



# Municipality of the District of St. Mary's

Special Council Meeting / Public Hearing

Wednesday, July 20, 2022

*We acknowledge that we are gathering in Mi'kma'ki the traditional unceded territory of the Mi'kmaq people.*

## 1. Meeting, Date & Time:

The Special Council Meeting / Public Hearing of the St. Mary's Municipal Council was called to order on Wednesday, July 20, 2022, at 6:00 pm in Council Chambers, Sherbrooke, NS.

## 2. Attending:

Warden Wier	Councillor Mailman
Deputy Warden Fuller	Councillor Malloy
Councillor Baker	Councillor Zinck
Councillor Harpell	

## Also Attending:

Marissa Jordan, CAO  
Marian Fraser, Director of Finance  
Mallory Fraser, Municipal Clerk  
Ian Watson, Senior Planner - Upland Planning and Design

## 3. Approval of Agenda

*On motion of Deputy Warden Fuller and seconded by Councillor Malloy, Council approved the agenda as presented.*

**Motion approved.**

## 4. Municipal Planning Strategy & Land Use Bylaw – Public Feedback

- Warden Wier read each of the public submissions that were received.
- Submission 1 – Whale Sanctuary Project
    - Please see the attached submission.
  - Submission 2 – Denise Sawlor
    - Please see the attached submission.
  - Submission 3 – Tim Sawlor
    - Please see the attached submission.
  - Submission 4 – St. Mary's River Association
    - Please see the attached submission.
  - Submission 5 – Kaytland Smith
    - Please see the attached submission.

## Adjournment

*On motion of Councillor Harpell and seconded by Councillor Malloy, there being no further matters of business, Council adjourned at 6:59 pm.*

**Motion approved.**

Recorded By  
Mallory Fraser, Municipal Clerk

Approved By  
Warden Wier

Submission Number: #1  
Submitter Name: Whale Sanctuary Project  
Date Submitted: July 19, 2022

Municipality of the District of St. Mary's  
Municipal Planning Strategy  
July 19, 2022

Section 3.4.8 Whale Sanctuary (WS)

Suggest revision of paragraph 2 to read:

The presence of the sanctuary in the region could draw visitors to the region and the sanctuary concept is consistent with the Municipality's goals of sustainable development, conservation and environmental education.

Rationale for wording revision:

As stated in Chapter 17 of the Municipal Land Use By-Law, July 4, 2022, section 17.1, the mission of the Whale Sanctuary Project is to establish a permanent seaside sanctuary where captive cetaceans can live in an environment that maximizes well-being and autonomy and is as close as possible to their natural habitat. Consistent with this mission, it is important to understand that sanctuary operations are focused on the whales and their needs to live their lives without interference and undue attention from the public.

Respectfully submitted:  
Charles Vinick  
Executive Director  
Whale Sanctuary Project

I'm happy that Council has allocated time for public feedback; however, I am concerned with the process scheduling. The scheduled Council meeting agenda immediately following the public feedback includes second reading approval for the by-law, which raises concerns about how much consideration Council will give the public engagement effort. I sincerely hope Council is taking the public's feedback to heart and is somehow prepared to make changes to these documents prior to second reading. Another unfortunate reality is that the time allocated for the public to read, decipher and respond to these two large detailed documents was inadequate; I wasn't able to consider things in as much detail as I would have liked.

However, with these thoughts in mind, and based on my quick review of the Municipal Planning Strategy (MPS) and Land Use By-Law (LUB), I have the following changes to propose to Council.

The MPS states in policy 2-12 (page 29) that Council shall investigate the potential of creating a Dark Sky Reserve. This is a wonderful idea and I think in LUB section 4.15 Council has taken a step in that direction. I would however ask that Council enhance that section to place restrictions on personal yard lighting as well. Developments, while a source of a lot of light pollution, are not the only source that should be targeted.

I believe there are also changes needed to the LUB in sections 4.1 - Accessory Buildings and 4.2 - Shipping Containers.

Section #4.1.4 states, "Accessory buildings require a main building on the lot." - there are some properties that are a single logical property, but have been divided outside the control of the homeowner (i.e. when land is migrated). An example would be a property divided by a provincial highway, with a house on one side of the road and the accessory building on the other. As 4.1.4 reads now, the accessory buildings on the side of the road opposite the house would be in violation. I ask that Council remove section 4.1.4 from the by-law.

Section #4.2.1 (b) states that shipping containers will "be permitted only in rear and side yards". Again, the highway dividing a property into multiple lots causes this to be problematic. I ask that Council remove section 4.2.1 (b) from the by-law

Sections 4.1.4 and 4.2.1 (b) allow properties that are well-organized and well-maintained to be interpreted as being in violation of the LUB as written; therefore, an update is required to accommodate the situation properly.

Sincerely,

Denise Sawlor  
Smithfield, NS

These documents are clearly not exciting to spend time with, but they are incredibly important. They are some of the blueprints which define how the municipality will be built in the future, and they deeply affect the lives of every resident in the Municipality (current and future). It is imperative that we get them right.

Therefore, it is deeply troubling how the CAO and council are rushing them through at the maximum possible speed. The "public feedback process" is clearly just being considered an annoyance to be completed as quickly and with as little effort as possible. It serves as yet another example of how Saint Mary's Council profess to wanting public engagement and feedback, but in reality don't. It is disappointing to see council after council engage in similar behaviour, where "minimum effort" seems to be the recurring theme.

Nevertheless, as I mentioned, these are important documents, and while I simply didn't have adequate time to even read the documents in a comprehensive way, here is my attempt at input. It will remain to be seen to how council could possibly take any feedback into account with the process the way it is (ie approval immediately following the public session and no public information sessions to discuss the draft), but I suppose one must remain hopeful.

Communities across North America have spent the last century enabling development without vision or direction, resulting in a myriad of issues that have wreaked environmental, economic, and social damage. It is my hope that this municipality extracts the lessons learned from all the mistakes made in the past that resulted in unsustainable suburban sprawl, and ensures that Saint Mary's is poised to realize its full potential as a wonderful place to live and work, and grow in the best way possible.

Communities need to have a clearly defined direction to thrive, and be able to have a compelling series of selling points to attract new businesses and residents. These documents need to support that vision - a vision which has been articulated in the Strategic Plan (which was developed from public consultations, and therefore should be the guiding principals by which Council makes decisions).

For Saint Mary's, the community has time and again articulated that the key strengths of the area are its beauty, nature, and peace. These are spectacular and rare attributes in today's world, and they must be not only protected, but embraced. The majestic Saint Mary's river is the beating heart of those strengths.

There are clearly items in these documents that are supportive of this vision - embracing the whale sanctuary project, aiming towards becoming a dark sky reserve, supporting the heritage river designation, encouraging park infrastructure development, etc., and it is nice to see.

For housing, it is good to see some level of acknowledgement of increased density being a good thing. Studies have consistently shown that, for those who like to live in "urban" areas with services, walkable/bikeable, medium density housing (townhouses, small apartment buildings, etc) with easy access to shopping, public transit, and other services, maximizes happiness, well being, and a sense of community. Another essential part is easy and ready access to nature. It also makes tremendous economic sense as it is much more economically efficient to provide services to these types of housing units.

This is in stark contrast to suburbs, which are good at none of those things, don't give the privacy and peace of rural settings, and effectively waste the maximum amount of ALL resources possible. Suburbs are objectively awful.

There are others who prefer to live away from any hustle and bustle and sacrifice the convenience of services and shopping, to live closer to nature. This is also an important lifestyle that should be supported.

Visions like this must be clearly kept in mind when evaluating documents like this effectively, as all elements must work together to enable the vision to become the reality.

A specific example: 'Policy 2-10: Attract IT related businesses'. By itself, that is a completely useless and meaningless statement (and likely only added as a throw in because it kept getting mentioned during the consultation sessions), because the HOW is the hard part. IT is a very attractive industry to target, as it can be fully remote, is very well compensated, is comprised of well-educated people, and can be done without causing pollution. Therefore, competition to attract these types of businesses and workers is high. Therefore, to be attractive to them, the elements need to be intrinsically baked into every aspect of these documents, and the way the municipality conducts its operations. Saint Mary's does indeed have the potential to offer a compelling case to these folks - IT professionals have busy, complex, and demanding careers; therefore, offering them a place to live and work that allows them to balance this out with easy access to places and activities that allow them to decompress is of great value - i.e. offering them a great place to live and raise their family. Of course, world-class internet is an absolute requirement for them (which is mentioned, at least, in the MPS). The community also needs to embrace education and science, host festivals and activities that appeal to people in these professions, etc.

Again, I do not have the capacity to delve into the details to analyze how closely these points will be realized, so I have therefore deliberately kept my comments to generalities and at a high level, and limited to the MPS. They of course should be mapped onto specific elements of the LUB, but that is way beyond the scope of what I can accomplish given the time constraints that have mysteriously and inexplicably been chosen, so that will be up to Council to do. Therefore, below is a list of unfortunately random thoughts/points from my limited review of the MPS. It is far from being the comprehensive feedback I believe is warranted.

- Policy 2-6 Host citizen engagement forums: it also needs to mention that the Municipality will actually USE the feedback from these forums to guide in shaping policy.
- Policy 2-7 "Host attractions event": the wording for this title is odd.
- Policy 2-6 Modernize the municipal website: this is a good idea, and doesn't mean adding a bunch of useless visual complexity. It should include adding things like a full community calendar that people can subscribe to (like Google calendar) showing all the events happening in the municipality, and an annotated digital map with different layers showing things like tourist attractions, businesses, interesting natural features, etc.

I mean, as an example, it's ridiculous that a community group writes up a description of an event in digital format, then it's printed, mailed out, and then a person has to review and transcribe them back into digital format into their own activity calendars. Why not just have a small set of digital calendars for people to subscribe to?

Also, it could be an incredible unique, fantastic tool to improve our democracy - if we had a forum to collectively discuss and debate policy, and provide our voting wishes to our council, that would be amazing. This ties back into Policy 2-6 above.

- Why are the policy numbers '2-xx' duplicated? That's really confusing - they should all be unique. This seems like a glaring error... is this simply a rough draft? If so, why is it being considered for approval?

- Policy 2-11 NSCC satellite campus: this is completely unrealistic. It should be to encourage a campus in Antigonish, and then we should be building public transit to enable access to both it, and Saint FX University (and other services).
- I don't see any direct encouragement of public transit anywhere???
- Policy 2-18 Forest Management Plan: there needs to be an articulated point for a plan, i.e. to provide an ecologically and economically sustainable industry that distributes economic benefits equitably and enhances the area, instead of razing it for multinational corporate profit.
- Policy 2-19 Protect the salmon fishery: this is laughably uninformed - there is no salmon fishery at present; the SMRA has been working incredibly hard to fix the damage that past unsustainable resource extraction industries have caused (I can only hope we've collectively learned THAT lesson, but council's demonstrated lack of interest in learning about the gold mine isn't encouraging), to reestablish the conditions in which a recreational salmon fishery can again take place.

I strongly believe it's hard to overstate how much of a uniquely spectacular economic and experiential draw that would be to bring people to the area - tourists, businesses, and new residents.

- Policy 2-22 Housing diversity: this NEEDS to explicitly oppose suburban sprawl. A diversity of housing types is good, but suburbs are the root cause of a myriad of issues now being faced, as I outlined earlier.
- Policy 3-9 AT plan for the Municipality: active transportation can be viable in areas of increased density, but really needs to be integrated with public transit. The municipality is large, and AT isn't a viable alternative for most people at present, nor will be by simply adding some bike paths.
- I'm not sure if these documents are the best place for it, but preventing noise and light pollution should have the force of law behind it. Residents and industry should not be allowed to ruin the peace of others, and the role of government is to ensure one person's behaviour doesn't trample on another's rights.
- 3.3.9 Parks and recreation: should include a policy to support the designation of identified areas of natural value, such as the Archibald Lake wilderness area. The target for parks and protected lands is 20%, not 13%, and we should be enthusiastically embracing helping the province meet the goal here.

The idea of building park infrastructure is a great one.

- 3.3.11 Crown Lands: why are crown lands listed as an issue? They offer many benefits to the area as well, and simply viewing them as a detriment is incredibly narrow-minded. I have deep concerns with the thought behind this section.
- Policy 3-30 Local Nova Scotia Museums: I remain convinced that this area simply does not recognize all the unrealized potential of Sherbrooke Village and the incredibly atmosphere and opportunities it offers - but that deserves its own report.
- Federal Parks: I think the municipality should advocate to be a place to establish a new federal park. It would provide many benefits to the area, and fits in perfectly with the types of business and economic development the residents wish to see here.
- 3.4.6 Industrial Development: should include noise and light pollution, acceptable hours and limit levels.

- 4.11 Variances: should include the location of accessory buildings; some properties have been divided oddly because of past surveys, building of roads, etc.

The District of the Municipality of St. Mary's  
Proposed MPS and LUB, 2022  
St. Mary's River Association feedback

The #1 thing residents said the municipality should prioritize is: Nature/ resource conservation. That's great and that's needed. Here is some feedback that could help strengthen the MPS and LUB in this regard, and in relation to other priorities expressed by residents and the Municipality.

Positive aspects

1. The mention of watercourse setbacks, Coastal Protection Act, and floodplain mapping (policies 3-67 through 29) and the Municipality's Climate Action Plan (policy 2-14) is impressive.
2. The MPS does commit to developing setbacks from wetlands and watercourses (stated in the MPS), then sets those out in the bylaws (section 5.1.5 of the bylaws).
3. The Dark Sky Reserve and Whale Sanctuary seem like very cool and unique eco-tourism attractions! Good to see them in the MPS.
4. Policy 3-1 REDUCED ROAD FRONTAGE and POLICY 3-11 SUPPORT DENSITY IN SERVICED AREAS and POLICY 3-39 ACCESSORY DWELLINGS (I.e., backyard and secondary suites) are all considered best practice in present day, to foster complete communities and improve density and lot affordability.
5. The section on drinking water takes a watershed-based approach, and the Municipality has a source water protection plan in place already. This is great.

Areas that could be strengthened

1. There are no population targets, which seems odd compared to the Province of Nova Scotia exponential targets for population growth.
2. The data shows very low population numbers for ages 20-39 years. The MPS could comment more on job development/ retention of this age bracket or even marketing (as suggested in the priority items).
3. Expanded open spaces and parks was a high priority item (only second to better marketing), but this could be better reflected in the LUB zoning, given the Municipality is overwhelmingly Rural Resource. I.e.,
  - i. There are no zoned Parks and Recreation parcels in the two more populated areas (Sherbrooke and Port Bickerton insets maps)
  - ii. The parkland dedication is only 5% (not 10% like in HRM), and has a bunch of exceptions (e.g., certain types of subdivisions, subdivisions of 4 or fewer lots). A higher parkland dedication percentage (10%) could be sought from the province.
4. Both Crown land and protected Crown land can confer benefits to nearby communities (including economic benefits) and can be challenging with regard to where municipal development can happen. The policy (Policy 3-33) is actually a bit dangerous, since it frames protected Crown Lands as having impacts (seems they mean negative impacts). The policy could be changed to better engage with the province around the multiple facets of Crown land and protected Crown land, such as:

"Council shall encourage the Province of Nova Scotia to engage with the Municipality to develop programs and strategies that explore the benefits and challenges of Crown land and protected Crown Lands in the area."

5. Although the MPS and LUB plan to put measures in place to respond to solar and wind projects, the MPS doesn't speak to energy poverty. Energy poverty is a major concern in rural communities, especially due to climate change.
6. In the MPS there is no mention of nature-based solutions to climate adaptation.
7. Complete communities is only mentioned once in the MPS, as a climate mitigation tactic. There is also no definition of complete communities and no explicit complete community policies. The absence of this definition could be a hinderance when evaluating whether development projects do contribute to complete communities.
8. Watercourse and wetland setbacks are so important and need to be appropriately regulated and defined in an MPS and LUB.
  - i. Setbacks are mentioned, including from wetlands, but no explicit wetland conservation policies are described. A municipality can develop its own wetland conservation policy upon which to based setbacks.
  - ii. Wetlands may need to be better defined for the purpose of LUB application. Will the setback be required for all wetlands, or only for wetlands of a certain size? If it is the latter, will they take into consideration networks of smaller wetlands and include setbacks there?
  - iii. There is no mention of adjusting for slope in the calculation of watercourse and wetland setbacks (this is done in HRM for steep slopes).
  - iv. There is no mention of wetlands with regards to flood mitigation and adaptation (flood risks and mapping is discussed). In general, it would have been ideal to see wetlands and other nature-based climate solutions included in the sections around adaptation.
  - v. In section 5.1 #6 one of the exceptions of what can be built within a watercourse buffer is a public road. Roads of course are not great for the water quality of said watercourse and can also be a safety issue should flooding of that watercourse happen.

## Other

1. The MPS refers to the Nova Scotia Wetland Designation Policy. This is incorrect. It's the Nova Scotia Wetland Conservation Policy.
2. The MPS states that "The Municipality will implement coastal setbacks for developments as set out in the Coastal Protection Act Regulations." While its good to recognize the Coastal Protection Act, this point is a bit unnecessary, as municipalities will have to follow the coastal setback set out in the Coastal Protection Act Regulations.

3. Two very similar policies appear in the document, and may need to be combined or amended to avoid duplication:
  - Policy 2-13 FLOOD MAPPING: Council shall work with the province to initiate a flood mapping program for high-risk areas of the Municipality which could be impacted by development or have already been developed.
  - Policy 3-69 FLOODPLAIN MAPPING: Council may work with the Province of Nova Scotia to prepare floodplain mapping for potential flood-prone areas of the Municipality and develop policy consistent with the provisions of the Provincial Statement of Interest on Flood Risk Areas.
4. St. Mary's River Provincial Park. These lands were called "St. Mary's River Corridors Lands" until they were designated as Provincial Park in 2020. There's one parcel left that wasn't part of that designation batch but could be made a part of the park in the future. And so, Policy 3-28 could be changed/corrected to:

"Council shall encourage the province in designated the remaining St. Mary's River Corridor Lands as a protected area, to add to the 3,096 hectares of land in the north of the Municipality already protected as St. Mary's River Provincial Park.

5. Policy 3-29. Sherbrooke Lake Provincial Park is not designated... so not legally protected (just like the situation at Owls Head). So, it would be good to advocated for its legal protection.
6. The MPS has cited the Parks & Protected Areas Plan, which did have a target of 13%. However, the gov't has formally committed to getting to 20% protection of land and water. Here it is in the mandate letter for the Minister of Environment and Climate Change that includes the commitment to 20%: [https://novascotia.ca/exec\\_council/letters-2021/ministerial-mandate-letter-2021-ECC-TPB.pdf](https://novascotia.ca/exec_council/letters-2021/ministerial-mandate-letter-2021-ECC-TPB.pdf)
7. The MPS discussions with neighbouring municipalities mention the Provincial Coordination effort and highlights the Halifax Green Network Plan as an important policy document for HRM and pointed out that natural systems do not conform to political boundaries. Planning decisions in St. Mary's should be respectful of shared natural systems, such as watersheds and wildlife corridors. The link below is a document created for the recovery of Mainland Moose by the province. There are corridors which pass through ours and neighbouring municipalities which should be considered when planning policy.  
  
<https://novascotia.ca/natr/wildlife/biodiversity/pdf/recoveryplans/MainlandMooseRecoveryPlan.pdf>
8. As update information to Policy 3-31 SMRA has a committee established working towards this designation. To date we have completed the required pre-screening report and gap analysis. The next step is for the provincial environment department to give nomination to the Canadian Heritage River Board. Then we complete a background study which funding is available to do.

9. Policy 2-19 Protect the Salmon Fishery. This section is outdated. At present there is no open fishery for Atlantic salmon on the St. Mary's River however, there is a healthy and thriving population of both Atlantic salmon and brook trout within the watershed. Atlantic salmon are an indicator species and their prolificacy within the St. Mary's is a testament to both the ecological health and biodiversity of the region. The St. Mary's River Association along with the Atlantic Salmon Federation (ASF) propose the following wording for Policy 2-19: *Conserve, Protect, and encourage the restoration of wild Atlantic Salmon and brook trout habitat to maintain the current open sport fishery(ies) and encourage working towards reopening of others native fish sport fisheries. As part of this work Council will ensure lands surrounding the river and its tributaries are managed and developed in such a manner to protect natural functions and processes that give rise to cold, clean water that is essential for wild Atlantic Salmon, brook trout and all they represent. Council shall work with and support all relevant agencies and organizations to identify and implement best practices for the conservation, protection, and restoration of Atlantic salmon, brook trout and their habitat within the St. Mary's watershed.*

I would like to suggest that Council invite Protected Areas & Ecosystems Branch of NSECC to do a presentation about Wilderness Areas and Nature Reserves and their benefits.

Thank you very much for the opportunity to respond,

Scott Beaver  
President, SMRA

LUB & MPS -- Feedback

## PROCESS

The development and process of these two documents has been in the work for years. Through multiple consultants, staff members lead, and various high-level changes. Over this time, I have stayed actively engaged following the progress and reports concerning these documents. And as someone who is actively engaged in this process, I have found the final piece extraordinarily disheartening.

The by-law process regarding the first reading, second reading, and community feedback portions have been conducted by the minimum standards of the MGA (Municipal Government Act) and council policy. I am not debating that the process has not followed the minimum standards laid out rather that these minimum standards are failing the process itself.

If we as a municipality use minimum standards as the yard stick with which we measure our success, we will continue to be a minimum standard municipality. If we want to be better, we must do better.

A plan that has taken YEARS to complete and countless professionals to compile is expected to be digested and understood by residence in a manner of DAYS.

While this may be the minimum standard required it does not lead to a scenario allowing for citizens to give meaningful and thoughtful feedback. Even someone like myself who is engaged in politics and has some basic understanding of the documents presented and the implications of those documents, struggled to find personal time to both read and provide feedback. If a citizen like myself who is actively engaged is struggling, how do we expect to be able to engage those citizens that do not necessarily have a strong background or understanding of politics and policy? Further the opportunity for residents to present questions or proposals to Council happen a few hours before the second reading is proposed. As a citizen this comes across as any information or comments received during that citizen question or proposal time is insignificant and will not be considered. It feels that way because there is no time between that citizen engagement block and the second reading to allow for meaningful discussion, research, and possible changes. I understand Council could make the decision to push the reading off to allow for such discussion or changes but to the average person looking at it from the outside it *feels* like it does not matter what those questions or proposals are, that the decisions already been made, and the second reading is going ahead.

Part of the work of a municipal council is not just to do the work for citizens in the municipality and to ensure that their best interests are put forward, but also to *appear* that you are doing it. Currently it does not appear that citizen engagement was a priority in the process of these two documents. In the future I request that the council consider a longer engagement period, a plan for how to answer citizen questions, and a meaningful time between the public engagement and final reading of a by-law.

## MUNICIPAL LAND USE BY-LAW

The layout of the plan is exceptionally clean, attractive, and easy to understand. It lends itself to a resident who does not normally deal with these types of documents to be able to locate any information they may need. Well done.

There are a variety of beautiful pictures throughout the plan depicting our municipality at its finest. It would have been wonderful to have a location name at the bottom of each picture, that way anyone looking through it can easily assign the picture to a given community.

Page 5 Approval Pathways = development officer is first mentioned here as the deciding human on various issues throughout the plan. Given the amount of title change and restructuring that has happened in the municipality, and odds are will continue to happen, it may be worthwhile considering writing appropriate administration or appropriate staff member or even appointed administration or staff member to ensure that the document remains as current as possible and does not lend itself to conflict if the person who ends up making the final decision does not hold the title of Development Officer.

Page 6 figure 1.C part 6b. = there is no appeal option or appeal period. I would like the council to consider whether and appeal is worthwhile to allow an applicant opportunity to respond. A similar issue is found on page 7, figure 1.D part 7b. & figure 1.£ part 8b.

Page 11 2.5 1. iv. = The section refers to a change in use of building, it was unclear to me what is meant in this sentence. Change in use of building feels vague and something that could be easily argued by a development permit applicant.

Page 14 2.12 1. = The section allows for entrance to a property for inspection necessary in connection with the bylaw. My question is whether the property owner is given notice. If they are required to give notice to the property owner(s), it may be worthwhile stating that in this policy. If it is not a requirement, I also think that should be stated in the policy. Any piece that allows a person access to another person's property should clearly articulate the circumstances and requirements surrounding that.

Page 17 4.2 1. (a) = The section asserts that shipping containers are too be maintained in good condition. What determines good condition, I would like a definition for good condition or even some sort of visual aid.

Page 17 2.2 2. = The section states that shipping containers must be removed within 15 days following the completion of the construction project. 15 days is a short window. I would like the council to consider extending this to 30 days. I make this suggestion as clean up and breakdown of a worksite, particularly of a large-scale construction project, can take weeks to complete. Part of this cleanup includes access to the local transfer station and other facilities. A 15-day window is limited and puts pressure on the construction industry.

Page 19 4.9 1. (e) = this section says that no more than 25% of the gross floor area of a dwelling made be devoted to a home-based business. Curious to why 25% was chosen, as it is very limiting. For example, a few home business owners I know use the entire lower floor of their

dwelling for their home-based business, meaning roughly 50% of their floor area is devoted to their business. Is there an avenue with which a home-based business could apply to have the 25% maximum extended or could the council consider raising the 25% maximum.

Page 23 4.21 1. = this section surrounds the storage of motorized vehicles and parts. It only discusses the visual effects of these vehicles and parts, and I would like the council to consider adding the environmental effects of these vehicles and parts. For example, it could reference environmental regulation surrounding storage of such materials or even include standards developed under the municipality.

Page 40 11.2 1. & Page 42 12.2 1. & Page 44 13.2 1. & Page 54 18.2 1. = each of these sections says *the following uses are permitted* however there are no uses listed. Either the uses were missed or there are no uses permitted. Either way it's very odd to have a blank space.

Page 44 13.1 = this section discusses the development of an agricultural zone to preserve farmland and prevent it being converted to another form of development. Does this mean that once a zone is designated and agricultural zone it cannot be rezoned for another purpose or are there limitations surrounding that type of rezoning or is the intent to protection simply an intent and is not enforceable. I would like more clarification on this piece.

Page 52 17.1 = "The mission of this project is to establish a permanent seaside sanctuary where captive cetaceans can live in an environment that maximizes well-being and autonomy and is as close as possible to their natural habitat." This is the only section in both plans that explains the mission or intent of any business or project. While it makes sense that there should be a whale sanctuary zone to account for that development that is in the works, I take issue with highlighting or promoting a singular business or project in such a way. The plan does not highlight or promote any forestry companies', fishery organizations, or mining projects in a comparable manner so I feel that the mission of the project should be removed from the plan out of consistency and fairness.

Page 75 = the section states that the documents and fees established by council shall be reviewed by council from time to time. I would like to see a clear timeline put in place here, it could be yearly or even every two years; the issue for me here is not how often it happens, just that there is a clear timeline with which accountability can be held against.

Page 75 Other – Fee Amount = the second listing surrounding rezoning, bylaw amendments etc. lists \$400 and then in brackets says for advertisements. I would propose either removing the for advertisements piece, stating \$400 or total cost for advertisements, or simply stating total cost for advertisements. Currently it reads very odd and could be confusing.

**OTHER** – i.e., Wording/spelling/etc.

BY-LAW = throughout the document BY-LAW is written multiple ways. Sometimes its By-Law or By-law or by-law. An example of this would be comparing pages 4 and 5, which shows this inconsistency in the way it is written throughout the document.

Page 6/7 = sometimes words are being capitalized and sometimes they are not. For example, figure 1.C 4. has all words being capitalized whereas figure 1.E 3. is showing words in lowercase form. Again, lacking consistency throughout the document.

Page 12 2.6 2. = “in writing to act for the owner(s).” consider changing FOR to ON BEHALF OF.

Page 12 2.6 4. = guy-wire should be hyphenated.

In some sections certain words or terms are given capitalization while in other sections they are lowercase. For example, page 17 4.1 5. uses the term development permit in the lowercase form whereas page 18 4.8 1. refers to Development Permit in its uppercase form. These inconsistencies persist throughout the document.

Page 24 4.26 2. = section refers to a municipal engineer, and in my limited knowledge I do not believe we have a municipal engineer on staff; however, this may be alluding to hiring an outside municipal engineer. Either way it is not clear and should state the hiring of a municipal engineer or change the wording to say appropriate staff member or something of the like.

Page 27 5.2 1. = this section refers to a municipal heritage committee, however if you look at the committee appointments that were presented during the 2022-2023 budget it is listed as the heritage advisory committee. Unclear if these are two separate committees, however if they are the same committee the name may need to be adjusted.

Page 27 5.1 5. = missing a period at the end of the paragraph.

Page 44 13.4 1. (a) = says OR where it should, I believe, read OF.

page 46 14.2 1. (a) = sentence should either have a period or a semicolon.

page 48 15.1 = section reads “industrial uses like processing facilities...” consider changing LIKE to SUCH AS. Section reads” buffers for residential uses.” consider changing USES to ZONES or AREAS.

page 48 15.3 1. (C) = a space is missing between the words odor and dust.

## MUNICIPAL PLANNING STRATEGY

Again, I want to state how much I enjoyed the general layout of this plan and the visuals. I would like to reiterate the consideration of adding location to scenery photos or context to photos like those on page 17 so that it is clear what the reader is looking at.

Page 6 1.2.4 = the choice to eliminate the five planning areas and create one cohesive planning area I believe is an excellent one. It allows for more cohesive planning, clear understanding of the documentation, and I think it will also lead to less confusion for citizens trying to decipher these plans. I really like this choice of staff and council and want to applaud you for making it.

Page 7 1.3.1 = in the section it reads “the Mi’kmaq Nation are the descendants of this long legacy of habitation that occurred in the St. Mary’s area before European contact.” I would propose that council changed the word CONTACT to either European SETTLEMENT or European COLONIZATION. In using the word *contact* we as settlers are negating the impact the European invasion had on First Nations peoples are diminishing the negative repercussions historically and presently endured because of European settlement and colonization. Preferably I would like to see colonization used, as it is stronger language that leads itself towards the active requirements for reconciliation versus softer language such as contact or settlement.

Page 10 = this section breaks down St. Mary census information both by age and gender, based on of the 2016 census. I would like to point out that the 2016 census did not allow for a gender choice beyond male or female, as in there were no choice for non-binary, two spirited, or other defining gendered people. Therefore, this information may not be an accurate depiction of the people living in our area as it does not account for non-traditionally gender conforming humans. I would like the council to either consider noting this in the plan, eliminating these gendered pieces, or conducting a citizen survey to present the correct information. It is also worth noting that the 2021 census information is now available, meaning this outdated information has also been eclipsed by the newly released data/information.

Page 13 Opportunities and Challenges = my issue with this section is in the second paragraph. In this paragraph it makes it sound like the full-time residence in the municipality should leach-off the required taxation of the part-time residence. Based on our number of full-time versus part-time residents there is a certain amount of that happening, however explicitly stating that as an avenue to help pay for services feels wrong and like we are taking advantage of our part-time resident population. If I were a part-time resident that read that section, I would be extremely disheartened and frankly offended. I am not sure if this section can be fixed, if it simply requires a re-word, but I thought I would bring it to the council’s attention for them to consider how it would read to a part-time resident.

Page 16 1.4.1 = in this section it discusses the engagement strategy for the plan and by-law. I have a considerable number of issues with this section.

The dedicated website ([www.planstmarys.ca](http://www.planstmarys.ca)) no longer exists and has not existed since the release of the first consultant for this project.

The social media pages also highlighted heavily in this section are not monitored and have not been active in almost two years.

All the public workshops, interviews, and engagements happened over two years ago and under different consultants.

There has not been a public engagement, that I could find, since September 11th, 2020.

I feel that highlighting these items as meaningful engagement is misleading. The website and social media have not been meaningful engagement. They have been left to sit and not been away to actively engage people.

I feel that they should be removed from the document or given an explanation as to their limited use. I also think that it should be stated that there was no public engagement in the two years prior to the presentation of this document to the council.

I find this section misleading to anyone who may read it and not reflective of what has taken place.

Page 28 POLICY 2-7 = would like to see included in this section a work-from-home marketing strategy. It is noted in several other areas in the plan the potential of the work-from-home economy for the area, and I would like to see it explicitly stated as a potential piece of a municipal marketing plan.

Page 29 POLICY 2-11 = would like to see council list options for a satellite location. Options as in a specific topic; for example, rural development, environmental studies, or another topic that they feel would highlight what St. Mary's has to offer. I believe that listing options for a topic surrounding a satellite campus gives more weight to the idea and provides residents reading the document with a clear perspective on the goals under this idea.

Page 30 POLICY 2-16 = section reads “look for opportunities for renewable energy using wind or solar,” consider changing this section to eliminate USING WIND OR SOLAR or replace it with ALTERNATIVE ENERGY. Current wording citing wind or solar specifically is limiting. I understand the consultation on the document states that opportunities for other currently developed energy sources as limited, however there is opportunity around those energy sources that are currently available and there may be other opportunity around sources still under development. By eliminating the specifications of *wind or solar* and moving it to a more general term such as *alternative* leave space for council to complete this policy item without limitation.

Page 42 3.3.1 = section refers to a 50/50 cost sharing. If a person does not work within the municipal structure this can be confusing. Consider either eliminating 50/50 COST SHARING or expanding it to read WITH THE POSSIBILITY OF .... WITH THE PROVINCIAL GOVERNMENT. This makes it clear who the cost sharing would be with and that it is not a guaranteed opportunity but rather a possibility of opportunity to cost share.

Page 46 3.3.5 = this section discusses a plebiscite that took place in Port Bickerton in the 1990s that was voted down by the community at that time. I would like the council to consider adding a policy option surrounding the reopening or reinvestigation of expanding sewer/water/storm water in Port Bickerton. Or an additional policy option that states an intent of expansion of other communities outside of Sherbrooke.

Page 49 Provincial Parks = this section notes the day parks in the area and that there are no camping parks in St. Mary's other than private campgrounds. I propose that as a policy option under this section council pursue and request either provincially or federally run camping area, taking advantage of the current protected and designated park lands along the St. Mary's River.

This would lead to both tourism increase, job growth, and additional economic spinoff that would be fantastic for the area.

Page 54 POLICY 3-41 = this section refers to “basic aesthetic standards” however it is unclear what those standards are. They need to be defined or the wording changed.

**OTHER** – i.e., Wording/spacing/etc.

Page 3 = section reads “as shown on the previous page.” Consider changing to read figure 1.A

The document refers to the MPS as “this MSP”, feels awkward and clunky. Consider changing to *the MPS* or ensuring that it is consistently referred to as *this* throughout the document.

Page 8 1.3.2 = paragraph two reads “of any district in Nova Scotia, but its area covers” consider changing BUT ITS AREA to WITH AN AREA THAT. Paragraph 4 reads “that salmon still returned to, so river health is vitally important to the municipality.” Consider changing SO to AND or THEREFORE.

Page 9 = paragraph one reads “then it was in 2001 when there were 2766 residents reported.” consider changing WHEN THERE WERE to WITH.

Page 28 = paragraph 3 refers to Develop Nova Scotia for the first time, however Nova Scotia is not written out and should be given it is the name of the organization.

Page 29 POLICY 2-12 = section refers to Dark Sky Reserve which appears to either be underlined or linked and from what I could find it is the only link or underline in the document. That may need to be adjusted.

Page 30 POLICY 2-18 = there appears to be an extra space in front of the word forestry.