



NOTICE

MEETING: St Mary's Municipal Council
Committee of the Whole

DATE: Wednesday, July 25th, 2018

TIME: 1:00pm

PLACE: St. Mary's Municipality
Council Chambers, Sherbrooke, NS

Please advise if unable to attend

Dated: July 18, 2018

Marian Fraser, Director of Finance

**Municipality of the District of St. Mary's
Committee of the Whole
Wednesday, July 25th, 2018**

1. Call to Order
2. Roll Call
3. Approval of Agenda and Any Additions
4. Approval of Minutes from Committee Meeting held July 4th, 2018
5. Business Arising from Minutes
6. Presentation – Destination Eastern and Northumberland Shores (DEANS)
7. Correspondence
8. Other Matters of Business
 - a. First Quarter Finance Report
 - b. Waterline Replacement Project Financial Update
 - c. Dangerous & Unsightly Property Update

Adjournment

**Municipality of the District of St. Mary's
Committee of the Whole
Wednesday, July 25th, 2018**

Meeting, Date & Time

The Committee of the Whole meeting of St. Mary's Council was called to order on Wednesday, July 25th, 2018 at 1:01pm in the Council Chambers Sherbrooke, N.S.

Attending

Warden Mosher
Councillor Kaiser-Kirk
Councillor Baker
Councillor Smith
Councillor Findlay
Councillor Malloy

Also Attending

Marvin MacDonald, CAO
Marian Fraser, Director of Finance
Denise Sawlor, Municipal Clerk/Special Projects Coordinator

Absent with Regrets

Deputy Warden Dort

Approval of Agenda

On motion of Councillor Smith and seconded by Councillor Baker that Council approve the agenda with the following Additions:

7. Correspondence
 - a. Waterfront Development Corporation – Becoming Develop Nova Scotia
 - b. Sean Fraser – Connect to Innovate Announcement
8. Other Matters of Business
 - d. DMA Consultation – Coastal Protection & Planning Requirements
 - e. In-Camera (Confidential Matters)

Motion carried.

Approval of Minutes

On motion of Councillor Smith and seconded by Councilor Malloy that Council approve the minutes of the Committee Of The Whole held July 4th, 2018

Motion carried.

Business Arising From Minutes

- Staff spoke with the Building Inspector regarding fire damaged properties.
- Every structure fire needs to be reported to the Fire Marshall. The Fire Marshall will make the call as to whether or not a site visit is required. This topic will be brought to the Fire Services meeting in October.

- Streetscape application has been approved by the Province. Marvin is working with Atlantic Canada Opportunities Agency (ACOA) to submit a request to Federal Government for funding to develop a beautification plan.
- Tentative August 2, 2018 date to meet with MLA Hines. His office will finalize the date once the other attendees have been confirmed.

Presentation – Destination Eastern and Northumberland Shores (DEANS)

- Presentation cancelled and rescheduled to September 19th, 2018.

Correspondence

- Letter from Waterfront Development Corporation
 - They are now Develop Nova Scotia.
- Email from Sean Fraser
 - Connect to Innovate Announcement at Blue Mountain Fire Hall.
 - Warden Moser, Councillor Smith and Marvin will attend.

Other Matters of Business

- First Quarter Financial Report
 - Report distributed to each Councillor
 - Requesting information from Eastern Housing Mainland Authority. Need more information on amount billed and details about Housing Nova Scotia invoices.
 - There is a Zamboni for sale in P.E.I. Brad is looking into it.
 - The draft system assessment report on the sewer plant is complete and will be passed along.
 - Janitor position was filled but after a couple weeks she put in her notice. Deferring conversation to the In-Camera session.
 - The next set of tax sale notices will be sent out and the tax sale will likely take place in December.
- Waterline Replacement Project Financial Update
 - See attached.
 - Staff presented a financial report on the waterline project; there were additions to the final invoice creating a difference in the final short fall.
 - The project overages occurred due to a combination of the additional lateral lengths, rock and unsuitable material.
- Dangerous & Unsightly Property Update
 - Letters were sent out the second week of July. There have been no responses yet.
 - The Building Inspector visited the property reported in Spanish Ship Bay. The property is in bad shape and a letter has been sent to the property owners.
 - There has been a new complaint brought to Councillor Kaiser-Kirk regarding a derelict vehicle in Fisherman's Harbour. The van has been sitting in sight of the road for several years.
 - A letter has been sent regarding the Harperville complaint.
- Consultation session with Department of Municipal Affairs (DMA)

- See attached.
- Councillor Kaiser-Kirk and Councillor Malloy attended the session. Their report will be presented at the September Council meeting.
- Councillor Kaiser-Kirk has handouts from the session and will sent them to everyone along with the web link.
- The DMA is looking for feedback regarding the planning framework.

Councillor Findlay left 2:14pm

Councillor Findlay returned 2:15pm

- Setbacks for new coastline construction were a large part of the discussion.
- There was no funding discussion at the session.
- Council will review the documents and Marvin will draft a response.

Councillor Findlay left 2:22pm

Councillor Findlay returned 2:24pm

- In-Camera

On recommendation of Councillor Baker and Seconded by Councillor Findlay that council moved into an in-camera session to discuss a confidential matter.

On recommendation of Councilor Findlay council reconvened to regular session at 2:58pm.

- August Meetings

- There will be no Council or COTW meetings in August.
- Next COTW will be September 5, 2018

Adjournment

On Motion of Councillor Smith there being no further matters of business, Council adjourned at 3:04pm.

Recorded By
Municipal Clerk

Approved By
Warden Mosher

Marvin MacDonald

From: NSFM Info <Info@nsfm.ca>
Sent: Monday, July 16, 2018 11:21 AM
To: Tracy Verbeke
Subject: WATERFRONT DEVELOPMENT IS NOW DEVELOP NOVA SCOTIA--Action Required: For Information Purposes
Attachments: Develop NS E-blast July 13_18.pdf

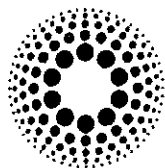
TO: Mayors/Wardens, Councillors, All Units

CC: Chief Administrative Officers/Clerk-Treasurers, All Units
Village Commissioners, All Villages

RE: WATERFRONT DEVELOPMENT IS NOW DEVELOP NOVA SCOTIA

The Waterfront Development Corporation is becoming Develop Nova Scotia. Develop Nova Scotia will be responsible for strategic economic infrastructure in the Province. This work includes designing and managing the Provincial implementation strategy for Rural High Speed Internet, and will be performed in connection with the \$120-million Nova Scotia Internet Funding Trust announced earlier this year.

Municipalities will begin receiving invitations to engage with Develop Nova Scotia this week. Please see the attached E-blast for more information.



NOVA SCOTIA
FEDERATION OF
MUNICIPALITIES

Phone: (902) 423-8331

Fax: (902) 425-5592

www.nsfm.ca

Better government. Stronger communities.

PLEASE NOTE: If you do not want to receive communications from NSFM, please e-mail Tracy Verbeke at tverbeke@nsfm.ca, and you will be removed from the mailing list.



July 13, 2018

Waterfront Development is becoming **Develop Nova Scotia**. We are pleased to announce that Develop Nova Scotia is now the crown corporation responsible for leading sustainable development of high potential property and infrastructure across Nova Scotia – all with the view to drive inclusive economic growth in our province.

As Waterfront Development, our mandate was to redevelop and revitalize lands surrounding Halifax Harbour and other lands designated by our shareholder – which led to our involvement in Lunenburg. While our commitment and love of our place at the water's edge remains steadfast, now, as Develop Nova Scotia, our mission is to support the creation of sustainable places right across Nova Scotia that attract and inspire people and investment.

We need to do things differently as a province if we expect to grow our economy and address our population challenges. Our experience, and lots of research too, shows that strong places are essential to economic development. Strong places support strategic sectors like tourism, and other oceans-related sectors, they contribute to successful innovation districts, and they contribute importantly to quality of life. Great places attract people and investment follows talent.

That's why Develop Nova Scotia will be focused on planning, development and management of land and infrastructure by and for and with people. When we make people the centre of our work, we develop strong places that are diverse and authentic and unique in character, not to mention environmentally sustainable and socially inclusive.

Connectivity and accessibility – including Internet connectivity – are important factors in building places where businesses and people flourish. That's why one of the first new projects the Province of Nova Scotia has asked us to take on is designing and managing the implementation strategy for Rural High Speed Internet across the province in connection with the Nova Scotia Internet Funding Trust.

Our job is to ensure we design and execute an implementation strategy that enables creative problem solving, competitive bids and, ultimately, reliable, high quality, sustainable service levels with maximum coverage. And we want to achieve this while minimizing public investment. We will develop the strategy through meaningful engagement with industry and communities, a transparent and competitive bid process and ongoing public communication, and diligent management of projects.

We understand the urgency when it comes to rural Internet. We expect to be in market with a competitive bid process this fall. At the same time, we must acknowledge this is a large, complex project, with rapidly evolving technology, and involves the investment of a significant amount of public funds. We must get it right now and for the future.

We will be engaging with industry, municipal and regional economic leaders in the next 30-60 days – invitations will begin going out next week. We'll be interested in learning what's important to your communities in terms of economic success, strategic infrastructure, and rural Internet connections. The sessions will help to finalize our Rural Internet implementation strategy as well as our 5-year strategic plan as Develop Nova Scotia.

This new mandate is an assignment we're ready for. Our small team of highly-skilled professionals regularly manages complex, multi-stakeholder projects that involve public funds while leveraging private sector investment in order to meet social, environmental and economic sustainability objectives for Nova Scotians. Our small team will grow over the next few months, however our focus on current priorities and projects underway will not waiver.

For more information:

Visit: developnovascotia.ca

e-mail: ruralinternetinfo@developnovascotia.ca

Marvin MacDonald

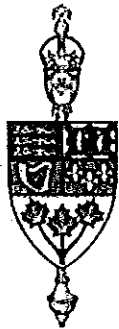
From: Sean.Fraser.C2@parl.gc.ca
Sent: Monday, July 23, 2018 1:43 PM
To: brian.cullen@munpict.ca; Marvin MacDonald; shirlyn.donovan@antigonishcounty.ns.ca; andy.thompson@munpict.ca; randy.palmer@munpict.ca; omccarron@antigonishcounty.ns.ca; hdstewart@antigonishcounty.ns.ca; office@antigonishmla.ca; Jackie Dort; Kaytland Smith; Michael Mosher
Cc: Sean.Fraser.C1@parl.gc.ca
Subject: Connect to Innovate: Save-the-date and time

Good afternoon,

Thank you all for your patience as we work to coordinate a date and time. Due to availability both of stakeholders and facilities, we will be moving forward with **one announcement at 9am on Thursday July 26th**. Currently confirming that the space is the Blue Mountain Fire Hall, if that changes, I will send a note ASAP.

For those who have already RSVP'd unable to attend, I will ensure that the news is emailed to all once shared.

Nicole



Nicole LeBlanc

Director of Outreach and Communications
Office of Sean Fraser
Member of Parliament for Central Nova
2A-115 MacLean Street
New Glasgow, Nova Scotia B2H 4M5
Tel. (902) 752-0226 Fax. (902) 752-0284
sean.fraser.c2@parl.gc.ca
@SeanFraserMP

Financial Update

	Budget	Projected Actuals	Over/Under
Project Management	\$65,000	\$58,497	-\$6,503
Design / Engineering	\$130,000	\$113,034	-\$16,966
Construction	\$1,369,840	\$1,762,115	\$392,275
Contingency	\$150,000	\$0	-\$150,000
Water Rate Study	\$11,000	\$11,313	\$313
TOTAL	\$1,725,840	\$1,944,959	\$219,119

** projected actuals are estimated to July 25th, 2018.

Coastal Protection Legislation

Consultation Document




NOVA SCOTIA

© Crown copyright, Province of Nova Scotia, 2018

Coastal Protection Legislation: Consultation Document
Department of Environment
June 2018

ISBN: 978-1-55457-859-7

Nova Scotia is rich in coastline and nearly surrounded by the sea. To travel the edges, entering every harbour, cove, inlet, and tidal estuary, would be 13,300 kilometres. No wonder we are fishing people. We are boating people. We are beach and cottage people. We are swimmers, sailors, surfers, and divers. We love the sea.

Our province is shaped by the sea. We have stories of sea adventures and sea tragedies. We have calm harbours, windswept bluffs, and shifting sands. We witness the wind and the waves and the tides constantly reshaping our coastline – and sometimes sweeping away what we build. Respect for the sea – and the power of the sea – is a lesson we continue to learn.

We like to build in sight of the sea. But the tides, currents, wave action, erosion, and high winds are givens. When we interfere unnecessarily with these natural processes, there are serious consequences.

Coastal areas like saltmarshes and coastal wetlands help filter out harmful substances and provide habitat for endangered species. Interfering with the normal, natural movement of these features, by building too close to the shoreline, for example, can damage sensitive coastal areas. Building too close to the shoreline also puts people's investment in their property at risk and can threaten public safety. Rising sea levels and powerful storm surges are



making damage more common. Sometimes, we unintentionally add to the problem. When we physically alter the shoreline, we can accelerate the coastal erosion we are trying to control. Trying to control the sea is expensive and not often possible. A more realistic solution would be to build on less vulnerable land.

Our coast has been formed through billions of years of natural history. It has been a source of food and a means of transportation for Mi'kmaq for thousands of years. It has enabled trade and been a gateway for immigration for hundreds of years. It is a part of our identity, and protecting our coast is important to Nova Scotians.

Our prosperity is closely tied to the sea and our coastal nature. Ships come here – and are built here. We feast on our local sea catch and export sea products around the world. We escape to the beach to relax and unwind. We invite the world to enjoy our unspoiled spaces, our picturesque coastal towns, our plentiful wildlife, and our spectacular natural beauty.

How do we balance protecting what we build near the coast with protecting natural ecosystems and the natural beauty that make our province special?

A 1998 report by the Geological Survey of Canada identified Atlantic Canada as having the largest extent of sensitive (to sea-level rise) coastline in Canada, including much of the coast of Nova Scotia. We have a land mass that is gradually sinking, through a natural process called subsidence. We have a coastline that varies in composition, from stable cliffs to erosion-prone beaches and dune systems. We have dynamic coastal features that constantly change in response to tides, currents, and storm surges, with ecosystems and wildlife that shift and migrate in response to these natural coastal processes. So as sea levels rise, we are going to notice change in coastal areas. Some coastal bluffs, for example, could retreat by meters per year.

While it is difficult to generalize about large sections of coast, significant areas of Nova Scotia are prone to high rates of coastal erosion and coastal flooding. The Intergovernmental Panel on Climate Change projects that sea level will continue to rise. This, combined with regional conditions in Atlantic Canada, where some of our land base is sinking, means Nova Scotia may experience significant sea-level change in the coming decades. Some experts (Forbes et al., 2006) estimate sea-level rise of between 0.7 and 1.4 meters by the end of this century.[†]

[†] Forbes report: quoted in *Our Coast: Live, Work, Play, Protect: The State of Nova Scotia's Coast. Technical Report*, Province of Nova Scotia, 2009, p 162.

The government has committed to creating legislation to provide legal protection for our coasts. So how do we design new legislation that helps ensure future generations can continue to benefit from our natural coastal areas, that helps protect our coastal assets, that preserves healthy ecosystems, and that encourages people to build in areas less vulnerable to damage from rising sea level, erosion, and storm surges?

We want to hear from Nova Scotians. Your opinions can help us develop an effective piece of legislation.

The legislation will need to:

1. Define a “Coastal Protection Zone” where the act will apply
2. Restrict certain activities within the Coastal Protection Zone
3. Create provisions for monitoring and compliance

Each of these tasks is discussed more fully below.

Define a Coastal Protection Zone

The new law needs to clearly define where it applies — the Coastal Protection Zone —and where it doesn't.

This needs to be easy for everyone to understand — citizens, businesses, governments, and those who enforce regulations and bylaws.

Where do you think the new legislation should apply?

A coastal protection zone could be a band of area around our entire coastline.

Here are some of the things we will consider:

- How wide a band?
- Where would it start? We need to define a starting point or reference line — like the high-water mark, the low water mark, or mean sea level.
- What would be the setback distance?

- Should the coastal protection zone include elevation in its calculations? For example, a cottage near the ocean at sea level is more vulnerable than one near the ocean but on a hill. What minimum elevation above the high-water mark allows for storm surge?
- What about evidence of erosion? Some areas are sheltered with little evidence of erosion, while some are actively eroding or constantly changing. How do we include an on-the-ground assessment of local risk?

A new law would need to be mindful of other laws and overlapping jurisdictions and the ways we live and work and play in our coastal areas.

Here are some of the issues and perspectives we will be working through:

- How do we respect commercial and industrial uses? Many of us make our living on the sea or near the sea. Seafood is our number one export, valued at \$2 billion annually, and the seafood sector employs thousands of Nova Scotians. How do we keep out of the way of the economic activities that sustain us? This includes activities covered by the Fisheries and Coastal Resources Act and the Marine Renewable Energy Act — fish processing, aquaculture, rockweed harvesting. Fishing and aquaculture will be exempt, but how do we define this exemption? What other economic activities must we keep out of the way of?
- What about land protected by other laws? Beaches are protected under the Beaches Act, sensitive areas protected by the Special Places Act, or dykelands protected under the Agricultural Marshlands Conservation Act. The boundary of a coastal protection zone may exclude specific types of land designations.

- What about local land-use bylaws? Some areas of the province already define coastal setbacks under local municipal land use bylaws. Other areas have no specific restrictions. How do we balance local needs with provincial standards?
- What about respecting the ways we have lived on the coast for hundreds and thousands of years? The Mi'kmaq depended on coastal resources long before contact with Europeans — evidenced by finds in the Acadian dykelands and shell middens. Preserving traditional uses and natural ecosystems are important to the Mi'kmaq — and to all Nova Scotians. Most coastal communities have existed for hundreds of years in our bays and coves, with generation after generation relying on the ocean for their livelihoods. How do coastal communities adapt to changing coastlines in harmony with nature and natural processes?



Restrict Certain Activities

The goals of coastal protection are to:

- prevent damage to sensitive coastal ecosystems and wildlife habitat — like saltmarshes and coastal wetlands
- reduce risks to public safety — from storm surges, flooding, flying debris, washed out bridges and roads
- reduce the risk of property damage — to future homes, cottages, businesses, public infrastructure

But we must achieve these goals with consideration for our coastal way of life:

- the vibrancy of our coastal lifestyle – fishing communities, downtown working waterfronts, and industries that depend on direct access to coastal waters
- the economic activity that involves our coastal assets – how we make a living here

As we work out the provisions of the new law, we will need to get specific:

What activities should the new legislation prohibit or restrict within the coastal protection zone?

- New construction?
- Removal of material – like beach sand?
- Alteration of the natural contour of the land – like saltmarshes?
- Deposit or dumping of waste or other materials?



How do we carefully balance the need to accommodate existing structures and recreational and commercial use of coastal areas while still providing meaningful protection for coastal areas?

For example, we don't want to disturb the vibrancy of our fishing communities, or our downtown waterfronts, or our industries that depend on direct access to coastal waters.

What types of structures and activities do you think should be restricted in the coastal zone?

How do we make allowances for existing homes, cottages, and businesses on coastal waterfronts and inside the Coastal Protection Zone?

We will also need to consider how we protect existing structures threatened by sea-level rise and coastal erosion while minimizing the impact on the environment.

What about potential building sites near the shoreline which, because of local conditions, pose no risk of environmental damage? Sites both on firm ground that's not prone to erosion and those high enough above sea level to not be threatened by storm surges. Would it make sense to issue a "variance" that allows construction to go ahead in these cases? Should we require a professional, such as an engineer or a geologist, to sign off on an exception?

What sorts of exceptions do you think we should consider making for activities in the coastal zone?

We want to ensure that the new law also respects approved activities under other federal or provincial laws. For example,

- Aquaculture leases and rockweed harvesting leases
- Permits issued under the Beaches and Foreshores Act or Crown Lands Act
- Projects approved under the Marine Renewable Energy Act
- Agricultural marshlands protected under the Agricultural Marshlands Conservation Act
- Projects or activities that have been approved under the Environment Act

Create provisions for monitoring and compliance

We want to make it as easy as possible for Nova Scotians to understand and comply with the new legislation. For example, we don't want people to invest a great deal of time and money in planning to build a structure that the new legislation won't allow.

As we create and implement this new law, we need to think through how it will be experienced by the people who will need to comply with it:

- How do we make the new rules easy to know about? Easy to comply with?

- How do we intervene early enough in the development or building process to avoid disappointment and unnecessary expense?
- How do we minimize the overall administrative burden of a new law while still providing protection for our coasts?

Share your thoughts on coastal protection legislation with us

We need to hear from you! Please take the time to share your thoughts about the proposed legislation. A few questions are set out below. If you have thoughts about anything else we should consider, please share those as well.

- What are your thoughts on the proposed legislation?
- Where should the new law apply? What should the boundaries of the Coastal Protection Zone be?
- What other provisions, if any, would you like to see in the new law and why?
- Are there any ideas in this document you would like to see removed from consideration? Why?
- What sorts of exceptions do you think we should consider making for activities in the coastal zone?
- How do you think coastal protection legislation might affect you?

How to respond to this document

Please visit novascotia.ca/coast to fill out our online survey. If you don't have Internet access, please call 902-424-2547 and we'll send you a paper copy.

Power to Expend Participant Feedback

Question	Responses
Would additional flexibility in municipality's power to expend be valuable for responding to the present and future needs of your municipalities?	
What opportunities would this additional flexibility provide?	
What are the risks of taking this enabling approach?	
Are there any cautions or suggestions you think DMA should consider?	
Other comments	

Optional Information:

Participant Name: _____


Contact Information _____

Additional comments or questions can be sent to – Grant.maceachern@novascotia.ca



Power to Expend

Presentation to the Association of Municipal Administrators and the
Nova Scotia Federation of Municipalities



Current Context

- ▶ The *Municipal Government Act (MGA)* and *Halifax Regional Municipal Charter (HRMC)* restrict a municipal council's power to expend money by listing in detail the items they are permitted to spend on (s. 65)
- ▶ The detailed list of items is inflexible and does not address changing service needs or changing technology
- ▶ Broadband internet is a pressing issue, but only reference to telecommunications is authority to expend to place wiring underground
- ▶ Current list is prescriptive and comprehensive. Over 60 items in total; 7 amendments since creation of the Act



Current Context

- ▶ Limits on authority and accountability mechanisms are in place:
 - ▶ no direct funding to private business, requirements for expense policies, financial reporting, balanced budgets, financial audits, and limits on borrowing
- ▶ MGA Review - principle of enabling legislation
- ▶ MGA recognizes the functions of a Municipality:
 - ▶ provide good government,
 - ▶ provide services, facilities and other things that, in the opinion of the council, are necessary or desirable for all or part of the municipality, and
 - ▶ develop and maintain safe and viable communities.

Opportunity for Additional Flexibility

- ▶ Listing the items municipal councils can spend money on in detail requires frequent updates
- ▶ Many Canadian jurisdictions have updated legislation to allow more flexibility around municipal spending including Alberta, British Columbia, Prince Edward Island, and Saskatchewan
- ▶ Opportunity to make municipal spending authority flexible, and allow municipalities to invest in broadband initiatives

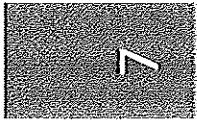
Proposal

- ▶ Provide general power to expend within municipality's approved budget, rather than listing each eligible purpose
- ▶ Clarify requirements to approve a budget
- ▶ Ensure provisions impacted by removal of s.65 are considered
 - ▶ Grants to non profits
 - ▶ By-law authority for expenditures



What are we consulting on?

1. Would additional flexibility in municipality's power to expend be valuable for responding to the present and future needs of your municipalities?
2. What opportunities would this additional flexibility provide?
3. What are the risks of taking this enabling approach?
4. Any cautions or suggestions DMA should consider?



Questions/Comments

- ▶ If you have additional comments or questions you would like to provide to DMA, you can send these directly to the following email address
- ▶ Grant.MacEachern@novascotia.ca



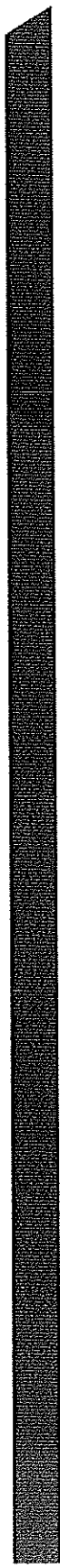
Planning in Nova Scotia

REGIONAL SESSIONS

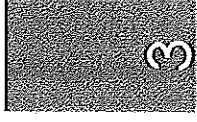


Agenda

- ▶ Planning in Nova Scotia
- ▶ Benefits of Planning for Municipalities
- ▶ Your thoughts: Opportunities and Concerns



How Land Use Planning Works in NS



Municipal Planning Strategy (MPS)

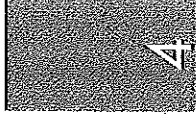
- ▶ Policy framework
- ▶ Addresses the Statements of Provincial Interest in principle (SPIs)
- ▶ Cannot be adopted without a LUB if it addresses land use

Land-Use By-Law (LUB)

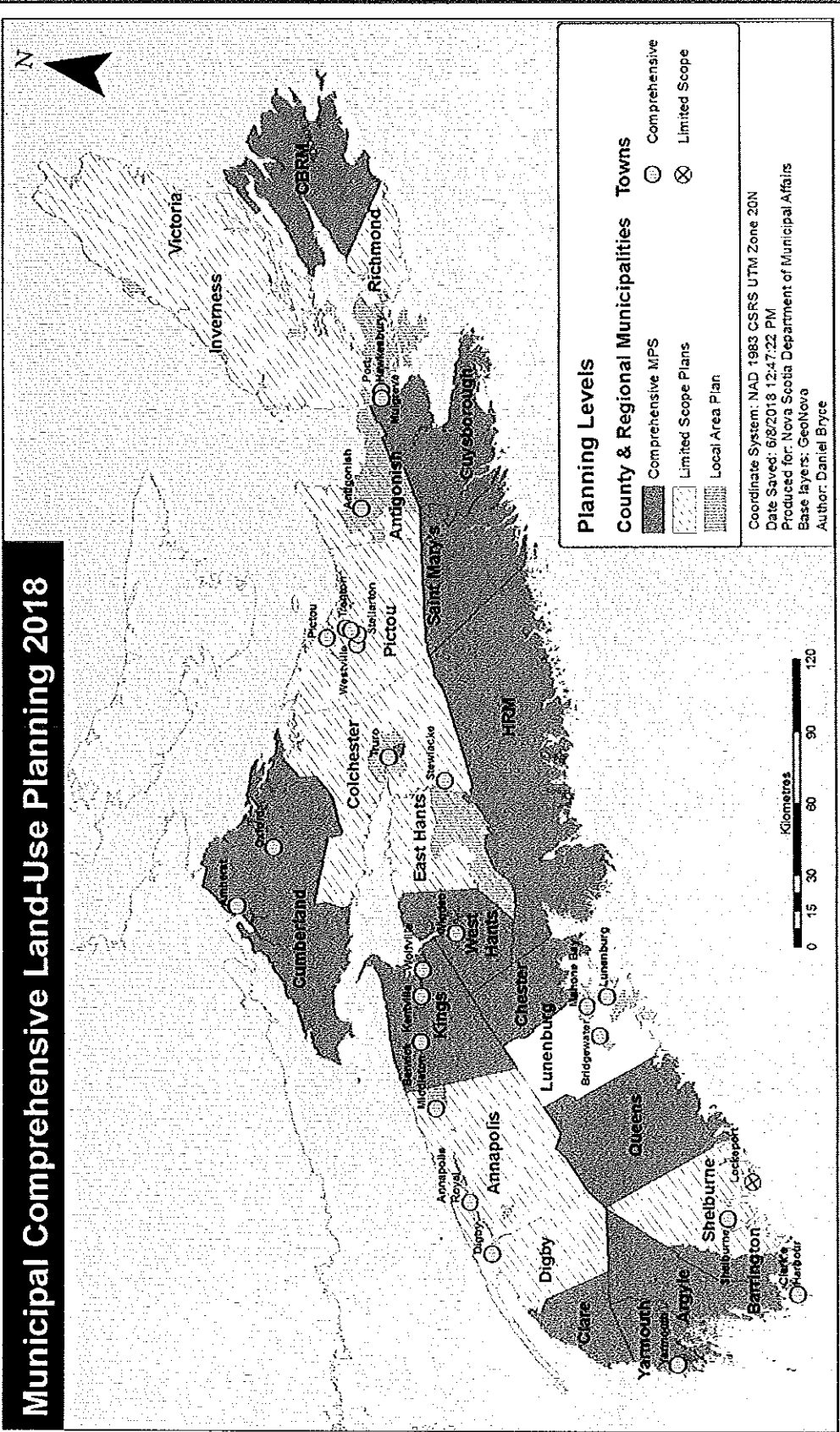
- ▶ Residential, commercial, industrial, agricultural, etc. uses
- ▶ Zoning
- ▶ Set backs
- ▶ Addresses the SPIs in reality

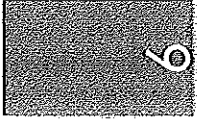
Statements of Provincial Interest

- ▶ Agriculture
- ▶ Drinking water
- ▶ Housing
- ▶ Infrastructure (piping)
- ▶ Flooding



Municipal Comprehensive Land-Use Planning 2018





Benefits of Planning

- ▶ Protects the public interest and public purse by avoiding development in unsafe places
- ▶ Provides a framework for municipal decisions on infrastructure investment
- ▶ Provides recourse for citizens and the municipality if an undesirable development is occurring
- ▶ Provides more regulatory certainty
- ▶ Reduces conflicts between incompatible uses
- ▶ Protects the environment generally
- ▶ Allows for consistent regular application of land use controls between municipalities



Why now?

- ▶ Economic development and land use planning
- ▶ Full implementation of the Statements of Provincial Interest
- ▶ Municipal calls for action:
 - ▶ 2017- Statement of Municipal Concern on RENs and Regional Planning
 - ▶ 2016- identification in the Partnership Framework & Resolution on economic development from the Nova Scotia Federation of Municipalities (NSFM)
 - ▶ 2015- calls for amendment as part of issue identification for the *Municipal Government Act* review
 - ▶ 2012- Towns Task Force recommendations

What we are consulting on?

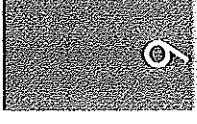
- ▶ Mandatory planning for all lands within a municipal unit and all municipalities
- ▶ Minimum planning requirements (policy content)
- ▶ Municipal cooperation when adopting or amending a municipal planning strategy and/or land use by-law including requiring consultation



Your Thoughts: Opportunities and Concerns

World café style exercise

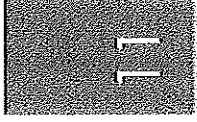
- ▶ Three 15 minute rounds
- ▶ Everyone should be at a table for 5 to 7 people
- ▶ Choose a table host to write the notes of the team at the table
- ▶ After 20 minutes, everyone except the table host moves to the next table
 - ▶ If the table host choose to move, please choose a new table host
- ▶ After each round, we will harvest the information you shared



World Café Questions

Choose the table's top:

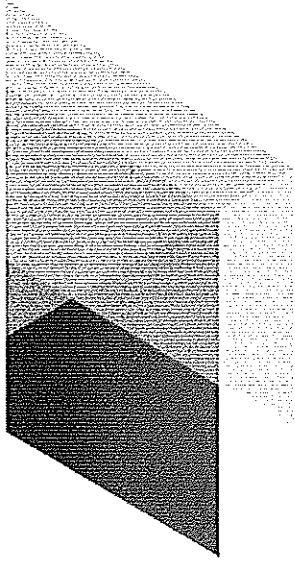
1. Top three opportunities and top three concerns regarding implementing mandatory planning for all lands within a municipality
2. Top four issues that land use planning should address, not including the Statements of Provincial Interest
3. Top four ways to support municipal cooperation when adopting/amending a MPS or LUB



Contact Information

- ▶ To provide any questions, comments, or written submissions please email Gordon.Smith@novascotia.ca

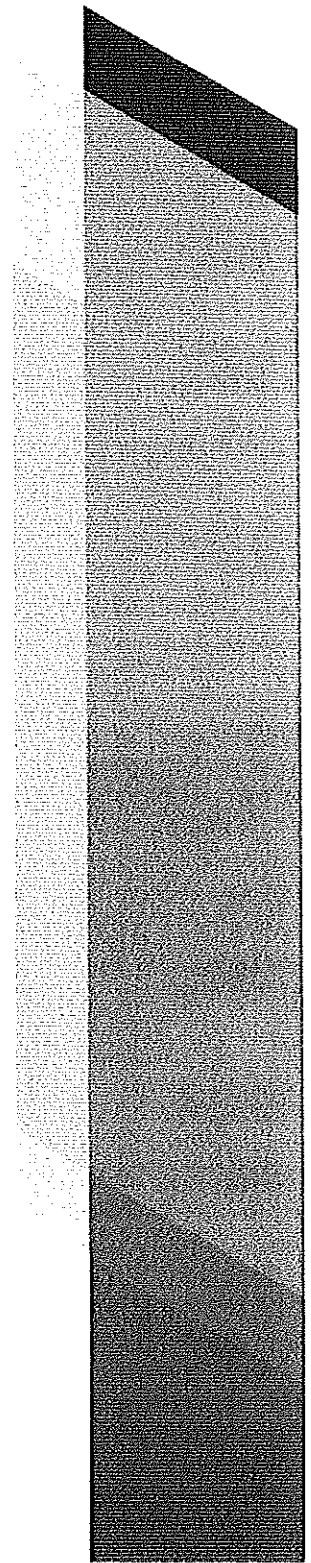




Nova Scotia Environment

Developing Coastal Protection Legislation

July 2018



Coastal Protection Legislation

Today's Presentation

- Introduction
- Coastal Protection Legislation– Key Components
- Designing the Act

Introduction

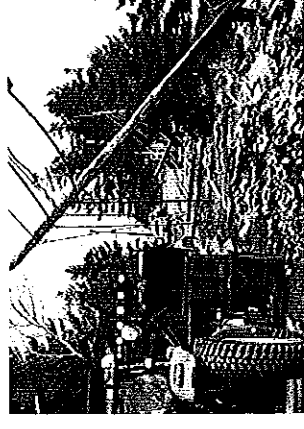
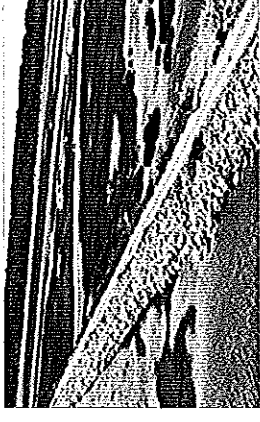
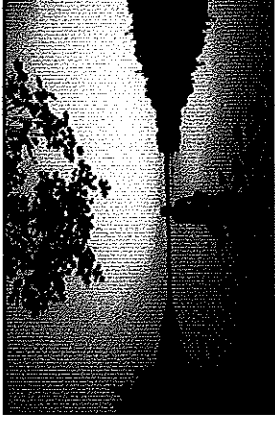
- 2009 “State of the Coast Report” estimated that about 70% of population lives within 20 km of coast.
- Some estimates project relative sea level in Nova Scotia of between 70 cm and 140 cm by the end of this century.
- Combination of continuing development near coast and rising sea levels mean:
 - Coastal environment and sensitive ecosystems will be under increasing pressure from development; and,
 - Nova Scotia communities, infrastructure, businesses and homes near the coast will become increasingly vulnerable to damage from coastal flooding, erosion, storm surges and extreme weather events.
- Government of Nova Scotia has committed to creating legislation to provide legal protection for our coast.
- Key to success will be to work with the diverse stakeholders with an interest in protecting our coast to inform development of practical, focused legislation.

Legislation Purpose

Coastal protection legislation will address two problems with a common cause:

Development, construction and related activity too near coastal shore lines:

- Increasingly puts property at risk from sea level rise, storm surge, coastal flooding and erosion, and
- causes damage to sensitive coastal ecosystems (for example, salt marshes and dune systems) that provide habitat and valuable ecological functions.

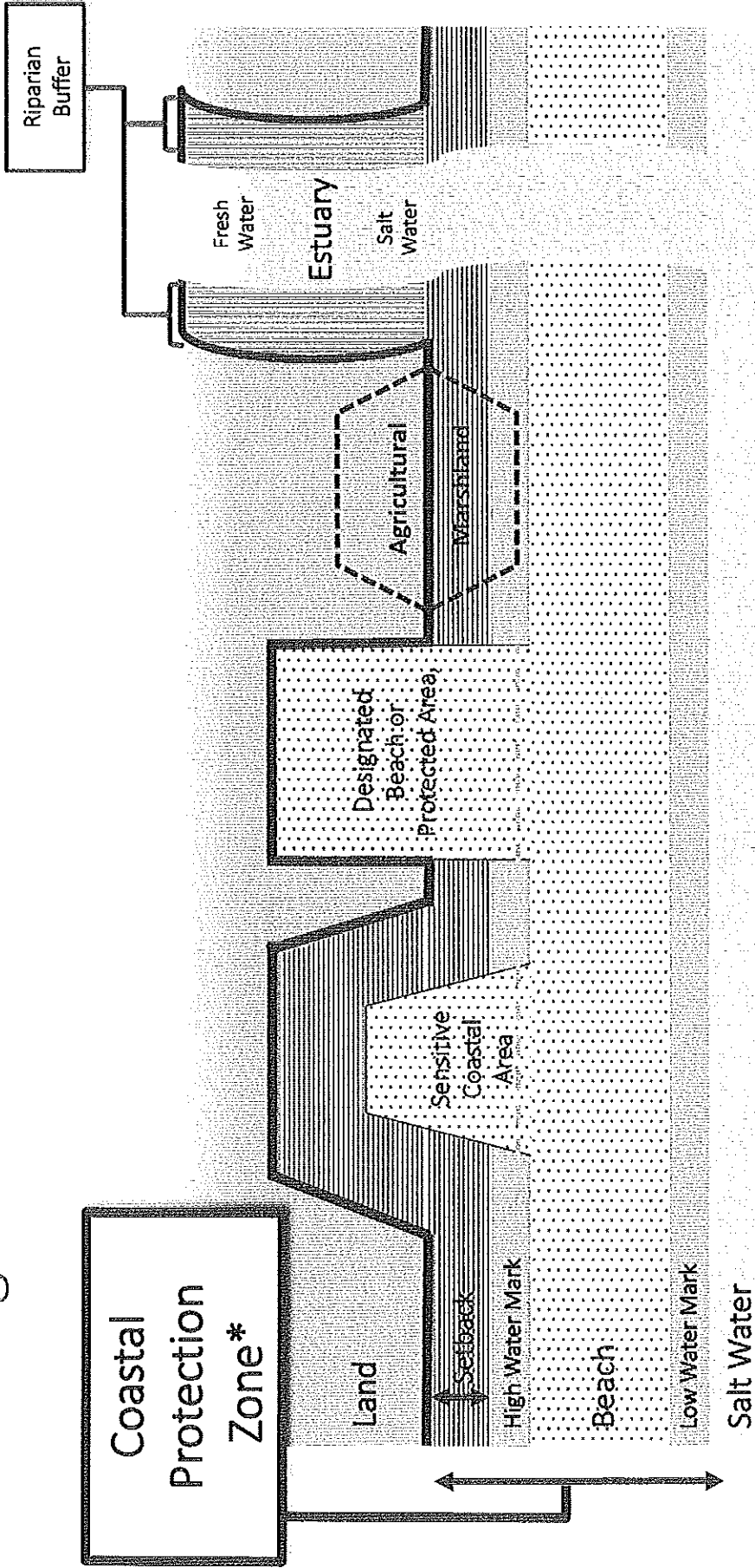


Coastal Protection Legislation

Three key components of coastal protection legislation:

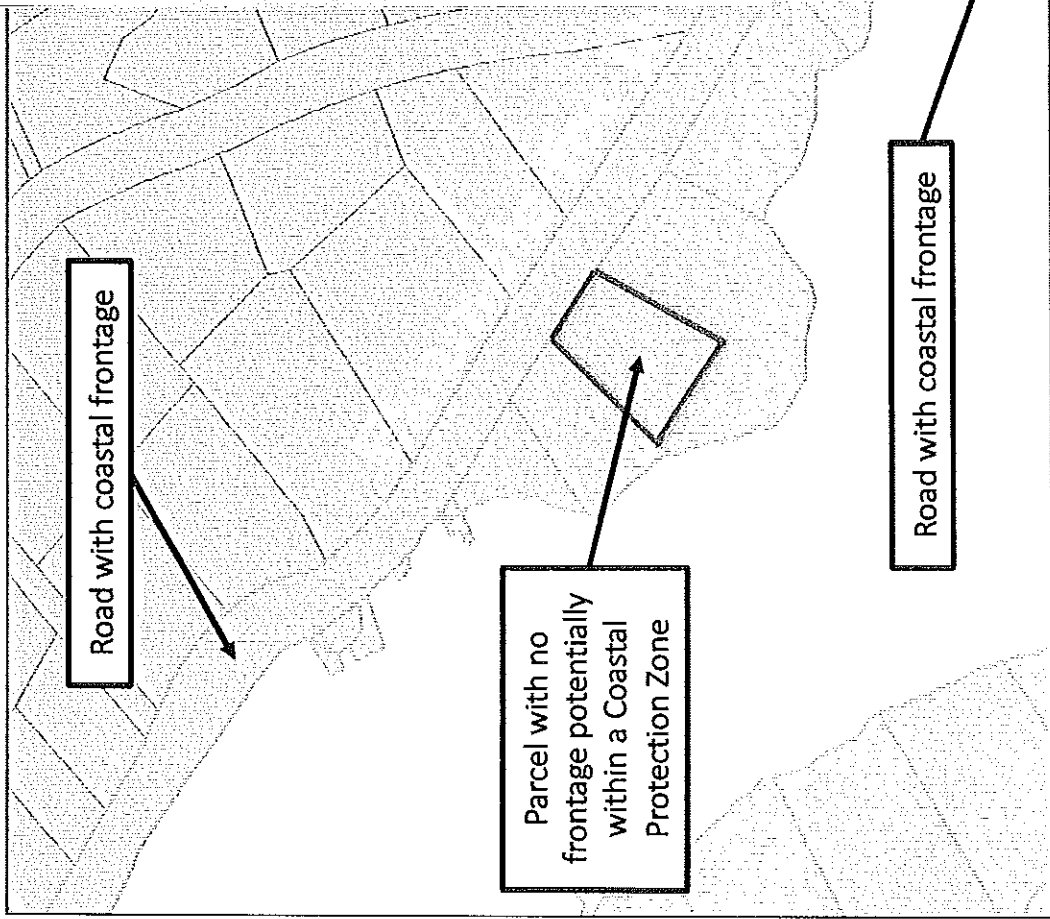
1. Define a coastal protection zone
2. Regulate specific activities and practices within the coastal protection zone
3. Create provisions for administration, monitoring and compliance

Defining a Coastal Zone



* For illustration only. Approximate horizontal dimension only; does not include any vertical component that may apply

How many coastal properties?



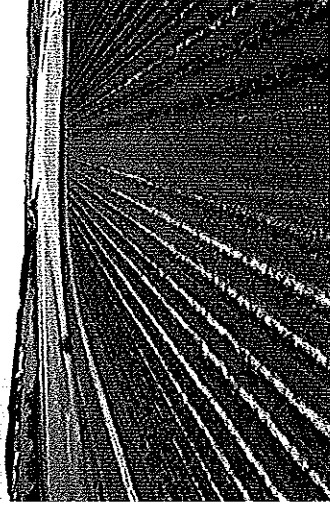
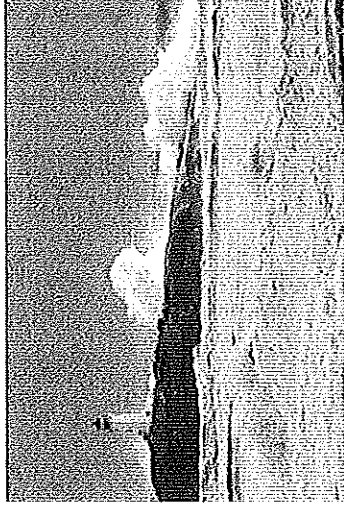
For a horizontal setback:

- 58,000 + PIDs with coastal frontage.
- Generally means frontage on salt water, including estuaries and Bras d'Or Lakes.
- Includes roads, municipal and crown land, residences and commercial property.
- Setback from high water mark will "capture" additional properties.
- 23,000 + coastal PIDs with civic address indicating a structure on property.
- Within 50 m of high-water mark:
 - Almost 80,000 PIDs, including
 - 30,000 with civic addresses
 - Incorporating vertical setback will change number of PIDs in a CP zone

2. Regulate Activity within the Coastal Protection Zone

Examples of activity that could be restricted or prohibited within the coastal protection zone include but are not limited to:

- Constructing a new residence or installation (e.g., shoreline hardening)
- Additions to existing structures above a specified threshold
- Destruction of or damage to coastal areas resulting from:
 - Disruptive activity
 - Physical alteration
 - Dumping and pollution



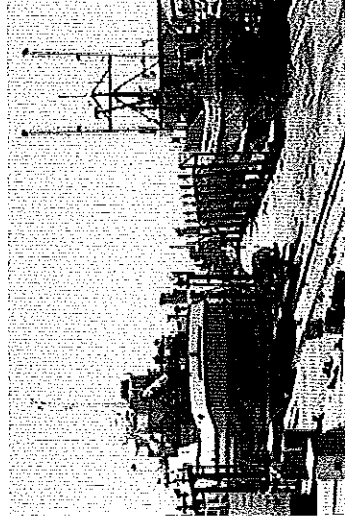
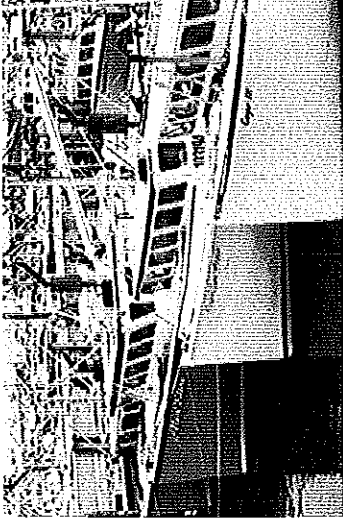
2. Regulate Activity within the Coastal Protection Zone (continued)

- Act will avoid conflict /contradiction with approvals and permits issued under other legislation, including but not limited to:
 - Aquaculture and rockweed harvesting licensed under the Fisheries and Coastal Resources Act;
 - Approvals and permits issued under Crown Lands Act and Beaches Act;
 - Projects approved under the Marine Renewable Energy Act.
- Act will not impact provisions under other acts that govern activities within the coastal zone - proponents will still need to comply with legislation that governs these activities.
- Act will include provisions for existing legally permitted structures, commercial / industrial activity dependent on direct waterfront access (e.g., fish processing plants and ship yards), essential public infrastructure and existing developed waterfront areas.
- Act will provide for flexibility where local conditions warrant.

Designing Coastal Protection Legislation with Implementation in Mind

How the Act will be implemented is important to how the legislation and regulations are designed.

- Three possible broad approaches, with many variations:
 1. Directly regulating land owners / users
 2. Regulating through municipalities
 3. Province and municipalities regulate land owners / users
- All options will require some level of program support and enforcement effort.



Discussion and Feedback

Upload written submissions by August 17th at:

novascotia.ca/coast

Or, send input to survey@mqoresearch.com

Or, by mail to:

MQO Research

PO Box 160, Halifax central

Halifax NS B3J 1T0

Contact at Nova Scotia Environment for Coastal Protection

Legislation:

John.somers@novascotia.ca