# MUNICIPALITY OF THE COUNTY OF

# **COUNCIL MEETING AGENDA**

Tuesday, June 13, 2023, 7:30pm

Council Chambers Municipal Administration Building 285 Beech Hill Road Beech Hill, NS B2G 0B4

- 1. Call to Order Chair Owen McCarron
- 2. Approval of Agenda
- 3. Approval of May 9, 2023 Municipal Council Minutes
- 4. Approval of May 30, 2023 Municipal Council Minutes
- 5. Statutory Public Hearing
  - a. Heritage Designation Holy Rosary Church, Ballantyne's Cove
  - b. Heritage Designation St. Margaret's of Scotland Church, Arisaig
- 6. Correspondence
  - a. Municipal Affairs and Housing -12-month Notice to Municipalities
  - b. Minister Masland Response Regarding Seabright Road
  - c. Mayfest Thank-you for Sponsorship Letter
  - d. Walk for Alzheimer's Thank-you Letter
- 7. Committee Reports
  - a. May 23, 2023 Asset Management Committee Report
  - b. May 23, 2023 Committee of the Whole Report
  - c. June 5, 2023 Joint Council Committee Report
  - d. June 7, 2023 Asset Management Committee e-Poll
  - e. June 12, 2023 Planning Advisory Committee Report
  - f. June 13, 2023 Committee of the Whole Report
- 8. Reports from Individual Council Members on Outside Boards, Conferences, and Community Activities
- 9. Motions
- 10. Miscellaneous Business
- 11. Adjournment

# MUNICIPALITY OF THE COUNTY OF

# **Municipal Council Meeting- Minutes**

Tuesday, May 9, 2023 7:30 pm Council Chambers Municipal Administration Building 285 Beech Hill Road Beech Hill, NS B2G 0B4

Councillors Present: Warden Owen McCarron Councillor Mary MacLellan Councillor Donnie MacDonald Deputy Warden Stewart Councillor Remi Deveau

Councillor Gary Mattie Councillor Bill MacFarlane Councillor Harris McNamara Councillor John Dunbar Councillor Shawn Brophy

Regrets: None

Staff Present: Glenn Horne, CAO

Beth Schumacher, Deputy Clerk

Also Present: Gallery

Dr. Chiasson, Positive Action for Keppoch

Media Present:

Drake Lowthers, The Reporter Matt Draper, XFM (by Zoom)

### Call to Order- Chairman, Warden Owen McCarron

Warden McCarron called the meeting to order at 7:30pm. A moment of silence was held in memory of those affected by the Westray Mining Disaster.

### **Approval of Agenda**

Warden McCarron called for any additions or deletions to the agenda.

Min # 2023-053 Moved and Seconded

That the agenda be approved as presented.

**Motion Carried** 

# Approval of April 18, 2023 Municipal Council Minutes

Warden McCarron called for any errors or omissions in minutes.

Min # 2023-054 Moved and Seconded

That the Municipal Council Minutes of April 18, 2023 be approved.

**Motion Carried** 

# **Business Arising from Minutes**

There was no business arising from the minutes.

### **Presentations**

# Positive Action for Keppoch – Rebuilding After Fiona

Dr. Chiasson provided a presentation outlining the growth of the facility and showing the impact of hurricane Fiona in September 2022. The Keppoch was also impacted by the flooding that took place in late 2021 but is looking to continue to work to rebuild the facility given its importance in the community as a recreation facility and tourism destination. The work done by volunteers in the community was highlighted. Positive Action for Keppoch is asking the Town and County for an emergency grant, to be matched by a community fundraising program as well as funds raised by the Board of Directors. Discussion followed.

### **Correspondence**

There was no correspondence.

# **Committee Reports**

April 20, 2023 Antigonish Regional EMO Advisory Committee Report

### Min # 2023-055 Moved and Seconded

That a letter be sent to Minister Lohr, Minister of Municipal Affairs and Housing, regarding Back-Up Power for Fuel and Groceries.

# **Motion Carried**

### April 25, 2023 Asset Management Committee report

### Min # 2023-056

### Moved and Seconded

That Municipal Council approve the 2023/24 Capital Plan as presented.

### **Motion Carried**

### April 25, 2023 Committee of the Whole Report

### Min # 2023-057

Moved and Seconded

That Municipal Council installs a streetlight on Chisholm Road at the curve just west of Civic 295.

### **Motion Carried**

### April 28, 2023 e-Poll Report

### Min # 2023-058

Moved and Seconded

That Municipal Council awards the St. Josephs Waterline Extension to Ron Chisholm Hydro Seeding Ltd for a bid price of \$1,631,597.00 +HST.

### Motion Carried

# Min # 2023-059

Moved and Seconded

That Municipal Council awards the Highway 337 Waterline Extension project to Zutphen Contractors Inc. for a bid price of \$1,249.423.00 +HST.

### **Motion Carried**

### May 9, 2023 Committee of the Whole Report

### Min # 2023-060

Moved and Seconded

That Municipal Council awards the contract for the 2023 Bulky Waste Collection to GFL Environmental Inc at a bid price of \$67,500 + HST.

### **Motion Carried**

# Min # 2023-061

Moved and Seconded

That Municipal Council approve the Partnership Agreement between the

Motion Carried (9 in favour, 1 opposed)

Municipality and the Wingspan Fund.

# Min # 2023-062

Moved and Seconded

That Municipal Council increase the value of the combined household income threshold from \$33,000 to \$36,000 for the Low-Income Tax Exemption Policy for the Fiscal 2023/24 budget and maintain the maximum \$300 tax reduction amount noted in that policy.

# **Motion Carried**

# Min # 2023-063

Moved and Seconded

That Municipal Council approve the March 30, 2023, amendments to the RK MacDonald Nursing Home Corporation Bylaws as amended with the proposed changes to Articles III and IV related to Conflict of Interest.

### **Motion Carried**

# Reports from Individual Council Members on Outside Boards, Conferences, and Community Activities

- Councillor Dunbar reported the following:
  - That the Antigonish Heritage Museum Board met on May 1, 2023 and a number of items were discussed. The Museum is being featured on Eastlink TV, in a series about museums across the province. The next meeting will be held on the first Monday in June.
  - The Arena Board will meet later in the month.
  - In Heatherton, a Mother's Day Tea will be held this weekend, and the Community Centre has been selected for the location of the community mural and are looking for committee members.
  - That he attended the NSFM Conference in Digby, which was a good conference, but expressed concern at the inaccessibility of the conference location.
- Councillor MacFarlane shared that he attended the St. FX Graduation. He also attended the NSFM Conference in Digby earlier in the month, and suggested sending Mayor MacDougall from CBRM a card to express what a great job she is doing in her role with NSFM.
- Councillor McNamara shared that a walk supporting fundraising for Dementia Research is planned for the Havre Boucher area. He also attended the NSFM conference in Digby, and had challenges with the accessibility of the facility, but made good connections with other participants at the event.

- Councillor MacLellan shared that the Make Your Move Antigonish event in Maryvale was a great success earlier in the day and asked that staff be congratulated on their planning of the event.
- Councillor MacDonald shared that he attended the 2021 St. FX Convocation held on Saturday May 6<sup>th</sup>. He also attended the NSFM conference in Digby.
- Warden McCarron shared the following:
  - That he attended the Convocation events that were held at St. FX over the weekend.
  - He also attended the Nova Scotia Main Street Ideas Exchange, hosted by NSFM in Antigonish, which provided discussions about streetscapes with Planning professionals.
  - He also attended the raising of the Gaelic Flag also took place in Town at the beginning of the month.
  - o Interviews for the Physician Recruitment Navigator position are underway.
  - Jeux L'Acadie will be taking place in the community later in the month.
  - That he attended the NSFM conference in Digby.

### <u>Motions</u>

There were no additional motions.

### Miscellaneous Business

There was no miscellaneous business.

### **Adjournment**

Min # 2023-064

Moved

That the Council meeting adjourns at 8:06pm.

**Motion Carried** 

Warden Owen McCarron

Glenn Horne, CAO

# MUNICIPALITY OF THE COUNTY OF

# **Municipal Council Meeting- Minutes**

Tuesday, May30, 2023 7:30 pm Council Chambers Municipal Administration Building 285 Beech Hill Road Beech Hill, NS B2G 0B4

Councillors Present: Warden Owen McCarron Councillor Mary MacLellan Councillor Donnie MacDonald Deputy Warden Stewart Councillor Remi Deveau

Councillor Gary Mattie Councillor Bill MacFarlane Councillor Harris McNamara Councillor John Dunbar Councillor Shawn Brophy

Regrets: None

Staff Present: Glenn Horne, CAO (by Zoom) Allison Duggan, Director of Finance

Beth Schumacher, Deputy Clerk Tammy Feltmate, Director of Sustainable Communities

Also Present: Gallery

Media Present:

Corey LeBlanc (by Zoom)

Matt Draper, XFM

# Call to Order- Chairman, Warden Owen McCarron

Warden McCarron called the meeting to order at 7:30pm.

# Approval of Agenda

Warden McCarron called for any additions or deletions to the agenda.

# Min # 2023-065

Moved and Seconded

That the agenda be approved as presented.

**Motion Carried** 

# <u>Motions</u>

Committee of the Whole Recommendation to Approve Budget as Presented

### Min # 2023-066 Moved and Seconded

That Municipal Council that the 2023/24 Operating Budget be approved as presented.

# **Motion Carried**

# Budget Resolution and Striking of the Tax Rate

# Min # 2023-067

Moved and Seconded

That Municipal Council adopt the budget and strike the tax rate as per the resolution presented and attached.

Motion Carried 9 in favour, 1 against.

**Borrowing Resolution** 

# Min # 2023-068

Moved and Seconded

That Municipal Council approve the borrowing resolution as presented and attached.

Motion Carried 9 in favour, 1 against.

Following the passing of the motion, Warden McCarron extended his thanks for Council and staff for all the work involved in the preparation of the budget.

# Miscellaneous Business

There was no miscellaneous business.



# Adjournment

# Min # 2023-069

Moved

That the Council meeting adjourns at 8:06pm.

**Motion Carried** 

Warden Owen McCarron

Glenn Horne, CAO

# **REQUEST FOR APPROVAL**

TO:Committee of the WholeFROM:BETH SCHUMACHER, DEPUTY CLERKSUBJECT:HERITAGE DESIGNATION FOR CHURCHES DESIGNATED IN 1991DATE:13/06/2023

### RECOMMENDATION

### That Municipal Council approves the designation of St. Margaret's of Scotland and Holy Rosary Churches as municipal heritage properties.

### **SUMMARY**

In 1991, Municipal Council approved the addition of Holy Rosary and St. Margaret's of Scotland to the Municipal Heritage Register. A request made by the Department of Communities, Culture and Heritage for copies of the Notices of Registration for these designations prompted the discovery that these designations were not registered in 1991, and the notification process outlined in the Heritage Property Act will now need to be restarted for the registration to take place.

### BACKGROUND

In March 2022, representatives from Holy Rosary and St. Margaret's from Scotland churches reached out to staff for letters to confirm municipal heritage designation to accompany applications made to the Province for funding for heritage building renovations. Follow-up from provincial staff later in the summer identified that a copy of the Notice of Registration was required, which was not found in the records at the Municipal Office or the Heritage Museum. Title searches were done of the properties in question, but did not produce evidence of the notices or registration of the heritage designations that were approved by Municipal Council in 1991.

Sections 14 and 15 of the Heritage Property Act (Appendix A) outline the requirement and timelines for providing notice to property owners of a pending recommendation for registration, that the owner must be notified of their right to be heard regarding the registration and the time and place for such a hearing, and the requirement for a notice to provided once the property is registered. Where subsection 15(1) outlines that registration cannot take place less than 30 days, but not more than 120 days after notice is given, counsel has advised that the municipality will have to serve notice of the recommendation for registration again.

### DISCUSSION

Both churches are listed on the Municipal Heritage Registry and can be found in the list of properties listed on the Parks Canada Registry of Historic Places. Following the Committee of the Whole meeting in March 2023, staff provided representatives for each property with Notice of the intent to register the properties. Written notice of the hearing date of June 13, 2023 was provided in writing to the property representatives as well, as required under the Heritage Property Act.

### **NEXT STEPS**

If Municipal Council approves the designation of these buildings, notice of the registration will be sent to each registered owner of the building and a copy of the notice will be deposited in the registry of deeds.

### Recommendation as municipal heritage property

14 (1) A heritage advisory committee may recommend to the municipality that a building, public-building interior, streetscape, cultural landscape or area be registered as a municipal heritage property in the municipal registry of heritage property.

(2) The municipality shall cause notice of the recommendation to be served upon each registered owner of the building, public-building interior, streetscape, cultural landscape or area that is the subject of the recommendation at least thirty days prior to registration of the building, public-building interior, streetscape, cultural landscape or area in the municipal registry of heritage property.

(3) The notice shall contain

(a) a statement that the building, public-building interior, streetscape, cultural landscape or area described in the notice has been recommended for registration in the municipal registry of heritage property;

(b) a brief statement of the reasons for the recommendation;

(c) a summary of the consequences of registration;

(d) a statement that no person shall substantially alter the exterior appearance of or demolish the building, public-building interior, streetscape, cultural landscape or area for one hundred and twenty days after the notice is served unless the municipality sooner refuses to register the property; and

(e) notification of the right of the owner to be heard and of the time and place for the hearing.

(4) No person shall substantially alter the exterior appearance of or demolish a building, publicbuilding interior, streetscape, cultural landscape or area for one hundred and twenty days after a notice respecting the building, public-building interior, streetscape, cultural landscape or area has been served pursuant to subsection (2) except in those cases where, prior to the expiration of one hundred and twenty days, the municipality refuses to register the property.

(5) A copy of the notice served pursuant to subsection (2) shall be deposited in the registry of deeds for the registration district in which the building, public-building interior, streetscape, cultural landscape or area is situate. *R.S.*, *c. 199*, *s. 14*; 2010, *c. 54*, *s. 10*.

### Registration as municipal heritage property

15 (1) At any time not less than thirty days nor more than one hundred and twenty days after service of the notice pursuant to Section 14 and on the advice of the heritage advisory committee, the municipality may register the building, public-building interior, streetscape,

cultural landscape or area as a municipal heritage property in the municipal registry of heritage property.

(2) No registration pursuant to subsection (1) shall take place until the council has given the owner of the property an opportunity to be heard and such opportunity shall be given not earlier than three weeks after service of the notice pursuant to subsection (2) of Section 14.

(3) Notice of the registration shall be sent to each registered owner of the building, publicbuilding interior, streetscape, cultural landscape or area and a copy thereof shall be deposited in the registry of deeds for the registration district in which the building, streetscape or area is situate. *R.S.*, *c. 199*, *s. 15*; 2010, *s. 54*, *s. 11*.



May 26, 2023

Darlyne Proctor, Chair Finance Committee Holy Rosary Church 6120 Highway 337 Ballantyne's Cove, NS B2G 2L2

Dear Ms. Proctor,

Further to my email sent to Velma on May 23rd and our follow-up discussion on the phone, I am sending along this letter as notification for our file that the public hearing for Council to consider the designation of Holy Rosary Church is lined up for the Council meeting on June 13, 2023. This meeting will be held in chambers at 285 Beech Hill Road, and the meeting will begin at 7:30pm.

Please don't hesitate to contact me if you have any further questions.

Sincerely,

Beth Schumacher, MCIP LPP Deputy Clerk

### **Holy Rosary Church**

6205 Highway #337, Ballantynes Cove, Nova Scotia, Canada

### Formally Recognized: 1991/01/02



# Other Name(s)

Holy Rosary Church Our Lady Holy Rosary Church

# **Construction Date(s)**

1889/01/01 to 1891/12/31

# Listed on the Canadian Register: 2010/02/01

# Statement of Significance

# **Description of Historic Place**

Holy Rosary Church is a one-and-a-half storey Gothic Revival, Roman Catholic church located at 6205 Highway #337 in Ballantynes Cove, Antigonish County, Nova Scotia. The building is situated with a fine view of nearby St. George's Bay. The building, surrounding property, and cemetery are included in the municipal designation.

# **Heritage Value**

Holy Rosary Church is valued for its connection to the founding of Ballantynes Cove. The land on which the church now stands was originally granted circa 1810 to David Ballantyne, a British soldier serving with the 82nd Regiment. Ballantyne is considered to be the founder of the community and his descendants remain in the area to the present day. In 1887 when discussions were taking place to build a church, the land was donated for that purpose. Before Holy Rosary Church was constructed, the closest Roman Catholic church was located almost ten kilometres away at Georgeville. Local resident Hugh Donald MacInnis made an appeal to Bishop John Cameron on the merits of a new church for the district. He expressed the concerns and wishes of the people of Ballantynes Cove, and after some consideration, Bishop Cameron gave his blessing to the proposed building project.

In prepartion for construction, logs were hauled to the site from Lakevale, Cape George and Arisaig; stones were hauled in from the Dan MacNeil property at Lakevale. The tender was advertised in The Casket, Antigonish's weekly newspaper. Brothers Allan and John Gillis of Morar, Antigonish County, carpenters by trade, submitted the most acceptable bid and were hired to undertake the project. Construction of Holy Rosary Church was begun in the summer of 1889. As monies were raised, work progressed. On November 12th, 1891, Holy Rosary Church was finally opened for its first service.

Holy Rosary Church is also valued for the community volunteer effort put toward raising funds and providing labour for the construction of the building. It is that same volunteer effort that continues to maintain the Holy Rosary Church to the present day.

Holy Rosary Church is valued as an example of Gothic Revival architecture. It is one-and-a-halfstoreys in height with a symmetrical three-bay façade. It features a gable roof and projecting tower and a domed cupola tops the tower. The windows are Gothic with simple decorative hoods. The setting for Holy Rosary Church is on high ground, giving it a vantage point overlooking St. George's Bay.

Source: Registered Heritage Property File no. 877, Municipality of the County of Antigonish.

# **Character-Defining Elements**

The character-defining elements of Holy Rosary Church include:

- hooded Gothic windows along each side of building;
- symmetrical three-bay façade;
- central double door;
- large central Gothic window;
- projecting central tower with domed cupola;
- cemetery containing stones of early settlers in the district;
- location on a site synonymous with first settlement of Ballantynes Cove.

# Recognition

# Jurisdiction

Nova Scotia

# **Recognition Authority**

Local Governments (NS)

# **Recognition Statute**

Heritage Property Act

# **Recognition Type**

Municipally Registered Property

# **Recognition Date**

1991/01/02

# Historical Information

# Theme - Category and Type

Expressing Intellectual and Cultural Life Philosophy and Spirituality Expressing Intellectual and Cultural Life Architecture and Design

# **Function - Category and Type**

# Current

# Historic

Religion, Ritual and Funeral Religious Facility or Place of Worship Religion, Ritual and Funeral Mortuary Site, Cemetery or Enclosure

# Builder

Gillis, Allan

# Additional Information

# Location of Supporting Documentation

Municipality County of Antigonish Registered Heritage Property File no. 877

# **Cross-Reference to Collection**

# **Fed/Prov/Terr Identifier**

05MNS2257

# Status

Published



May 26, 2023

Neil MacDougall, Parish Council Chair St. Margaret's Parish Church 5559 Highway 245 Arisaig, Nova Scotia, Canada

Dear Mr. MacDougall,

Further to my email sent on May 23rd, I am sending along this letter as notification for our file that the public hearing for Council to consider the designation of St. Margaret's Church is lined up for the Council meeting on June 13, 2023. This meeting will be held in chambers at 285 Beech Hill Road, and the meeting will begin at 7:30pm.

Please don't hesitate to contact me if you have any further questions.

Sincerely,

Beth Schumacher, MCIP LPP Deputy Clerk

### St. Margaret's Church

### 5559 Highway 245, Arisaig, Nova Scotia, Canada



St. Margaret's Church without steeple, 1928

Front Perspective

Front and Side Perspective

### Other Name(s)

St. Margaret's Church St. Margaret of Scotland Church

### **Construction Date(s)**

1874/01/01 to 1878/12/31

### Listed on the Canadian Register: 2010/01/29

### Statement of Significance

### **Description of Historic Place**

St. Margaret's Church is a Neo-classical style, Roman Catholic church located along the Northumberland Shore in the rural fishing community of Arisaig, Antigonish County, Nova Scotia. Built between 1874 and 1878, the building, cemetery and surrounding property are included in the municipal designation.

### **Heritage Value**

St. Margaret's Church is valued for being the oldest Roman Catholic parish in Nova Scotia. The original St. Margaret's Church, built in 1792, was a small log church serving the 400 Catholics in the district from Merigomish to Antigonish. By 1827, the community had grown to approximately 1,400 persons, so a larger church was built to accommodate their needs. Construction of the present St. Margaret's Church was begun in 1874, and dedication ceremonies took place on July 16, 1878. Dougald Grant served as Chair of the Building Committee and directed Master Builder, Sylvester O'Donoghue to oversee construction activity. To finance the construction costs, regular church picnics were held to assist fundraising efforts. In 1882, Lewis MacDonald of McAra's Brook collected enough money from Nova Scotians living in Boston to pay off the debt of the church.

St. Margaret's Church is valued for the association with Master Builder, Sylvester O'Donoghue. A native of Wicklow, Culross, Ireland he is credited with supervising several important construction jobs in eastern Nova Scotia. He oversaw the construction of St. Ninian's Cathedral in Antigonish; Immaculate Conception Church, Mabou; Stella Maris Church, Canso; the installation of the tower on St. Patrick's Church, Merland; the expansion of the Trappist Monastery; and construction of a section of the Inverness Railway. He married twice: first to Cassie Spuhan of Halifax and later to Sarah Roche of Antigonish. A father of seven, he built a large home located at 64 Pleasant Street, Antigonish. Sylvester O'Donoghue died of pneumonia at Antigonish March 25, 1903 and is buried in St. Ninian's parish cemetery.

### St. Margaret's Church

### 5559 Highway 245, Arisaig, Nova Scotia, Canada

In 1928, the steeple of St. Margaret's Church was hit by lightning and a fire erupted. The quick action of John Charleston MacDonald with the assistance of several onlookers, ensured that the flaming steeple was cut off from the main structure, thus ensuring the survival of the church building. A ten-metre tower and cross was rebuilt in November of that year.

St Margaret's Church is also valued for its association with Father Ronald MacGillivray, also known as "Sagart Arisaig." He served as pastor of St Margaret's Church from 1885 until his untimely death in 1892. He contributed a series of articles on local history and genealogy to Antigonish's weekly newspaper, "The Casket". The original manuscript has since been edited and published by R.A. MacLean in a book entitled "History of Antigonish". Father Ronald MacGillivray is valued for the contribution he made to Antigonish history.

St. Margaret's Church reflects the simplicity and elegance of Neo-classical style architecture. St. Margaret's Church stands at one-and-a-half storeys and features a simple gable roof and symmetrical three-bay façade with projecting tower and central double door. The windows of the church include Gothic, stained glass with religious motifs and round rose windows in the tower. Two small floral-shaped windows decorate the front façade. The building features simple, but decorative trim and mouldings.

St. Margaret's Church cemetery contains stones of early settlers in the Arisaig district. It is notable that the cemetery also contains the remains of clergy, including Reverand William MacLeod who became the first member of St. Margaret's Church parish and the Diocese of Arichat to be ordained a priest in 1824.

Source: Municipality of the County of Antigonish, Heritage Property file no. 678.

### **Character-Defining Elements**

The character-defining elements of St. Margaret's Church include:

- symmetrical three-bay façade with central double door;
- exterior features including simple gable roof and projecting square tower;
- tower featuring a steeple and louvres in the octagonal lantern;
- tower featuring round rose windows;
- Gothic windows with thin glazing bars;
- double lancet windows incorporated into in the tower;
- stone entrance step;
- cemetery with stones of local pioneer families and clergy.

### Recognition

### Jurisdiction

Nova Scotia

### **Recognition Authority**

Local Governments (NS)

### **Recognition Statute**

Heritage Property Act

### **Recognition Type**

Municipally Registered Property

### **Recognition Date**

1991/06/21

### 5559 Highway 245, Arisaig, Nova Scotia, Canada

### Historical Information

### Significant Date(s)

1928/01/01 to 1928/01/01

### **Theme - Category and Type**

- Building Social and Community Life
- Religious Institutions
- Expressing Intellectual and Cultural Life
- Philosophy and Spirituality
- Expressing Intellectual and Cultural Life
- Architecture and Design
- Peopling the Land
- Settlement

### **Function - Category and Type**

### Current

- Religion, Ritual and Funeral
- Religious Facility or Place of Worship

### Historic

- Community
- Settlement
- Religion, Ritual and Funeral
- Mortuary Site, Cemetery or Enclosure

### **Architect / Designer**

• O'Donaghue, Sylvester

### Builder

• n/a

### Additional Information

### **Location of Supporting Documentation**

Municipality of the County of Antigonish Heritage Property File no. 678

### **Cross-Reference to Collection**

### Fed/Prov/Terr Identifier

05MNS2159

### Status

Published

### **Related Places**

n/a



### Municipal Affairs and Housing Office of the Minister

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902-424-5550 Fax 902-424-0581 • novascotia.ca

May 15, 2023

Mayor Brenda Chisholm-Beaton President, Nova Scotia Federation of Municipalities Suite 1106, 1809 Barrington Street Halifax, Nova Scotia B3J 2K8

Dear President Chisholm-Beaton,

Under the provisions of the *Municipal Government Act,* the Minister of Municipal Affairs and Housing must provide to the Nova Scotia Federation of Municipalities (NSFM) 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing revenues or increasing the required expenditures of municipalities. This letter is intended to provide notice of such changes for fiscal year 2024-2025 and beyond.

The Department of Municipal Affairs and Housing (DMAH) canvassed all other provincial departments to seek information on plans for legislative, regulatory, and policy changes in the coming fiscal year. Below you will find a summary of the results of that process.

Additionally, you will find as an appendix to this notice a listing of other related initiatives that departments feel municipalities should be made aware.

### DEPARTMENT OF JUSTICE

### **Biological Casework Analysis Agreement**

The Biological Casework Analysis Agreement provides Nova Scotia's municipalities with DNA analysis arising from criminal investigations. DNA analysis is an important and affordable service that helps solve crimes. The 2023-24 financial cost of this program is expected to be \$845,000 however the proration of the cost to municipalities will be reassessed upon the Department of Municipal Affairs and Housing's release of the "Uniform Assessment" for 2023-24.

If any of the above content is unclear or should you have any questions regarding the provided information, please do not hesitate to contact the corresponding department for clarification.

# DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE

### Construction and Demolition Debris Regulation and Guideline Changes

As noted in the letter to the Nova Scotia Federation of Municipalities on January 4, 2023 (which was a supplement to the notice for fiscal year 2023-24), the Province has approved changes to the construction and demolition (C&D) debris management in Nova Scotia.

These new measures are designed to ensure that C&D debris management (including disposal, storage, transfer, and processing) does not cause adverse environmental impacts. ECC completed a review of C&D debris management in response to fires and groundwater impacts that occurred at existing C&D debris disposal facilities, as well as community concerns about facilities that store, transfer, and process these materials. The review included engagement and consultation with municipalities, construction industry stakeholders, environmental groups, waste management stakeholders, and provincial government departments.

Amendments to the Activities Designation Regulations and the Solid Waste Resource Management Regulations mean that, starting on July 5, 2023, chemically treated wood will no longer be accepted for disposal at C&D debris facilities. Instead, these materials can be reused, repurposed, or disposed of in municipal solid waste landfills. Storage, transfer, and processing will continue to be permitted for treated wood.

As well, this fall, ECC engaged stakeholders on proposed amendments to the following guidelines:

- Solid Waste Management Facility Guidelines for Construction and Demolition Debris Storage, Transfer, Process and Disposal;
- Solid Waste Management Facility Guidelines for Municipal Waste Transfer.

The guidelines outline details on siting, design, and operational requirements to prevent environmental impacts. Terms and conditions of approvals will outline further site-specific details, which will be developed case-by-case with the facility's respective ECC regional office.

The proposed amended guidelines include an implementation timeline for the ban on treated wood. The implementation of the ban will be staged by having education compliance during the first year to reduce costs associated with adhering to the ban. Municipalities were engaged on this approach during the fall targeted engagement sessions.

In addition, facilities storing, transferring, or processing C&D debris will now require an operating approval from ECC. Previously, only C&D debris required an operating approval. Amending approvals to include C&D transfer, process and storage will be required by July 5, 2023, but any significant terms and conditions will have staged timelines to allow for one year notice. Please note that any new facilities (brand new sites; not currently operating) and expansions of current disposal sites would be subject to requirements starting July 5, 2023.

### **Coastal Protection Act**

As indicated in last year's letter, it is possible municipalities will incur incremental costs related to implementation of the *Coastal Protection Act* and *Coastal Protection Regulations* in the coming fiscal year. Nova Scotia Environment and Climate Change (ECC) is providing notice of changes which will be required in building permit approval and compliance processes once the *Coastal Protection Act* is proclaimed. This legislation will provide consistent, province-wide protection for our coast by restricting development and related activity where structures will be at risk from coastal flooding and coastal erosion, or where they will cause unnecessary interference with or damage to coastal ecosystems.

Once proclaimed into law, this legislation would create a Coastal Protection Zone, within which the regulations apply. Municipalities would be allowed to issue a building permit for structures within the Coastal Protection Zone if the proposed location of the construction is above a minimum building elevation specified in the regulations and is situated upland of a site-specific horizontal setback certified by a designated professional. This will require modifications to municipal administrative processes for building permits.

Subject to the final form of the regulations, it is anticipated that the municipality will be expected to determine whether the proposed location of the construction is located within the Coastal Protection Zone and whether the regulations apply to the general type of construction and/or the type of structure to be built or expanded. If the regulations apply, the municipality may be required to determine whether the proposed location is above the minimum building elevation prescribed in the regulations and upland of the horizontal setback certified by the designated professional in a coastal erosion risk factor assessment report accompanying the permit application. They also may be required to ensure the designated professional is a member in good standing of the relevant professional body at the time the report was signed.

It is expected that the responsibility for competent, accurate and objective certification of the horizontal setback will rest with the designated professional, with forms and a standard methodology for determining the setback prescribed by regulation and provided by ECC.

Specifics regarding which professional groups will qualify to provide the certification, standards, forms to be used, and other administrative details will be set out in regulations. ECC expects to support municipal officials with training, support materials and digital mapping resources to help interpret the regulations and where they apply.

Sincerely,

Johgh

Honourable John Lohr Minister of Municipal Affairs and Housing

### Appendix A:

### DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

### **Procurement**

Every two years, Global Affairs Canada updates its thresholds for covered procurements under the Canada-Europe Trade Agreement (CETA), the Canada-UK Trade Continuity Agreement (TCA) and the Canada Free Trade Agreement (CFTA), which covers internal trade within Canada. Municipal procurements are covered under these obligations. All procurements above the thresholds must be publicly tendered unless subject to an exemption.

Thresholds were last updated on January 1, 2022, and are as follows:

|              | CETA Thresholds | TCA       | CFTA Thresholds |
|--------------|-----------------|-----------|-----------------|
| Goods        | \$366,800       | \$366,800 | \$121,200       |
| Services     | \$366,800       | \$366,800 | \$121,200       |
| Construction | \$9.1M          | \$9.1M    | \$302,900       |

The next update will be posted in December 2023 for calendar years 2024 and 2025. These thresholds are calculated based on data that will not be available until the end of next year, so at this time, the scope for municipal involvement is not known. We will advise as soon as we receive updated information.

Municipal officials may contact Intergovernmental Affairs, Trade Policy, with any questions related to municipal procurement obligations under trade agreements.

### DEPARTMENT OF JUSTICE

### **RCMP Collective Bargaining Agreements**

The RCMP National Police Federation's collective bargaining agreement with the federal government will expire on March 31, 2023, and new contract negotiations are expected to begin. In addition, labour contract negotiations are ongoing for RCMP telecom operators and intercept monitoring employees for the period April 1, 2016, to March 31, 2023. The cost implications and its future impacts cannot be determined until these negotiations have settled. We will monitor the situation closely and keep municipalities up to date as the process moves forward.

### The Accessibility Act

Work is underway on the development of the accessibility standard for the built environment. There will be an opportunity for municipalities, villages, and Nova Scotians to provide feedback or input once the standard has been drafted. The goal is to make the regulations effective in 2024. A compliance and enforcement framework has been approved. At a minimum, one-year notice will be given to municipalities and villages of any policy and regulation change related to obligations under the Accessibility Act and standards that impact revenue or expenditures.

### Amendments to the Part XX of the Municipal Government Act

The Attorney General and Minister of Justice's Mandate Letter of September 14, 2021 directs the Minister to [a]mend the Freedom of Information and Protection of Privacy Act to give order-making ability to the Privacy Commissioner. These amendments, as well as other amendments aimed at modernizing the act are anticipated to be brought forward by government at a future sitting of the House of Assembly. To ensure consistency in access and privacy legislation, Part XX of the Municipal Government Act will be updated at the same time.

# DEPARTMENT OF ECONOMIC DEVELOPMENT

### Peggy's Cove Commission Act

A review is seeking to modernize the role and administration of the Peggy's Cove Commission. While it is too early to speculate on the outcomes of the review, given the location of Peggy's Cove within the boundaries of HRM, any proposed changes to the Act, or to the administration of it, could have an impact on the municipality, for example shifting responsibility for planning approvals.

### Community Economic Development

The Department's mandated review of structures and mechanisms to support economic development includes reviewing the current structure and function of the Regional Enterprise Networks (RENs). Over the past several months, the Department has been engaging with the RENs, municipalities, sector and business leaders in communities across Nova Scotia to ensure the best model for community economic development in Nova Scotia. The outcome of this review has the potential to impact the existing REN model, and therefore our municipal funding partners.

### DEPARTMENT OF NATURAL RESOURCES AND RENEWABLES

### Feeding Wildlife

The department is currently undertaking consultations on regulations pertaining to the feeding of wildlife, with a goal of introducing regulations in 2023. It is possible there will be impacts on municipalities in relation to green bins and garbage handling, but it is too early to say definitively, and the actions may be limited to supporting NRR's public education efforts. As we complete consultations and move into the regulation writing phase, municipalities will be kept informed.



### Public Works Office of the Minister

PO Box 186, Halifax, Nova Scotia, Canada B3J 2N2

MAY 2 4 2023

Warden Owen McCarron Municipality of the County of Antigonish 285 Beech Hill Road Beech Hill, NS B2G 0B4

Dear Warden McCarron:

Thank you for your letter dated April 14, 2023, regarding concerns raised by residents of Seabright Road in Antigonish County.

The Department of Public Works' (DPW) policy will permit the upgrading of unlisted, unmaintained abandoned public roads by private parties for land access and development. The developer may request that the road be reclassified to become a listed maintained road. In certain cases, the Area Manager may contact the Municipality to consider the transfer of road ownership.

In exceptional circumstances, DPW may entertain cost sharing for unmaintained road upgrades where there is a benefit to the public as a whole.

I will ask local staff to reach out to discuss your request and our policies.

Thank you for bringing the Municipal Council's concerns to my attention. If you have any additional questions or would like to discuss options going forward, you can reach out to Area Manager, Basil Pitts at 902-863-2270 or via email at <u>Basil.Pitts@novascotia.ca</u>.

Yours sincerely,

Kim D. Masland Minister

c: Paul Colton, A/District Director Basil Pitts, Area Manager, Antigonish/Guysborough County Honourable Michelle Thompson, MLA Antigonish



St. Martha's Regional Hospital Auxiliary 25 Bay Street Antigonish, Nova Scotia B2G 2G5



05 June 2023

Thank you for your recent donation to St. Martha's Regional Hospital Auxiliary's Mayfest 2023. This day was once again an outstanding success with approximately \$22 000.00 raised. Combined with donations from Sponsors; Mayfest 2023 has realized over \$40 000.00.

Without community members and donors like you, we would not be able to continue our mission to assist in the delivery of quality health and medical care for residents of our region; and those in need of the expert and excellent services of our Hospital Staff. This is accomplished through the purchase of hospital equipment for St Martha's Regional Hospital.

Your greatly-appreciated contribution will guarantee we meet our commitment to cover the cost of (15) Vital Signs Monitors for St. Martha's Regional Hospital Day Surgery Unit.

Thank you again for your kind and generous support.

Gratefully,

Gill Hillyard Chair Mayfest 2023

From: Beth Bennett <<u>beth.bennett@asns.ca</u>>
Sent: Wednesday, June 7, 2023 2:04 PM
To: Harris McNamara <<u>Harris.McNamara@Antigonishcounty.ca</u>>
Subject: EXTERNAL: Thank You

You don't often get email from <u>beth.bennett@asns.ca</u>. <u>Learn why this is important</u>

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

Good afternoon,

Sincere thanks to you for coming to the Walk for Alzheimer's and for presenting a donation on behalf of Antigonish County. I'm so thrilled with the turnout for our first walk in Havre Boucher. I heard many positive comments about people having an opportunity to come together to walk in support of a family member or friend living with dementia. We had over 50 participants, staff and volunteers on Sunday, May 28<sup>th</sup> at the Havre Boucher Community Centre. We're still tallying up the total amount raised in our region but provincially we're at \$200,00 and growing.

On behalf of the Alzheimer Society of Nova Scotia, thank you for supporting families living with dementia in our communities. As more and more people are impacted there is an increasing demand for programs and services. Your support helps the Society to provide services that make all the difference in the way that people are able to manage the disease and live life to the fullest.

I have attached a few pictures from the Walk including: a group shot, the HB Fire Department, and the Heatherton Walkers team.

Please reach out if you have any questions.

Thanks for your support and take care.

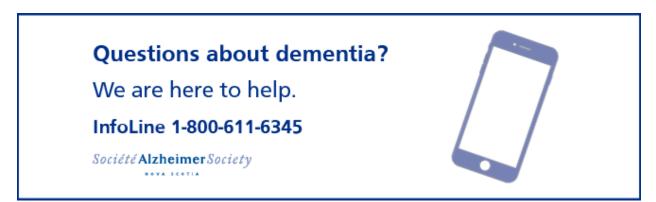


**Beth Bennett** (she/her) Regional Coordinator of Education & Outreach, Antigonish, Guysborough & Pictou County

Phone 902-422-7961 | 1-800-611-6345 Cell 902-870-2054 Email <u>beth.bennett@asns.ca</u> Website www.alzheimer.ca/ns

Facebook | Twitter | Instagram | LinkedIn

112-2719 Gladstone Street Halifax, NS, B3K 4W6



# ASNS acknowledges that we are on unceded traditional Mi'kmaw territory. We are grateful for the Peace and Friendship treaties. We are all Treaty people.

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TO: MUNICIPAL COUNCIL

**FROM:** Bill MacFarlane

SUBJECT: Asset Management

**DATE:** June 13, 2023

The Asset Management Committee was convened on Tuesday, May 23, 2023. The following Councillors were present:

Councillor MacFarlane, Chair Warden McCarron Deputy Warden Stewart Councillor MacDonald Councillor MacLellan Councillor Brophy Councillor Deveau Councillor Dunbar Councillor Mattie Councillor McNamara

### No recommendations were made:

The Committee recommends to Municipal Council that the Chief Administrative Officer and Director of Finance be authorized to sign Cost Share Agreement No. 2023-031.

The Committee recommends to Municipal Council that Project 22-82-C Antigonish Net Zero Buildings Solar Upgrades, be awarded to Geddes and Murphy Electric Ltd. at the bid price of \$692,950.00 + HST.

The Committee recommends to Municipal Council the Warden and CAO be authorized to sign Cost Share Agreement No. 2023-002.



TO:MUNICIPAL COUNCILFROM:Glenn Horne, CAOSUBJECT:COMMITTEE OF THE WHOLE REPORTDATE:June 13 2023

The Committee of the Whole was convened on Tuesday, May 23, 2023. The following Councillors were present:

Warden McCarron Deputy Warden Stewart Councillor MacLellan Councillor MacDonald Councillor Brophy Councillor Deveau Councillor Dunbar Councillor Mattie Councillor McNamara Councillor MacFarlane

### The following recommendations were made:

The Committee recommends that Municipal Council approves the amendments to Policy 17 - Public Participation at Council/Committee Meetings, as proposed.

The Committee recommends that Municipal Council approves the installation of a streetlight at the Havre Boucher Park.



TO: MUNICIPAL COUNCIL

**FROM:** WARDEN OWEN MCCARRON

SUBJECT: JOINT COUNCIL ADVISORY COMMITTEE REPORT

**DATE:** June 13, 2023

The Joint Council Advisory Committee was convened at 6:00pm on Monday June 5, 2023, at the Town of Antigonish Council Chambers. The following members were present:

Warden Owen McCarron Deputy Warden Hughie Stewart Councillor Mary MacLellan Councillor Donnie MacDonald Councillor Shawn Brophy Councillor Remi Deveau Councillor Remi Deveau Councillor Gary Mattie Councillor Harris McNamara Mayor Laurie Boucher Deputy Mayor Willie Cormier Councillor Andrew Murray Councillor Mary Farrell Councillor Diane Roberts Councillor Donnie MacInnis Councillor Sean Cameron

# No recommendation were made.

# The following items were discussed:

- Representatives from the Antigonish Heritage Association provided members of the committee with a preview of a promotional video they are producing.
- Representatives from People for an Antigonish Recreation Centre (PARC) made a presentation to the Committee and asked Councils to consider undertaking a feasibility study to look at a community recreation centre.
- Blaise MacDonald, EMC, provided an update on the establishment of emergency shelter sites in the community and funding requests to help identified sites with the installation of emergency generators. He also provided an update regarding recent forest fire activity in the province, and reviewed training and preparedness exercises being done with teams in the area.



TO:MUNICIPAL COUNCILFROM:GLENN HORNE, CAOSUBJECT:Asset Management Committee e-Poll ReportDATE:June 13, 2023

An e-Poll was issued on June 7, 2023 regarding an application to the Provincial Capital Assistance Program to support the Trunk 7 Roundabout Water & Sewer Relocation project. The following councillors participated:

Warden McCarron Deputy Warden Stewart Councillor MacLellan Councillor MacDonald Councillor Brophy Councillor Deveau Councillor Dunbar Councillor Mattie Councillor McNamara Councillor MacFarlane

### The following recommendation was made:

The Asst Management Committee recommends to Municipal Council that an application be made to the Provincial Capital Assistance Program to support the Trunk 7 Roundabout Water & Sewer Relocation project.