAIL HS-602
N 4922288.068
E 25510488.004
TIE INTO EXISTING SECURITY FENCE
N 4922269.974
E 25510504.301
INSTALL SEDIMENT CONTROL FENCE HS702
N 4922321.115
E 25510554.802
N 4922358.762
E 25510592.569
CONCRETE/ WOOD GRATE
NOVA SCOTIA TRUNK 3 - MAIN STREET (LIGHTHOUSE ROUTE)
400 12.49 CSP

LEGEND
PROPOSED:
EDGE OF TEMPORARY TURNAROUND
DITCH/SWALE
CULVERT
FENCE
SEDIMENT CONTROL FENCE
CUT AREA
FILL AREA
SOLAR TABLE

LEGEND
EXISTING:
INDEX CONTOUR (1.0m INTERVAL)
INTERMEDIATE CONTOUR (0.25m INTERVAL)
PROPERTY LINE
SURVEY MONUMENT ■ SM
SUBJECT PROPERTY
EDGE OF ASPHALT
DITCH LINE
UTILITY POLE ○ B&H
UTILITY ANCHOR • AN
AERIAL UTILITY UT
WATER VALVE ● WV
WELL ○ WE
MAINTENACE HOLE ○ MH
SANITARY SEWER SAN

DESIGN SEAL
ISSUED FOR REVIEW
NOT FOR CONSTRUCTION
MAY 12, 2022

REVISIONS

No	DATE	REMARKS
A	12/05/22	90% Review

PROJECT TITLE
MAHONE BAY SOLAR GARDEN

DRAWING TITLE
GENERAL ARRANGEMENT PLAN

LOCATION
TOWN OF MAHONE BAY, NOVA SCOTIA

DATE	FEBRUARY 2022
DRAWN	DAS
CHECKED	MDT
SCALE	1:500
PROJECT No.	22-0689-102
SHEET IDENTIFIER	C 100
REV.	A

Community Solar Gardens Stormwater Management Plan

1. Introduction

This Stormwater Management Plan documents the strategy the Town of Mahone Bay ("the Town") will implement to address stormwater-related impacts on the Community Solar Gardens site, located at Civic 918 Main Street on PID 60371390 in Mahone Bay, Nova Scotia.

This plan addresses stormwater flow by incorporating stormwater design and performance standards for the new development. These standards are intended to minimize the adverse impact of stormwater runoff and water quantity and the loss of groundwater recharge that provides baseflow in receiving water bodies. The plan describes long-term operation and maintenance measures for existing and planned stormwater facilities.

2. Goals

The goals of this Storm Water Management Plan for the Town's Community Solar Gardens is to:

- reduce flood damage, including damage to life and property;
- ensure post-development stormwater runoff conditions does not exceed pre-development conditions;
- minimize, to the extent practical, any increase in stormwater runoff from the development and direct runoff appropriately;
- reduce soil erosion from the development;
- assure the adequacy of existing and proposed culverts and swales;
- maintain groundwater recharge;
- prevent, to the greatest extent feasible, an increase in nonpoint pollution;
- maintain the integrity of any stream channels for their biological functions, as well as for drainage;
- minimize pollutants in stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters

To achieve these goals, this plan outlines specific stormwater design and performance standards for the new development. Preventative and corrective maintenance strategies are included in the plan to ensure long-term effectiveness of stormwater management facilities.

3. Design and Performance Standards

The Town will adopt design and performance standards for stormwater management measures to minimize the adverse impact of stormwater runoff on water quality and water quantity and loss

of groundwater recharge in receiving water bodies. The design and performance standards include reference to maintenance of stormwater management measures.

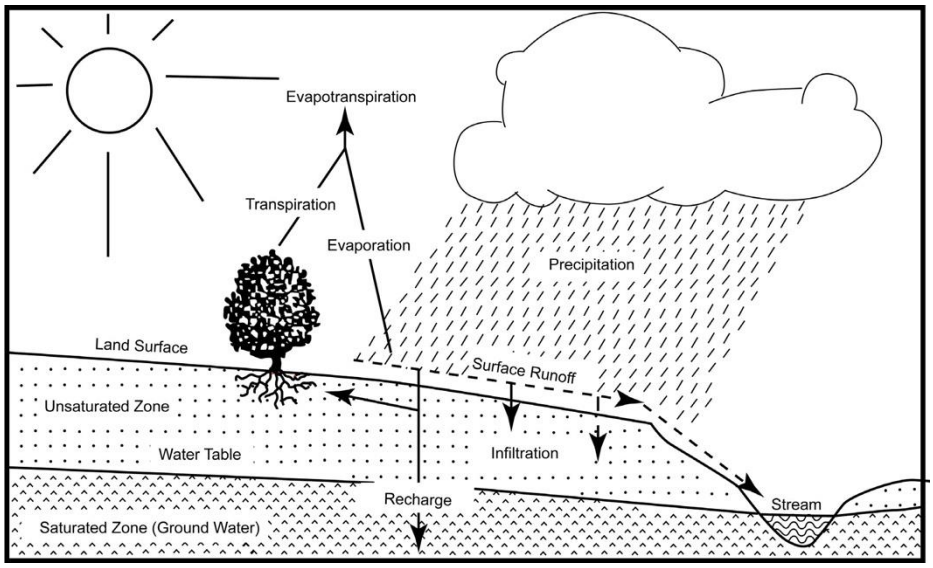
During construction, Town staff will observe the construction of the project to ensure that the stormwater management measures are constructed and function as designed.

The property is not located within a Regional Stormwater Management Planning Area (RSWMPs). This MSWMP will be updated to be consistent with any future RSWMPs if any such is developed.

4. Stormwater

Land development can dramatically alter the hydrologic cycle (See Figure 1) of a site and, ultimately, an entire watershed. Prior to development, native vegetation can either directly intercept precipitation or draw that portion that has infiltrated into the ground and return it to the atmosphere through evapotranspiration. Development can remove this beneficial vegetation and replace it with lawn or impervious cover, reducing the site's evapotranspiration and infiltration rates. Clearing and grading a site can remove depressions that store rainfall. Construction activities may also compact the soil and diminish its infiltration ability, resulting in increased volumes and rates of stormwater runoff from the site.

Figure 1: Groundwater Recharge in the Hydrologic Cycle



5. Pre-Construction & Existing Site Conditions

The property on which the site is located is 25 acres in size and is currently partially developed (See Figure 2), containing a wastewater treatment facility on approximately 5 acres and an

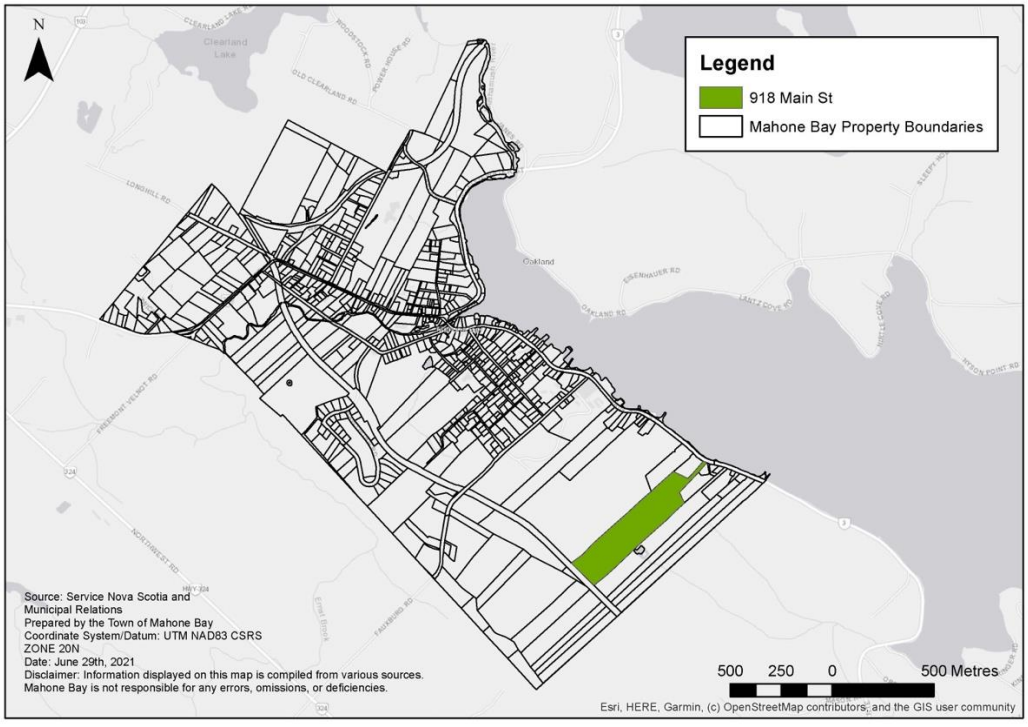
access driveway to Main Street. The portion of land proposed for the solar garden straddles the existing driveway Northeast of the treatment facility and is partially cleared, with some areas that are forested. The remaining lands beyond the treatment facility to the Southwest, are undeveloped, forested areas.

The existing access driveway currently has open ditching along both sides which currently collect storm water and transport it to the road ditches within the Main Street right-of-way.

The proposed site for the solar garden is at a high point on the property. Runoff to the Northeast of this area currently drains overland and through the driveway ditches toward Main Street, while runoff to the Southwest of this area (including the treatment facility area) currently drains toward the Southern boundary of the property. The runoff directed from the property to Main Street then enters the stormwater drainage ditches along the street. An existing culvert on the Southern side of the driveway intersection with Main Street crosses the road and discharges storm water into Mahone Bay harbour, which is the ultimate discharge point for the road ditches in this area.

Prior to development activities, all unabsorbed stormwater from the site flowed down the property and on to the neighbouring lands, PID 60371408 and PID 60371383 on the Western property line and PID 60371374 on the Eastern property line. Existing native vegetation diverted flow across the site and to a minor extent intercepted precipitation. Currently, the drainage on the site is reliant on open ditching along both sides of the access road.

Figure 2: Community Solar Property Location Map



6. Post Development Conditions

As part of the site development activities, the site will be altered in support of the solar garden construction. Cut and fill activities are proposed to alter existing grades on the site to allow installation of the solar panels. Following construction, the site area to be altered will contain landscaped areas below the solar panel tables. The construction will involve some localized earthworks for cut and fill operations below the solar panel tables, as well as for a vehicle turnaround area to the Southeast of the solar garden. The configuration of the finished site is shown on the attached General Arrangement Plan, (See Appendix A).

As seen from the alterations depicted on Appendix A, storm water runoff will be managed using a series of drainage swales and culverts, which will collect and transport storm water before discharging to the existing drainage ditches on the site, and eventually to the Main Street ditch at the property boundary.

As seen on Appendix A, drainage swales will be constructed along the downstream (Northeast) property boundary to collect runoff before it enters neighboring properties, which is then directed into the existing driveway ditches. A 66 m section of the existing driveway ditch to the south will be replaced with a 300mm diameter CSP culvert which will direct stormwater underneath the proposed vehicle turnaround area. This culvert installation will ensure localized drainage patterns remain consistent with existing drainage patterns onsite after the vehicle turn around area is constructed.

Where the drainage swales and ditches intersect the proposed security fencing as it crosses the driveway (two locations) and will be infilled, the drainage swales and ditching will be directed under the fencing through two 9m long, 600mm diameter CSP culverts.

Swales are used to spread rainwater over a broader area, which slows the water and allows the runoff to temporarily pool. Reducing the water's speed allows the vegetation to filter the rainwater and remove sediments, and any heavy metals and hydrocarbons in the unlikely event that such existed historically on the site. The gradual sloping sides of the swale makes them easier to maintain and vegetate. This decreases erosion that causes sedimentation of streams, lakes, wetlands and the actual Mahone Bay.

All culverts will have an erosion protection on geotextile at their outlets.

Erosion & Sediment Control Measures

As per the details depicted in Appendix A, sediment control silt fencing will be installed along the Northwest and Southeast property boundaries, and along the downstream limit of disturbance, to control erosion during construction activities due to sheet flow. Appendix A indicate that this fencing shall be installed in accordance with the Nova Scotia Transportation and Public Works standard.

Any surplus stockpiles shall be compacted in a berm shape with a silt fence around the perimeter until material has been fully stabilized with landscaping or other means.

Hydroseeding will take place across the site as soon as the surface preparation has been completed, in accordance with Province of Nova Scotia Construction Standard Manual, Division 7, Environmental Protection, Section 6, Hydroseeding.

New vegetation will be planted along the property line of PID 60371382 to intercept precipitation and draw that portion that has infiltrated into the ground, once development has concluded.

7. Maintenance

As part of the operation and maintenance procedures of the Community Solar Gardens, the storm management system will be routinely inspected, and any necessary maintenance will be done.

8.1 Swales and Culverts

- First year after planting
    - Adequate water is crucial to plant survival and temporary irrigation may be needed unless rainfall is adequate until plants mature
    - Inspect after significant rain events (e.g. >0.5 inch)

- As needed
    - Prune and weed to maintain appearance
    - Remove trash and debris
    - Mow filter strip/grass channel (if present)
    - Replace vegetation whenever the percent cover of acceptable vegetation falls below 90 percent or project specific performance requirements are not met. If vegetation suffers for no apparent reason, consult with horticulturist and/or test soil as needed

- Semi-annually
    - Inspect inflow systems for clogging and remove any sediment
    - Herbaceous vegetation, trees and shrubs should be inspected to evaluate their health and replanted as appropriate to meet project goals
    - Remove any dead or severely diseased vegetation

- Annually in fall
    - Inspect and remove any sediment and debris build-up
    - Inspect for buildup sand associated with spring melt period, remove as necessary to maintain infiltration rates and volume capacity, and replant areas that have been impacted by build-up

- Annually in spring
    - Cut back and remove previous year's plant material and remove accumulated leaves if needed

8.2 Erosion Protection and Sediment monitoring

Regular inspection of the silt fence and the immediate surrounding catchment area will form part of the operation and maintenance of the Community Solar Gardens. Erosion should be identified as soon as possible to avoid the contribution of significant sediment to the site.

8.3 Vegetation and Landscaping Maintenance

Plant selection will be conducted to limit the amount of maintenance required to ensure limited activity on site in order to limit disturbance to neighbouring properties.

Town of Mahone Bay
Staff Report
RE: Municipal Boundary Review
July 12, 2022

General Overview:

This report is to provide Council with received feedback on the ongoing Municipal Boundary Review process and request direction for the next step of the process.

Background:.

At the January 11, 2022 regular meeting of Council, correspondence was received from Bruce Kiley, Chief Clerk of the Nova Scotia Utility and Review Board. The correspondence from Mr. Kiley was to advise that in 2022 the Utility and Review Board would be conducting the regular periodic Municipal Boundary Review. The Municipal Boundary Review takes place every eight years, as per the Nova Scotia Municipal Government Act, to review the reasonableness and fairness of polling districts and the number of Councillors in each municipality.

Upon receipt of said correspondence, Council directed staff to prepare a draft Public Engagement Plan for Council review, which was received and approved at the January 27, 2022 meeting of Council.

Since that time, in implementing the approved engagement plan, staff have focused efforts on community education as the title, process, and intent behind the Municipal Boundary Review can be confusing to those not involved in the daily operations of Municipal Government, namely the electors on whose behalf this process is conducted.

Analysis:

<u>Timeline</u>

The Public Engagement Plan approved by Council on January 27, 2022 included a plan to host a public meeting in May. It was the intent of staff to host this planned public meeting at the new firehall, but delays in the final completion of the firehall have prevented staff from scheduling the public meeting.

Staff recommend further extending the deadline for a public meeting until the fall. Scheduling the public meeting in the fall would allow more time to publicize the date of the public meeting, encourage feedback in advance of a fixed date, and also avoid scheduling when there is a higher probability of electors missing the public

meeting due to vacation plans. Persisting concerns regarding the COVID-19 pandemic have also impacted public participation levels this Spring and are expected to be less impactful come Fall.

Staff recommend scheduling a public meeting to be held in September, at the new firehall, and that in the interim, communications push out the date and time of said meeting, while continuing the reference where information on the process can be found and encouraging the public to submit their comments and/or join the public meeting to be a part of the community discussion.

Declaration of Preference

The Utility and Review Board recommends a two-step process for preparing a municipal application in relation to the Municipal Boundary Review. It is recommended that Council first declare a desired Council size and then engage the public to provide feedback on Council's declared preference for Council size. This initial declaration of a preferred Council size is intended entirely to go to public consultation – to solicit public feedback – and will not necessarily be Council's recommendation in the eventual application to the Municipal Boundary Review process.

The Municipal Boundary Review User Guide (attached) advises that:

> ***Deciding the size of council involves considering the desired style of the council, the governance structure of the council, and a determination of an effective and efficient number of councillors. The style of government should not be decided until adequate public consultation has occurred. The size of council and its governance structure is a matter which can then be decided by council in an informed debate.***

The User Guide references an understanding that two separate rounds of public engagement, one for Council size and a second for polling district distribution, may not be practical in smaller municipalities, especially where "the first round of public consultation has shown a preference to substantively maintain the status quo"; staff suggest that the initial questions posed to the people of Mahone Bay as a way to stimulate discussion can also be used to gauge the general feeling of the community before a full public consultation on the declared Council preference for the size of Council.

The anticipated staff report on the Municipal Boundary Review following the conclusion of the public engagement process will include information with which Council can determine the relative parity of voting power, to be taken into

consideration for Council's final decision regarding polling districts for the application to the Utility and Review Board.

Included in this report are the results of a 'first impression' survey of the community, and a breakdown of costs associated with the number of Councillors; staff recommend that Council review the included information, and, with their own knowledge of time commitment and workload, declare a desired size of Council so that staff can proceed with the more significant round of public consultation.

First Community Impressions

As stated previously in this report, the initial goal of community engagement surrounding the Municipal Boundary Review was to inform the public about the process and stimulate discussion as part of encouraging more meaningful participation. While no comments or questions have been received by staff regarding the process, a survey launched in April did receive 29 responses.

The survey asked two questions:

1. Should Mahone Bay create polling districts?
2. What is your preference: Mayor + 6 Councillors or Mayor + 4 Councillors
    - NB: the choice of six Councillors versus four Councillors has been the option provided to the Mahone Bay electorate for the last two Municipal Boundary Review processes and was therefore used as a concrete option to encourage initial discussion of Council size.

Survey Results

- Of 29 respondents, 28 are declared residents of Mahone Bay.
- Question 1: 93% of respondents said that Mahone Bay should not create polling districts.
- Question 2: 69% of respondents preferred 6 Councillors + Mayor

Financial Analysis:

There is no additional cost for this phase of the Municipal Boundary Review.

Climate Analysis:

Staff have not identified any climate implications for this next phase of the Municipal Boundary Review.

Links to Strategic Plan:

2.3 Governance to Meet Expectations of our Growing Community.

Recommendation:

It is recommended,

> THAT Council declare that the preferred size of Council is [insert number] of Councillors plus a mayor, for the purpose of public consultation prior to preparing an application to the Nova Scotia Utility and Review Board for the Municipal Boundary Review.
>
> THAT Council direct staff to schedule a public meeting in September for public consultation to inform Council's application to the Nova Scotia Utility and Review Board for the Municipal Boundary Review.

Respectfully submitted,

Maureen Hughes

Town Clerk and Deputy CAO

Attached: Correspondence, Bruce Kiley, Nova Scotia Utility and Review Board

Municipal Boundary Review User Guide

Survey Results

Costs of Council

Nova Scotia Utility and Review Board

Mailing address
PO Box 1692, Unit "M"
Halifax, Nova Scotia
B3J 3S3
board@novascotia.ca
http://nsuarb.novascotia.ca

Office
3rd Floor, 1601 Lower Water Street
Halifax, Nova Scotia B3J 3P6
1 855 442-4448 (toll-free)
902 424-4448 t
902 424-3919 f

December 10, 2021

dylan.heide@townofmahonebay.ca

Town of Mahone Bay
c/o Chief Administrative Officer
PO Box 530
Mahone Bay, NS B0J 2E0

Dear Mr. Heide:

S. 369 of the Municipal Government Act – 2022 Municipal Boundary Review

Section 369 of the *Municipal Government Act* requires councils of every town and municipality to apply to the Nova Scotia Utility and Review Board in 2022 to "confirm or to alter the number and boundaries of polling districts and the number of councillors." All councils must conduct a study into the number of councillors and into the reasonableness and fairness of the number and boundaries of polling districts before making the application to the Board.

Enclosed is a copy of a User Guide prepared by the Board to provide guidance to towns and municipalities in the preparation of their applications. This information is also available on the Board's website: https://nsuarb.novascotia.ca/ under the Municipal Boundaries page.

Also, enclosed is a copy of Board's *Municipal Government Act Rules* (*Rules*). *Rule* 27 sets out the information that is required to be filed by towns and municipalities which have polling districts or wards (to be completed on Form C). *Rule* 28 sets out the requirements for towns which have no polling districts or wards (Form D).

If you have questions about the application process, please contact the undersigned. Please confirm receipt of this letter.

Yours very truly,

Bruce Kiley
Chief Clerk of the Board

Encl.

Document: 287353

USER GUIDE

Statutory requirements for applications

Every eight years since 2006, the council of every municipality and town in the province must study the number and boundaries of its polling districts, their fairness and reasonableness and the number of councillors. After it completes the study, and before the end of the year, the council must apply to the Board to confirm or to change the number and boundaries of polling districts and the number of councillors. For towns that elect councillors at large, an application must be filed with the Board to confirm or change the number of councillors.[1]

The Board must consider several factors to decide the number and boundaries of polling districts, including the number of electors, relative parity of voting power, population density, community of interest and geographic size.[2] To determine the number of councillors for a town, the Board must consider the population and geographic size of the town.[3] The position of mayor is not included in the number of councillors and does not fall within the scope of the Board's review.[4]

Recommended two-step process for study

In past decisions, the Board provided specific guidance to municipalities and towns about municipal boundary applications.

Council may decide to hire a consultant or third party to do the required study, but it does not have to. Many councils direct senior municipal staff to conduct the study, in some cases aided by committees which include members from the public.

The Board recommends a two-step process. At the first stage, council should decide the desired number of councillors (i.e., the size of council). Questions about the distribution of polling districts should be addressed in a second stage.

Deciding the size of council involves considering the desired style of the council, the governance structure of the council, and a determination of an effective and efficient number of councillors. The style of government should not be decided until adequate public consultation has occurred. The size of council and its governance structure is a matter which can then be decided by council in an informed debate.

Once the number of councillors and polling districts is decided, the task becomes one of distributing the polling districts, balancing the number of electors, relative parity of voting power, population density, community of interest and geographic size.[5] As with the number of polling districts, public consultation is essential to a successful boundary setting process.

---

[1] *Municipal Government Act*, S.N.S. 1998, c. 18, s. 369. Part XVI of the *Municipal Government Act* applies to the Halifax Regional Municipality (*Halifax Regional Municipal Charter*, S.N.S. 2008, c. 39, s. 364).
[2] *Municipal Government Act*, s. 368(4).
[3] *Municipal Government Act*, s. 368(5).
[4] The definition of "councillor" means a council member other than the mayor (*Municipal Government Act*, s. 3(p)).
[5] *Municipal Government Act*, s. 368(4).

Ideally, the public consultation process should mirror the two-step process outlined above, but the Board recognizes that for smaller municipalities or towns (or in instances where the first round of consultation has shown a preference to substantively maintain the status quo, including its boundaries), a second round of public consultation may not be practical or necessary.

Public consultation

Public consultation is an inherent part of the required study. The type and amount of consultation is within council's discretion, but it should give members of the public an opportunity to express their views on the size of their council, upon the location of boundaries for town wards or municipal polling districts, or whether a town should be divided into wards, should that be applicable. Giving the public an opportunity to provide its valuable input is a key part of the decision-making process leading to an application by a municipality or town.

Relative parity of voting power

The target variance for relative parity of voting power should be ±10% from the average number of electors per polling district or ward. The municipality or town must justify any variance exceeding this target in its application to the Board. The larger the proposed variance, the greater the burden on the municipal unit to justify the higher variance from the average number of electors. Factors that may support higher variances include the need to accommodate population density, community of interest or geographic size.

Polling district boundary descriptions

The municipal unit must supply descriptions of the existing and proposed municipal polling districts (or the wards in the case of towns). In most cases, the descriptions are in written form, which is acceptable to the Board. However, in recent years, municipalities and towns have asked to provide the descriptions of their polling districts or wards using digital GIS technology.

The Board will accept digital mapping descriptions instead of text descriptions, but in addition to filing a large hard copy map showing all polling districts, the Board also requires individual digital mapping for each polling district or ward. The individual mapping is to be filed by way of hard copy (8.5 x 11-inch format) and electronically (JPEG). The Board is mindful that due to differences in the size of the respective polling districts, the relative scale on each of the maps may differ.

Regardless of the format adopted by a municipality or town, the description must be able to address any inquiry made by electors or municipal election staff during a municipal election. The scale of any digital mapping descriptions must be able to respond to any inquiry.

Hearing - general procedure

When an application is received, the Clerk of the Board will contact the municipality or town to schedule a public hearing. Once the hearing date is confirmed, a notice of hearing will be prepared by the Clerk of the Board and published twice in a local newspaper. The notice will invite members of the public to apply to participate in the hearing as a formal intervenor or to comment on the application by way of providing a letter of comment or registering to speak in person at the hearing. The Board will bill the municipality or town for the cost of these advertisements. The Board will also direct the municipality or town to post the notice of hearing on their social media accounts.

When no change to the number of polling districts and councillors is requested, and no member of the public has contacted the Board to oppose the application or to request to speak at the hearing, the Board may hold the public hearing by telephone or video conference. When the application requests a change to the number of polling districts and councillors, or if there is a material change proposed to the boundaries of the polling districts, the Board will likely conduct the public hearing in person. However, the Board reserves the right to decide the format of the hearing in each case.

The Board normally holds in-person public hearings in the municipality or town where the application arises. Outside HRM, Board hearings are usually held in municipal council chambers or other rooms within the municipal building.

Municipalities or towns do not have to be represented by legal counsel but may do so. Most do not, and their applications are presented by one or more of the following: Mayor, Warden, Chief Administrative Officer, Clerk, Chair of thelocal boundary review committee, etc.

At the public hearing itself, the Board member or panel chair opens the hearing by briefly describing the application and then asking the parties to identify themselves. The Board's hearings are all recorded electronically by a Board hearing clerk who is also responsible for handling the exhibits filed and discussed during the hearing.

During the public hearing, the town or municipality presents evidence through the examination of its witnesses. Each witness is first sworn in or affirmed (whichever their preference) to testify. In the case of municipal boundary hearings, the evidence is typically in the form of a presentation by a municipal official, including a discussion of the study or consultation undertaken by the municipal unit, any report prepared by the applicant, and details contained in the application. After the municipal unit has presented its application, the Board will usually ask questions related to the application. The Board may ask for more information or data to be filed as an undertaking after the hearing.

After the application is presented, the Board will open the hearing to any groups who have formally intervened in the matter and any members of the public who may have comments, either in support or opposed to the application. The Board or the municipal unit representative may ask questions to the intervenors or members of the public who have given comments. At the end of such comments, the town or municipality will be given an opportunity to respond to any concerns or issues raised by the public and to make any final submissions summarizing the key points of their application.

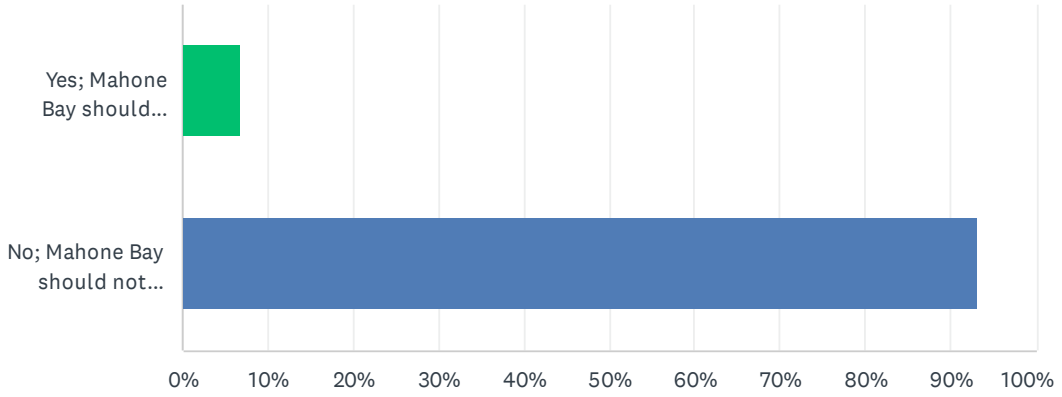
Most municipal boundary review hearings take one or two hours.

Board Decision

The Board normally issues a written decision within 60 days of the hearing. The Board will also issue an Order giving effect to the approved number of councillors and polling districts, and to the boundaries of the polling districts. Where text descriptions are used for the polling districts or wards, the Board may require the municipal unit to submit an electronic WORD or PDF version of the descriptions.

Q1 Should Mahone Bay voters continue to elect people from anywhere in town, or should polling districts be created so that people in specific areas of town can only vote for people in their area of town?

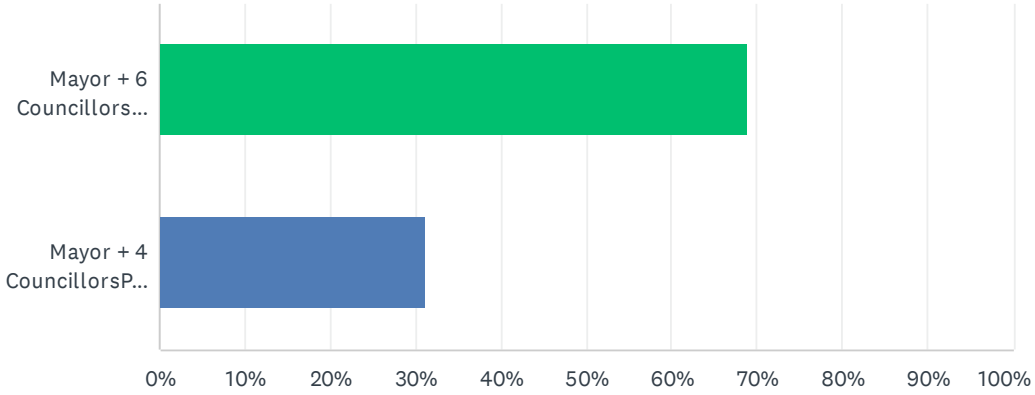
Answered: 29 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes; Mahone Bay should create polling districts	6.90%	2
No; Mahone Bay should not create polling districts	93.10%	27
TOTAL		29

Q2 What is your preference?

Answered: 29 Skipped: 0



ANSWER CHOICES	RESPONSES	
Mayor + 6 Councillors (status quo)Pro – Less of a workload for each member of CouncilPro – More opinions for better representation of different points of viewCon – A larger group may struggle to reach a consensusCon – Is there over representation for such a small town?	68.97%	20
Mayor + 4 CouncillorsPro – Potential for decreased costPro – Potentially more efficient decision makingCon – Increased workload may make it harder/more inaccessible forpeople to serve on CouncilCon – Fewer Council members may mean less opportunities to connectwith members of Council	31.03%	9
TOTAL		29

2019-20	Mayor	Deputy Mayor	Councillor #1	Councillor #2	Councillor #3	Councillor #4	Councillor #5	Total
Salaries	19,535.88	11,824.02	10,281.96	10,281.96	10,281.96	10,281.96	10,281.96	**82,769.70**
Expenses	6,634.33	-	2,628.61	1,120.13	-	646.39	1,323.52	**12,352.98**
Total	**26,170.21**	**11,824.02**	**12,910.57**	**11,402.09**	**10,281.96**	**10,928.35**	**11,605.48**	**95,122.68**

2020-21	Mayor	Deputy Mayor	Councillor #1	Councillor #2	Councillor #3	Councillor #4	Councillor #5	Total
Salaries	19,535.88	11,824.02	10,281.96	10,281.96	10,281.96	10,281.96	10,281.96	**82,769.70**
Expenses	1,035.76	-	-	-	-	-	-	**1,035.76**
Total	**20,571.64**	**11,824.02**	**10,281.96**	**10,281.96**	**10,281.96**	**10,281.96**	**10,281.96**	**83,805.46**

2021-22	Mayor	Deputy Mayor	Councillor #1	Councillor #2	Councillor #3	Councillor #4	Councillor #5	Total
Salaries	19,672.64	11,906.70	10,353.98	10,353.98	10,353.98	10,353.98	10,353.98	**83,349.24**
Expenses	2,683.89	-	639.69	234.64	-	54.40	365.00	**3,977.62**
Total	**22,356.53**	**11,906.70**	**10,993.67**	**10,588.62**	**10,353.98**	**10,408.38**	**10,718.98**	**87,326.86**

A meeting of the Policy & Strategy Committee for the Town of Mahone Bay was held on Monday, June 27, 2022 at 7:00 p.m. via video conferencing.

Present:
Mayor David Devenne
Deputy Mayor Francis Kangata
Councillor Penny Carver
Councillor Joseph Feeney
Councillor Richard Nowe
Councillor Kelly Wilson
CAO, Dylan Heide
Deputy Clerk, Kelly Redden

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

2. Minutes
A motion by Councillor Carver, seconded by Councillor Feeney, "THAT the minutes of the May 30, 2022 meeting be approved as presented." Motion carried.

3. Graffiti and Vandalism
The committee received correspondence from Nick Pavlinic regarding vandalism in Mahone Bay; a letter which was received at Council in May and referred to the Policy and Strategy Committee. Committee members were joined by Lunenburg RCMP District Commander, S/Sgt. Whalen, and Community Policing Officer, Cst. Sonia Upshaw for a discussion about how vandalism and graffiti might be addressed at a community level with support from the RCMP.

DRAFT

A motion by Deputy Mayor Kangata, seconded by Councillor Wilson, "THAT the Policy and Strategy Committee recommend that Council review the draft Surveillance Policy for comment prior to a discussion of the policy at the September 26, 2022 meeting of the Policy and Strategy Committee." Motion carried

4. Next meeting

4.1 Agenda items for recommendation to Council

The agenda for the July 25, 2022 meeting of the Policy and Strategy Committee was set by motion of Council on June 14, 2022 as discussion of the Council Policy and the Committee Policy.

4.2 Date and Time

The next meeting of the Policy and Strategy Committee will be on July 25, 2022 at 7:00pm.

The meeting adjourned on motion at 8:55p.m.

TOWN OF MAHONE BAY

Chair, Mayor David Devenne

TOWN OF MAHONE BAY

Clerk, Maureen Hughes

DRAFT

A meeting of the Heritage Advisory Committee for the Town of Mahone Bay was held on Wednesday, June 29, 2022 at 3:00 p.m. via video conferencing.

Present:
Councillor Joseph Feeney (chair)
Annette St Onge
Bryan Palfreyman
Deborah Trask, Heritage Researcher
Councillor Penny Carver (Alternate)
Kelly Redden, Deputy Clerk

Absent:

1. Approval of Agenda

A motion by Councillor Carver, seconded by Ms. St. Onge, **"THAT the agenda be approved as amended to include discussion of Heritage Districts as item #6."** **Motion carried.**

2. Minutes

A motion by Councillor Carver, seconded by Mr. Palfreyman, **"THAT the minutes of the April 13, 2022 meeting of the Heritage Advisory Committee be approved as amended to correct the spelling of Mr. Barrett's name."** **Motion carried.**

3. Viewing of Recording of Deborah's Talk

The committee viewed the recording ahead of the meeting. Ms. Trask will forward the list of credits to staff to be added to the end of the video. Staff will confirm whether some small edits can be made to the video.

4. Potential Heritage Properties - Correspondence

The committee discussed the letter provided by staff. Ms. Trask will complete the letters.

5. Gateposts at Bayview Cemetery

Staff provided the committee with an update on the Bayview Cemetery fence and the gate post option chosen by the Cemetery Committee.

6. Heritage Districts

Ms. St. Onge presented a plan she drafted to take steps do research and engage the public in their interest in including heritage districts as part the Municipal Planning Strategy and Land Use By-law. This will be further discussed at the next meeting of the Committee.

The meeting adjourned by motion at 4:10pm.

TOWN OF MAHONE BAY

Chair, Councillor Joseph Feeney

TOWN OF MAHONE BAY

Deputy Clerk, Kelly Redden