

MUNICIPALITY OF THE COUNTY OF ANTIGONISH

Council Meeting Agenda

Tuesday, April 9, 2024, 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 February 13, 2024 Municipal Council Minutes
4. Business Arising from the Minutes
5. Public Hearings
 - a. Amendments to the Residential (R-1) zone to increase the maximum height for senior citizen housing and institutional uses in the West River Antigonish Harbour Land Use By-law.
6. Delegations
 - a. Dr. John Chiasson, President – Positive Action for Keppoch Society
7. Correspondence
 - a. Hon. John Lohr & Hon. Timothy Halman – Coastal Protection
 - b. Hon. John Lohr – Service Exchange Agreement Signed
 - c. Hon. John Lohr – Establishment of Department of Emergency Management and Nova Scotia Guard
8. Committee Reports
 - a. February 26, 2024 Planning Advisory Committee Report
 - b. February 29, 2024 Asset Management Committee e-Poll
 - c. February 29, 2024 Committee of the Whole e-Poll
 - d. March 18, 2024 Asset Management Committee e-Poll
 - e. March 26, 2024 Asset Management Committee Report
 - f. March 26, 2024 Committee of the Whole Report
 - g. April 9, 2024 Committee of the Whole Report
9. Reports from Individual Council Members on Outside Boards, Conferences, and Community Activities
10. Motions

11. Miscellaneous Business

- a. Order of Nova Scotia Nomination

12. Adjournment

To: **Municipality of the County of Antigonish Planning Advisory Committee
Municipality of the County of Antigonish Council**

From: **Planning Staff (EDPC)**

Date: **February 12, 2024**

Reference: **Amendments to the Residential (R-1) zone to increase the maximum height for senior citizen housing and institutional uses in the West River Antigonish Harbour Land Use By-law.**

Recommendation

That Council **approve** the following amendments to the West River Antigonish Harbour Land Use By-law (as outlined in Appendix A):

1. Amend the permitted uses of the Residential (R-1) Zone to include senior citizen housing instead of senior assisted living and retirement housing;
2. Amend the definition of building height and Part 6, S. 6.A.15(b) to be measured to the mean level instead of the highest point for pitched roofs;
3. Add a special provision to the Residential (R-1) Zone to allow senior citizen housing and institutional uses to exceed the maximum building height up to 13.5 m. (44.3 ft.) subject to an increased minimum side yard.

Background Information

Colliers with the support of FBM is requesting that Council consider amendments to increase the maximum height allowance for senior citizen housing in the Residential (R-1) Zone of the West River Antigonish Harbour (WRAH) Land Use By-law. The amendment is intended to support the development of a new long-term care facility in the region.

Analysis

There are three provisions that should be addressed within this request; the terminology related to senior citizen housing in the R-1 zone, the definition of height and height regulations of Part 6, Section 6.A.15(b), and the maximum permitted height for senior citizen housing.

Senior Citizen Housing Terminology

The WRAH Plan and Land Use By-law contain multiple terms related to senior citizen housing. The R-1 Zone currently permits senior assisted living and retirement housing, which is not defined. There is a definition for senior citizen housing, which states:

SENIOR CITIZENS' HOUSING means multifamily housing designed for older people. This type of housing can also refer to an adult retirement community, assisted living facility, congregate

residences or continuing care retirement facility.

Policy L-2.2 of the Municipal Planning Strategy establishes the permitted uses in the R-1 zone. This policy specifically refers to senior citizen housing. Therefore, it appears that the use of alternate wording was in error. To improve clarity of the By-law, the permitted uses should be amended to state senior citizens housing instead of senior assisted living and retirement housing.

Building Height Definition

Currently the WRAH Land Use By-law contains the following definition relating to the calculation of building height (emphasis added):

HEIGHT The height of a building shall be determined by calculating the vertical distance of a building between the established (average) grade and

- a. the highest point of the roof or the parapet, whichever is the greater, of a flat roof;*
- b. the **highest point** of the ridge of a gabled, hip, gambrel, mansard or other type of pitched roof;*
- c. but shall not include any construction used as an ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.*

In the last review (2015) of the WRAH Land Use By-law (formerly the Fringe Plan), the building height definition was revised so the measurement for pitched roof buildings is taken to the highest point instead of the mean level between the ridges and eaves. At that time, the maximum permitted heights were not amended accordingly. As a result, the effective maximum building height for pitched roof buildings was reduced, possibly inhibiting three-story pitched roof projects. This can act as a disincentive to constructing pitched roof buildings, which was not the intent of the amendment. Returning to the mean level approach would be consistent with nearly all the Land Use By-laws that District Planning administers across six municipal units.

This change would apply to the entirety of the plan area.

Maximum Building Height for Institutional Uses

The R-1 zone of the WRAH Land Use By-law contains a maximum height of 10.7 m. (35 ft.) for all buildings. The applicant is requesting amendments to allow an increased maximum height for senior citizen housing. While the request pertains only to one specific use, many of the following arguments also apply to other institutional uses and are therefore included in the proposed amendments (Appendix A).

As the applicant noted in the rationale letter, “typical floor to floor heights for long term care homes make it challenging to fit a three-story facility in the prescribed maximum height.” They

also note that “permitting taller facilities promotes compact building footprints that help keep facilities from sprawling while still providing a significant number of units.”

As demonstrated in this case, zone standards that uniformly restrict building heights may inadvertently hinder the development of essential facilities like senior citizen housing and other institutional uses. Allowing for more flexibility with appropriate conditions can acknowledge the unique needs of these types of uses. The minimum side yard requirement in the R-1 zone is currently 1.2 m. (4 ft.). To mitigate the potential for buildings looming over adjacent lots, larger side yards should be required. This can be accomplished with a minimum side yard tied to the height of the building.

The applicant’s rationale letter requests that senior citizen housing be subject to the following unique zone standards:

Standard	Serviced
Minimum Lot Area	557.4 m ² (6,000 ft ²)
Minimum Lot Frontage	15.2 m. (50ft.)
Minimum Front Yard	7.6 m. (25ft.)
Minimum Side Yard	50% of the building height
Minimum Rear Yard	7.6 m. (25ft.)
Maximum Building Height	16.5 m. (54ft.) *

* The maximum height requested by the applicant is 16.5 m. (54 ft.), under the assumption that the definition of height will not be changed. If the height definition is changed, only 13.5 m. (44.3 ft.) is requested.

The table above would subject all senior citizen housing developments to a side yard equal to half of the building height, including those with a height under the current 10.7 m. (35 ft.) height maximum. Staff instead recommend a special provision that would only apply to buildings that will exceed the zone standard:

Special Provisions for Senior Citizen Housing and Institutional Uses

13.7 Notwithstanding the maximum building height under Part 13, Section 13.2(a), senior citizen housing and institutional uses shall be permitted up to a maximum building height of 13.5 m. (44.3 ft.) subject to the following:

- a. The minimum side yard shall be equal to half of the height of the building.

Alignment with the WRAH Municipal Planning Strategy

The proposed amendments are in alignment with the spirit and policies of the WRAH Municipal

Planning Strategy. Section 2.3 speaks to the demographics of the County, acknowledging that “there may be a need for alternative housing types for senior citizens, such as town houses, apartments or condominium developments.” Further, the plan is supportive of a compact development, such as under Policy L-2.3:

Policy L-2.3 It shall be the policy of Council to encourage residential development that is orderly and compact and that does not strain or exceed the capacity of community services and facilities.

Conclusion:

This report presents amendments to the terminology related to senior citizen housing in the R-1 zone, the definition of height and height regulations of Part 6, Section 6.A.15(b), and the maximum permitted height for senior citizen housing (see Appendix A).

The purpose of these amendments is to acknowledge the growing need for senior citizen housing in the County while reducing the need for sprawling developments. They also acknowledge the unique needs of senior citizen housing and other institutional uses.

Given that the proposed amendments are in keeping with the policies and general intent of the WRAH Municipal Planning Strategy, staff recommend that Council approve the amendments outlined in Appendix A.

Appendix “A”: A By-law to Amend the *Land Use By-law* for the West River Antigonish Harbour Area of the Municipality of the County of Antigonish

The *Land Use By-law for the West River Antigonish Harbour plan area of the Municipality of the County of Antigonish* is hereby amended by:

1. Removing the following text in strikethrough and adding the text in bold to Part 6, Section 6.A.15(b):

- b. The ~~highest point of~~ **mean level between** the ridge of a gabled, hip, gambrel, mansard or other type of pitched roof.

2. Removing the following text in strikethrough and adding the following text in bold to Part 13, Section 13.1(p):

- p. ~~Senior assisted living and retirement housing~~ **Senior citizen housing**

3. Inserting the following text in bold immediately following Part 13, Section 13.7:

Special Provisions for Senior Citizen Housing and Institutional Uses

13.7 Notwithstanding the maximum building height under Part 13, Section 13.2(a), senior citizen housing and institutional uses shall be permitted up to a maximum building height of 13.5 m. (44.3 ft.) subject to the following:

- b. The minimum side yard shall be equal to half of the height of the building.**

4. Removing the following text in strikethrough and adding the text in bold to Part 25: Definitions:

HEIGHT The height of a building shall be determined by calculating the vertical distance of a building between the established (average) grade and

- a. the highest point of the roof or the parapet, whichever is the greater, of a flat roof;
- b. the ~~highest point of~~ **mean level between** the ridge of a gabled, hip, gambrel, mansard or other type of pitched roof;
- c. but shall not include any construction used as an ornament or for the mechanical operation of the building, a mechanical penthouse, chimney, tower, cupola or steeple.

This is to certify that the By-law, of which this is a true copy, was passed at a duly called meeting of the Council for the Municipality of the County of Antigonish on _____, 2024.

Given under the hand of the Chief Administrative Officer and under the corporate seal of the said Municipality this ____ day of _____, 2024.

Glenn Horne
CAO

FROM THE DESK OF

POSITIVE ACTION FOR KEPPOCH

March 4, 2024

Beth Schumacher
Municipality of the County of Antigonish

Dear Ms.Schumacher,

I am writing in regard to my presentation to Council scheduled for March 12, 2024.

I am grateful for the opportunity to present to council to thank the Municipality for the 2023 funding and to share our success in delivering what we promised to council in 2023..

I have already submitted a detailed accounting of how we repaired the damage from Fiona, the damage from the previous winter's floods, and the impact of the Covid 19 pandemic on our operation.

In the time allotted to me I will do a brief presentation regarding a request for 2024 for funding through the Community Partnership Grant program.

We are partnering with the Town of Antigonish, Community Culture Heritage and Tourism as well as the Federal Government of Canada through ACOA to expand the lodge and our trail network in order to enhance our delivery of recreational experiences to our citizens, to promote tourism in the area ,develop opportunities for newcomers to Canada to connect with locals and each other, and to support the local economy.

Our request of \$25,000 falls within the guidelines and rules for Community Partnership Grants and is backed by quotations for work proposed and a copy of our annual report.

Sincerely yours,

John Chiasson

President and Chair of the Board PAK



KEPPOCH

March 5, 24

Alisha Bowie,
Municipality of Antigonish
Alisha.Bowie @Antigonishcounty.ca

Dear Ms Bowie,

As per the requirements of the Municipal Grant to Keppoch this correspondence summarizes the disposition of funds.

Positive Action for Keppoch received \$50,000 in May 2023 to assist us to recover from two significant weather related events that impacted the ability of our project to operate in 2023.

The first was a major flood in December 2021 which damaged a significant portion of usable trails and for which we diverted much of our scarce operational funds in order to operate through the winter of 2022. In the Autumn of 2022 the area was affected by a severe hurricane (Katrina) that wiped out most of our access to the mountain and destroyed over 50% of our trails.

We were faced with a massive and expensive cleanup that required the participation of all levels of government to achieve the goal of returning to operation in time for the summer of 2023.

In order to do so we had to plan and award contracts for forest restoration and trail building before there was any funding in place to do so.

Our efforts were rewarded with input from the County, the Town of Antigonish and the Federal Government.

The funding provided by the county was added to the budget and we were able to deliver impressive results.

193 Keppoch Road Antigonish

1. We cleared the Lower part of Summit West , Big Allan, Glass Slipper and part of the Wooden Shoe trails of windfalls and cleared back a buffer of 3 meters on each side of the trails to reduce risk of injury to trail users from leaning trees and to reduce possibility of injury to users leaving the trail while cycling. Major stumps that impeded access were removed simultaneously. The west side of the mountain sustained the heaviest damage and required professional forestry crews to repair damage.
2. We created two new trails and reshaped a third to replace trails permanently damaged by the hurricane. The result was delivery of a world class experience (Ollie Bot trail and Dirt Surfer) in time for the summer downhill cycling season, and the recovery of increased operating revenue over and above previous seasons to assist us in meeting our obligations to employees and suppliers.
3. We purchased new equipment (Field and Bush Mower, Pole saw, Trailer, Power Saw and Leaf blower) to allow us to maintain the existing network of trails and keep up with ongoing maintenance to enhance the experience and safety of users. This was instrumental in creating a top-notch product for users this year.
4. We added a 72inch wide snow groomer to our fleet of winter grooming equipment that enhanced our ability to produce high quality groomed ski-trails for the 2023-2-24 season. It is already paying off allowing us to open our ski trails December 22 and maintain a skiable surface right up to the date of this letter where other trail networks in the province have been unable to provide any skiing at all. We also reduced the time it takes to groom the trails by almost a third saving meaning lower operational costs (wages and fuel).
5. We repaired hurricane damage to the Cameron lake property removing fallen and damaged trees, creating an accessible ramp to allow lake access that is appropriate for handicapped users, safer approach for older users, and creating a parking area to get cars off the Mayfield road increasing safety for traffic and users of the facility.
6. We partnered with CACL Workshop and had benches constructed for placement along the trail network for hikers and other users of Keppoch.
7. We constructed a new shed to house equipment to preserve the asset and extend functional use respecting the investment.
8. We relocated several structures to improve the aesthetic and functional access to equipment. (Illuminated areas for access, repair, and maintenance.)

9. We renovated several internal areas of the lodge to allow efficient storage and access to rental equipment.
10. We added a high quality electric mountain bike for trail maintenance improving efficiency of transport across the 460 acre facility to reduce cost.
11. We added four portable shelters to use for events allowing for improved and increased use in inclement weather and to reduce exposure to excess UV exposure and excess heat in summer conditions.
12. We were able to provide bike camps for Syrian children and award family memberships an essential way to link newcomers to our community and build connections. The success of that venture resulted in expanded offerings to Ukrainian and Syrian families this winter and next summer.
13. We added to our bike rental fleet which will assist us in reaching sustainability in addition to above initiatives.

Here is the scope of work for the work accomplished in addition to the above.

1. Remove Branches, Leaners, and Blowdowns within 2m of trail edge
2. Limb branches back to tree trunk, 8' high or as high as possible
3. Rotate logs parallel with trail and pull brush back 3m from trail edge
4. For heavy logs, Inside of turns, logs can be 1m from trail, outside of turns and on fast sections of trails insure no hazards in the crash zones (2m-3m) such as high stumps, elevated tree butts, sharp sticks.

These trails were done with limbing on the inside of turns to improve site lines.

1. East Summit
2. Barbs Bypass
3. Flying Squirrel
4. Top of Freeride
5. Top of Cavalier (the Fall)
6. Connector to Old School (I will flag this route with you)
7. Old School
8. Money Shot
9. Roller
10. Chicken Cougar
11. West Summit (Top where Atlantic Tree Services (ATS) did not complete)
12. West Wing
13. Big Allan (Any areas that ATS did not complete)
14. Glass Slipper (Any areas that ATS did not complete)
15. Wooden Shoe (Any areas that ATS did not complete)
16. United (Any areas that ATS did not complete)

17. Widow Joe (Any areas that ATS did not complete)
18. Whiterock
19. Beaver Ridge
20. Soul Stroll
21. Fishers Passage
22. Riverside Ramble
23. Little Peak

The County of Antigonish as a partner and funder is noted in all our activities and is communicated to all our funding partners.

The value of the work done at Keppoch In this year exceeds \$600,000 and represents \$12 in additional value for every dollar invested by the county. This is an impressive multiple and highlights the value placed on this project by our other municipal supporter the Town of Antigonish, The Province of Nova Scotia and the Government of Canada.

Since 2010 we have increased the value of our asset by over \$1.4 million and our user base continues to grow.

The participation of the County of Antigonish in fiscal 2023 with special funding allowed us to achieve our goal of operating where we would have otherwise been forced to close. We were able to add to the trail network, restore damaged trails , add equipment to reduce costs and improve efficiency, and we were able to increase revenue from our bike shuttling operation and increase memberships.

The Board of Directors of Positive Action for Keppoch Society would like to acknowledge our gratitude and respect for the leadership of the Municipality of Antigonish in recognizing the value of our facility to the citizens of our area and to all Nova Scotians.

Sincerely,

John Chiasson
Chairman
Positive Action for Keppoch Society

PROPOSED 2024 KEPPOCH RECREATION FACILITY DEVELOPMENT

Prepared By: Greg Stewart, CET

Date: Feb 12, 2024

Description	Units	Unit Cost	Total
TRAILS			
Multiuse Singletrack Trail - New - finish Big Allan Loops - West side	1400	\$ 25.00	\$ 35,000.00
Downhill Bike Trail Upgrade - Roller	950	\$ 35.00	\$ 33,250.00
ROPE LADDER BRIDGE – 17’ LONG WITH 12” MESH + Bark Mulch Cushion	3	\$ 1,500.00	\$ 4,500.00
BUILDING UPGRADES			
Lodge Flooring Prep & Supply Install floor leveler & commercial tile	2500	\$ 12.50	\$ 31,250.00
Lodge Front Entrance Walkway - Crusherdust surface + patio stone landing	600	\$ 12.00	\$ 7,200.00
EQUIPMENT			
Logitech MEETUP All-in-One ConferenceCam with an Extra-wide Field of View and Integrated Audio	1	\$ 1,150.00	\$ 1,150.00
Samsung Interactive Display WA75C WAC Series - 75" LED-backlit LCD display - 4K - for education / business	1	\$ 3,000.00	\$ 3,000.00
OTHER			
Professional Services - Design and Project Management	5%	\$ 112,350.00	\$ 5,617.50
Contingency	10%	\$ 120,967.50	\$ 12,096.75
50%Tax	7.5%	\$ 133,064.25	\$ 9,979.82
TOTAL			\$ 143,044.07

Proposed RFD Grant Funding Model	
PAK	\$ 3,044.07
Town of Antigonish	\$ 15,000.00
Co. of Antigonish	\$ 25,000.00
ACOA	\$ 50,000.00
Province of NS	\$ 50,000.00
TOTAL	\$ 143,044.07

Proposed Keppoch Trail Network Additions 2024

Proposed Trail Construction Plan will include approximately 1400m of additional trail at the end of the Existing Big Allan trail and at the southern limit of the Keppoch Trail Network. The purpose is to complete the option of a looped return instead of only out and back which is not best practice for Trail Networks. With the proposed layout, there will be multiple route options for users and/or event planners.

Scope of Work:

1. Complete final Design work and flag centreline
2. Clear trail corridor 3m wide and 2.4m high
3. Remove organic soils and construct trail tread 1m wide (suitable for winter grooming as well) using native mineral soils.
4. Supply and Install drainage infrastructure as needed – wooden bridges preferred (Pressure treated frame and hemlock decking. Minimum 1m wide.
5. Supply and Install signage



Figure 1- Crow's Coulee Trail



Figure 2 - Crown's Gate Trail

Prepared by: Greg Stewart, CET

Date: Feb 12 2024

Rope Ladder

- Impact Climbing Inc.

-Upgrade to our current boulders.



February 26, 2024

Dear Mayors, Wardens, and Councillors:

Today, February 26, the Government of Nova Scotia announced *The Future of our Coastline: Nova Scotia's plan to protect people, homes, and nature from climate change*.

This plan has 15 actions for property owners, municipalities, and the province to keep coastal homes, communities, and natural areas safer from the impacts of climate change, such as rising sea level and more frequent and intense storms which lead to coastal flooding and erosion. You can read it at novascotia.ca/coastal-plan.

Nova Scotians are a coastal people, and being near the ocean contributes significantly to our quality of life – people want to live by it and enjoy it safely. As the elected representatives of our communities, we all share the same vision – safe, sustainable, healthy, and climate-resilient communities.

Nova Scotians in every part of the province are now experiencing the negative effects of climate change. Last summer's flooding and wildfires were a heartbreaking reminder of that. Our coast is on the front lines of climate change. In response, we are taking action. We are:

- achieving the ambitious targets set out in the *Environmental Goals and Climate Change Reduction Act*,
- providing important climate information to Nova Scotians through the first provincial Climate Risk Assessment developed since 2005,
- making significant progress on achieving the 68 goals in the Climate Change Plan,
- designating new protected areas,
- implementing a new strategy to achieve 20 per cent land and water protection by 2030, and
- introducing a new coastal protection plan that responds to specific concerns related to the impacts of climate change on our coast such as erosion, rising sea levels and coastal flooding.

We developed this plan after listening to Nova Scotians, municipalities, and other stakeholders. We also did thorough and thoughtful analysis of all possible options. It does not involve proclaiming the *Coastal Protection Act*, which was too limiting in that it only applied to new builds.

This plan is broader, more flexible, and comprehensive. It is about empowering coastal property owners to make informed decisions, supporting municipal leadership, and taking provincial action to empower our people and our communities to adapt to the impacts of climate change. It is about giving municipalities, communities and private property owners options, because one size fits all doesn't work.

... 2

It is the best and most effective path forward to protect the coast and all homes along it – whether they were built 50 years ago or are being planned for the future.

Municipalities are leaders in climate change adaptation and mitigation, and have been for years. Every day, you are leading the change needed to make sure our communities are climate-resilient. Whether that is installing EV chargers, moving to green energy like wind and solar, greening your municipal fleet, or retrofitting buildings and installing heat pumps, you are helping prepare our province for the future.

As Mayors, Wardens, and Councillors, you are leaders in your communities, and you know them best. At the council table, you navigate difficult decisions regarding land-use planning, zoning, by-laws, policies and permits day-in, day-out. This is why we believe that municipalities are best equipped to take critical action designing and building coastal communities that are safe and resilient to climate change, especially as Nova Scotia is experiencing rapid growth. Your leadership is essential in meeting our goals, and working together we cannot fail.

We know you are working tirelessly to manage many issues and priorities and our aim is that you will see the benefits and embrace the actions in this plan. Our government will support you by:

- investing in more flood line maps for you to use in your zoning and planning work,
- investing in your climate adaptation and mitigation work through funding programs like the Sustainable Communities Challenge Fund and the Community Climate Capacity Program, and
- conducting a province-wide erosion risk assessment, and more.

In the coming months we will continue to thoughtfully engage with municipal leadership through the Nova Scotia Federation of Municipalities, the Association of Municipal Administrators Nova Scotia, and directly with you and your municipality.

By working together, the Province, municipalities and property owners will ensure our coastal communities are designed, planned and built to help protect them from climate change impacts.

With these actions we've set out today, we look forward to continuing to work with you to create thriving, sustainable and resilient communities in Nova Scotia.

Our best regards,



Honourable John A. Lohr
Minister of Municipal Affairs and Housing



Honourable Timothy Halman
Minister of Environment and Climate Change

Additional Resources:

Environmental Goals and Climate Change Reduction

Act: <https://nslegislature.ca/sites/default/files/legc/statutes/environmental%20goals%20and%20climate%20change%20reduction.pdf>

Our Climate, Our Future: Nova Scotia's Climate Change Plan for Clean Growth:

<https://climatechange.novascotia.ca/sites/default/files/uploads/ns-climate-change-plan.pdf>

Weathering What's Ahead: Climate Change Risk and Nova Scotia's Well-being:

<https://climatechange.novascotia.ca/climate-impacts>

More information on the Sustainable Communities Challenge Fund is available at:

<https://nschallengefund.ca/>

More information on Community Climate Capacity Program is available at

<https://cleanfoundation.ca/ccp/>

March 28, 2024

Dear Mayors and Wardens:

I am pleased to inform you that a significant milestone has been reached for our province and all municipalities. As of today, March 28, the new Service Exchange Agreement has been signed. [Historic Investment in Municipalities | Government of Nova Scotia News Releases](#)

Under this agreement, which comes into effect on April 1, 2024, the Province will be making a historical annual investment of \$82 million. This is a \$52-million increase from the \$30 million in funding through the annual Municipal Financial Capacity Grant.

The collaborative spirit and dedication exhibited by both the Province and municipalities over nearly two years of discussions have culminated in this agreement. It truly represents a comprehensive understanding of the evolving needs and aspirations of Nova Scotians, furthering the prosperity of our communities. As we move forward, I encourage you to review the details of the Service Exchange Agreement attached.

Thank you for your continued dedication to serving your communities. Together, we will continue to make meaningful strides towards growth and well-being for all Nova Scotians.

Sincerely,

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

Honourable John A. Lohr
Minister of Municipal Affairs and Housing

c: Chief Administrative Officers

Attached: Memorandum of Understanding



Memorandum of Understanding

Between

The Province of Nova Scotia

and

Nova Scotia Federation of Municipalities
("the Parties")

This Memorandum of Understanding (MOU) will establish a clear understanding of roles and responsibilities between the provincial and municipal levels of government with respect to service delivery and will provide the details that will form the relationship between the Parties.

The Parties understand the value of working collaboratively for the betterment of Nova Scotians and commit to working together to address the challenges and opportunities that face our province.

The Parties recognize that many of the services provided to Nova Scotians are shared responsibilities, which only emphasises the necessity for evidence-based decision making, meaningful collaboration, and a modern lens to be used when addressing challenges and opportunities as they arise.

Guiding Principles:

The two parties agree to the following guiding principles when approaching the work of this Memorandum:

Respect: the two parties recognize the deep commitment each has to the citizens of Nova Scotia and agree to adhere to the tenants of respectful dialogue and meaningful engagement during negotiations and ongoing work.

Accountability: the two parties agree to take responsibility for the work outlined within this agreement and to comply with the principles and agreements therein.

Transparency: the two parties agree, where feasible, greater transparency should be sought in the joint work of this memorandum.

Communication: the two parties agree, where feasible, to update NSFAM members when points of progress or impasse are reached.

Modern and forward thinking: the two parties agree to use a forward thinking and evidence-based approach when approaching current and future challenges.

Pertinent connections: the two parties agree to focus on identifying pertinent connections, such as changes to the *Municipal Government Act*, that would support changes to this memorandum, or vice versa.

Holistic Approach: the two parties agree to use a holistic approach when outlining recommendations and services associated with funding.



Progress and Review:

The two parties agree to review and amend this agreement, if necessary, every 5 years.

The two parties agree to review and amend the attached Schedule A, as necessary.

The two parties agree to provide a progress update on the agreement and attached Schedule A, on a biannual basis.

The two parties agree that an advisory body will continue to support this work with new members being added as determined by the NSFM and municipal election cycle.

Communications:

With regard to the content of this agreement, the two parties agree to only communicate publicly in a joint release format. No independent releases shall be distributed.

Consultation and 12 months' notice:

The two parties agree to adhere to the following sections of the *Municipal Government Act*:

Requirement to consult with Union

518 The Minister shall consult with the executive of the Union of Nova Scotia Municipalities respecting any proposed amendment to this Act. 1998, c. 18, s. 518.

Requirement to notify Union

519 (1) The Minister shall notify the Union of Nova Scotia Municipalities at least one year prior to the effective date of any legislation, regulation or administrative action undertaken by or on behalf of the Government of the Province that would have the effect of decreasing the revenue received by municipalities in Nova Scotia or increasing the required expenditures of municipalities in Nova Scotia.

(2) Subsection (1) does not apply with respect to any legislation, regulation or administrative action applying to the Province generally and not mainly to municipalities. 1998, c. 18, s. 519.

Other Agreements:

The service exchange terms of this MOU will operate in addition to the service exchange terms of 1995 Service Exchange Agreement between the parties, except where this agreement expressly indicates that it is a replacement of the 1995 service exchange term for that matter.

Meetings:

The two parties agree to meet biannually in the Spring and Fall to discuss current and shared priorities.

The two parties agree that the NSFM and Province of Nova Scotia must each agree that an issue be adopted before it is formally added to this memorandum.



Background:

The 1995 Service Exchange Agreement was created to define the scope of services delivered by provincial and municipal governments. The intent of the agreement was to develop a provincial-municipal partnership that allocated services in a fair, clear, and financially viable manner. The landscape of provincial and municipal responsibilities has drastically changed over the last twenty-seven years and concerns have been expressed regarding whether the Service Exchange Agreement was still meeting its intended targets.

In 1997, pressure to change and review the Service Exchange Agreement was sought by NSFM (then the Union of Nova Scotia Municipalities). This triggered the Municipal-Provincial Roles & Responsibilities Review in 1998. With the review ongoing, an MOU between the Province and NSFM initiated short and long-term changes to the Service Exchange Agreement. Immediately following the signing of the MOU, the Province assumed the maintenance of bridges, and municipal contributions to social services became phased out over a 5-year period.

As the Province and municipalities continued to work under the Service Exchange, reports including the Towns Task Force Report (2012), the Fiscal Review (2013), and the Nova Scotia Commission on Building a New Economy (2014), identified gaps related to provincial/municipal services and a need for structural reform.

In 2021, the Government of Nova Scotia prioritized the Service Exchange Agreement and mandated that it be renegotiated with specific focus on the Municipal Financial Capacity Grant and Roads. As a result, the NSFM has established an advisory committee to collaborate with DMAH in the renegotiation of the Service Exchange Agreement. The NSFM advisory committee is composed of representatives from NSFM, the Association of Municipal Administrators of Nova Scotia (AMANS) and 10 government representatives made up of rural, urban, and regional municipalities.

The vision of the advisory committee is to collaborate with the DMAH using a modern, forward-thinking approach. The focus will be on current priorities as well as priorities from past negotiations and reviews. The advisory committee has the capacity to provide direction to the DMAH based on feedback from a membership-wide survey—and to advance the general interest of all municipalities. That said, the advisory committee is not a decision-making body. Following the committees' discussions with the DMAH, proposals will go for consultation to the NSFM membership. The Provincial government maintains the final decision.

The objective for both parties is multifold: work toward goals of fiscal sustainability; rationalized expenditure responsibilities; and municipal modernization. NSFM and DMAH both recognize the need for greater cooperation in working together.

Whereas the Parties are committed to achieving healthy, sustainable, and vibrant communities in Nova Scotia.

And whereas the Parties to this MOU share a commitment to working in partnership to efficiently deliver services to Nova Scotians.

And whereas there is a commitment to working together to review all provincial, municipal, and shared services.

And whereas the parties recognize, for the betterment of the province, that there are shared responsibilities as well as individual responsibilities.

And whereas the two parties agree components of the Memorandum need to be reviewed and updated in a current day context.

And whereas the Department of Municipal Affairs and Housing (DMAH) has been directed by mandate letter to negotiate a new, comprehensive Memorandum of Understanding (MOU) between the Province and NSFM.

Therefore, the Parties agree to enter into this MOU as outlined below by provincial department:



Municipal Affairs and Housing

1. Municipal Financial Capacity Grant:

The MFCG, formally known as the Equalization Grant, is an unconditional grant calculated by a formula set out under the *Municipal Grants Act* which attempts to measure a municipality's cost to deliver a set of municipal services against its ability to pay for those services. The formula generates a per dwelling unit grant based on a calculation of need relative to ability to pay.

Up to, and including fiscal 2020-21, grant allocations have been frozen at the 2014-15 levels. The Ministerial Mandate letter included the following item "Double the equalization payment for the first year, until a new Memorandum of Understanding can be reached." In accordance with that Mandate, additional funding, based on current allocations, was provided in 2021-22 while efforts to renegotiate a Memorandum of Understanding between the Province and the municipalities began.

Main components of the Modernized MFCG

There are four main components to MFCG – need, ability to pay, entitlement and capping entitlement.

Need is calculated for each municipality by multiplying the prior year's estimated operating expenditure per prior year's dwelling unit (DU) for its class (the unitized expenditure rate) by the current number of dwelling units in a municipality to arrive at the derived standardized expenditure for a municipality (or calculated "need"). In this instance, the unitized expenditure rate is defined as the average estimated operating cost per dwelling unit to provide a set of services as per the *Municipal Grants Act regulations*. There are two classes of municipalities for the purposes of calculating MFCG. Class I is comprised of regional municipalities and towns and Class II is comprised of counties and district municipalities.

Ability to pay is determined by taking the class residential standard rate and multiplying by the residential uniform assessment for the municipality and adding to the product of the class commercial standard rate multiplied by the commercial uniform assessment for the municipality.

Entitlement is related to the municipality receiving the grant. If the calculation of the municipality's need exceeds their ability to pay, then they are entitled to a grant.

Capping the entitlement may be required to prorate funding if the total entitlement for all municipal units is greater than the funds available – budget.

Highlight of updates to the MFCG

The MOU negotiations identified that there were a number of issues with the existing MFCG formula – the need to modernize the standard expenditures (now unitized expenditures) and the need to reflect the differences in residential and commercial tax rates. As a result of the issues identified, the below updates are proposed to the MFCG:

- Modernizing the unitized expenditures in the MFCG to be more reflective of the increasing pressures on municipalities to adhere to evolving regulations and standards and meet the evolving needs of the residents they serve. The below table highlights the changes to the unitized expenditures in the MFCG formula:



Expenditure	Current Model	Proposed Revision
General Government Services	Excluded	Include 50% of expenditures under this category, but exclude valuation allowances
Protective Services	Includes all but interest charges on long-term and short-term debt	Include 100%
Transportation Services	Excludes Public Transit and interest charges on long- and short-term debt	Include 100%
Environmental Health Services	Includes 50% of total but excludes interest charges on long- and short-term debt	Include 100%
Recreation & Cultural Services	Excluded	Include 50%
Public Health Services	Excluded	Continue to exclude
Environmental Development Services	Excluded	Include 100%

- It is recommended by the SERMGAR committee that the expenditures are reviewed on an ongoing basis to be continuously reflective of the existing needs for a municipality.
- As a result of the revised definition in unitized expenditures, the cost per DU increases for each class. The increase in unitized expenditure rate from the existing MFCG model to the updated MFCG model, for Class I and Class II, are \$1,610 to \$2,718 and \$725 to \$1,273, respectively.
- The SERMGAR committee agreed the current funding model is not reflective of the differences between residential and commercial tax rates and the ability to raise taxes from these different groups. The modernized formula has been updated to derive a class standard residential and standard commercial rate. The standard residential rates for Class I and Class II are 1.255% and 0.822%, respectively; the standard commercial rates for Class I and Class II are 1.5% and 0.9301%, respectively.
- The current and updated funding model has two categories for municipalities – Class I (Regional and Towns) and Class II (Rural municipalities). For initial implementation of the updated model, there is no intent to change these classifications. However, through discussions with the SERMGAR committee, it was determined that a review would be required for those municipalities engaging in municipal modernization to determine if changes in class structure would be required. These discussions will be part of Schedule A.
- References to the calculation of the MFCG will be removed from the *Municipal Grants Act* and placed in regulations. Per the *Municipal Government Act*, any changes to the MFCG program impacting the calculation would require 12 months' notice.

An evaluation of the updated funding model will begin after five fiscal years. This evaluation will take place to determine the effectiveness of the model. Over this five-year implementation period, there is no intention to change the funding amount to be allocated through the new model. As a result, once the updated funding model is implemented, the funding distribution would be frozen for a period of five fiscal years. Freezing this amount will allow municipalities to make long-term plans around this predetermined amount.



2. Towns Foundation Grant:

The Towns Foundation Grant of \$1.5 million will continue for the next five years, at which time it will be reviewed and potentially reallocated pursuant to the outcome of the review.

3. Corrections:

This service exchange term replaces the service exchange term for corrections in the 1995 Service Exchange Agreement.

The Province agrees to be responsible for the costs associated with corrections, with no contributions from municipalities.

4. Obsolete Schools:

The Province agrees to assume ownership of the pre-1981 obsolete schools. Municipalities will be given the first right of offer to purchase schools from the Province at a negotiated price.

5. Housing Handover Agreements:

The Province agrees to be responsible for the annual costs associated with public housing, with no contributions from municipalities.

6. HST Offset Grant:

The HST Offset Grant will continue for the next five years, at which time it will be reviewed and potentially reallocated pursuant to the outcome of the review.

7. Application-based Infrastructure Program:

The Department of Municipal Affairs and Housing agrees to the development of a \$15,000,000 application-based infrastructure program. This funding can be leveraged by municipalities as their portion of any cost shared infrastructure program. The program will focus on projects supporting provincial priorities. Funding will be comprised of \$15 million provincial funding.

Department of Public Works

1. Roads

Roads throughout the province, both municipally and provincially-owned, are deteriorating at a greater rate in which they can be maintained. The intention behind the below Roads aspect, is to create options for the Province and municipalities to work collaboratively together to help address road conditions and benefiting motorists in the movement of people and goods throughout Nova Scotia.

It is recognized that the provincial trunks and routes primarily run through many town boundaries and are the responsibility of the towns and former towns to maintain. It is also recognized that there are a number of provincially-owned roads that municipalities are interested in upkeeping and maintaining for the purposes of their communities. The intention behind the Roads negotiation at the MOU table is to recognize the vital role towns play in managing and upkeeping provincial routes.

The purpose of this Roads Program is to recognize that Towns and former towns currently have a responsibility for trunks and routes, which run through their municipal unit, that are a part of the provincial network system. It is recommended that a program be developed that would apply to all trunks, routes and collectors within towns and former towns that can be eligible for a 50-50 cost shared for repaving only. Towns and former towns with trunks, routes and collectors running through their boundaries would submit roads to Public Works (PW) wishing to be repaved in a prioritized manner. PW would then select which towns and former towns from a prioritized list using a scoring system, which includes condition, traffic volumes and how it



supports the provincial network. No town or former town could be approved for more than one project, per fiscal, unless there are an insufficient number of submissions.

There are 387.1 kilometers (km) eligible for the program. There is an assumption made that it would cost \$475,000 per km to repave the trunks, routes, and collectors. It is suggested that the lifecycle is for 15 years, leaving \$12,258,000 to be allocated annually towards repaving trunks, routes and collectors at a 50-50 cost share with municipalities – \$6,129,000. If the entire funds were used, it is estimated that 25 kms could be repaved in one year.

2. Provincially Owned Buildings

The Department of Public Works agrees to seek municipal input on the location of schools, hospitals, and any new provincial builds/leases.

Duration:

This MOU is at-will and may be modified by mutual consent of authorized officials from the Province of Nova Scotia and the Nova Scotia Federation of Municipalities. This MOU shall become effective on April 1, 2024, upon signature by the authorized officials from the Province of Nova Scotia and the Nova Scotia Federation of Municipalities and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from the Province of Nova Scotia and the Nova Scotia Federation of Municipalities this MOU shall remain in force.

Dispute Resolution:

If a dispute arises out of, or in connection with this Contract, the parties agree to meet to pursue resolution through negotiation or other appropriate dispute resolution processes.

Contact Information:

Province of Nova Scotia
 Minister of Municipal Affairs and Housing
 1505 Barrington St, Halifax NS,
 902-424-4036
 DMAMIN@novascotia.ca

Nova Scotia Federation of Municipalities
 President
 1809 Barrington St, Halifax, NS
 902-423-8331

Honourable John Lohr
 Minister of Municipal Affairs and Housing

Date: *March 28/2024*

Mayor Carolyn Boliver-Getson
 President of the Nova Scotia Federation of Municipalities

Date: *March 28/2024*



Schedule A – Long Term Discussions:

The parties commit to reviewing and modernizing the below listed items with the review process beginning after the 2024 municipal election.

Department of Justice

The Province agrees to engage in good-faith discussions with the Nova Scotia Federation of Municipalities respecting policing governance and structure in Nova Scotia to identify common concerns and examine the existing policing model(s) and its impact on municipalities.

Department of Municipal Affairs and Housing

The Department of Municipal Affairs and Housing agrees to engage in good-faith discussions with the advisory body respecting:

- Exploration of Classes (Class I and Class II) under the MFCG formula to determine if an updated definition is required to capture the impacts of municipal modernization. (e.g., If municipal modernization creates a situation where 15% or more of the Uniform Assessment is derived from “urban” communities, the modernized municipality would be deemed Class I.) Municipal Financial Capacity Grant continued review based on class work. Fire and Emergency services governance and structure
- Municipal Contributions
- Grants in lieu
- Increased tax tools
- The creation of a program for municipal regionalization
- Roads Program for G, H, I and J class roads

Department of Public Works

The Department of Public Works agrees to engage in good-faith discussions with the advisory body respecting:

- Municipal speed limits
- Public Transit (i.e. electrification, rapid transit, depots etc.)
- Community Transit Boundaries

Department of Education and Early Childhood Development

The Department of Education and Early Childhood Development agrees to engage in good-faith discussions with advisory body respecting:

- The Municipal Education Tax Rate

March 28, 2024

Dear Mayors and Wardens:

This has been a tremendously difficult 18 months for Nova Scotia as it relates to extreme weather events. We've endured generational hurricanes, wildfires and floods that have had a devastating impact on our communities and the residents we serve.

Municipalities play a significant and key role in emergency preparedness, response and recovery. I want to acknowledge your leadership during these difficult events and thank you for your commitment to the response. We know that climate change is causing more frequent and severe weather events, and as governments, we share a responsibility to work in collaboration to protect our communities.

Historically, our emergency response has been very effective. But, with the increased intensity and frequency of events, we need to increase our capacity and strengthen our overall preparedness, response, and recovery.

That is why today, our government tabled legislation that will establish a new provincial Department of Emergency Management <https://news.novascotia.ca/en/2024/03/28/nova-scotia-guard-new-department-will-improve-emergency-readiness>.

Once established, it is the intention that this new Department will have a mandate to lead, direct and support a coordinated, whole-of-government response to emergencies and transition to a culture of preparedness across the province.

Within this new Department, we will work to strengthen our collaboration with communities and our partners across the province, like municipalities, so we are better prepared for the future.

We are also launching the Nova Scotian Guard, which will be a group of individuals and organizations from across the province who will help communities during and after emergencies. The Nova Scotia Guard will include volunteers with speciality skills (such as firefighters), as well as other members of the public to fill a variety of roles depending on the emergency needs.

Those interested in volunteering to help Nova Scotia be ready in the event of an emergency can let the Province know by completing the early registration form at: <https://ns.211.ca/early-registration-for-the-ns-volunteer-portal/>.

... 2

The legislation introduced today also requires the support of our municipal partners. In the months ahead, we look forward to working with you and speaking with you about regulations respecting the relationships between municipalities and regional emergency management offices; the provision of fire dispatch services through regional emergency management offices; the creation of vulnerable person registries and their implementation, as well as the development of a regional emergency alert system and the participation of municipalities in the system.

This direction is built on significant engagement with Nova Scotians over the past year and focuses on three key areas: communication, coordination and volunteer management.

Combined, these efforts will result in greater preparedness, impact and efficiency before, during and after any emergency.

Sincerely,



Honourable John A. Lohr
Minister of Municipal Affairs and Housing

c: Municipal Chief Administrative Officers
Juanita Spencer, Nova Scotia Federation of Municipalities

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: COUNCILLOR MARY MACLELLAN, CHAIR
SUBJECT: PLANNING ADVISORY COMMITTEE
REPORT DATE: April 9, 2024

The Planning Advisory Committee was convened at 6:30 pm on Monday, February 26, 2024, at the Municipal Office. The following committee members were in attendance:

Councillor Mary MacLellan, Chair
Councillor Bill MacFarlane (by Zoom)
Colleen Briand (by Zoom)
Morgan Peters (by Zoom)
Mike MacEachern
Councillor John Dunbar

The Following Recommendation Was Made:

The Committee recommends that Municipal Council give first reading to the Plan Antigonish Municipal Planning Strategy and Land Use By-law for the Municipality of the County of Antigonish and schedule a Statutory Public Hearing for the item.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: Deputy Warden Bill MacFarlane
SUBJECT: **February 29, 2024 Asset Management Committee E-poll Report**
DATE: March 12, 2024

The Asset Management Committee was queried by e-poll on Thursday, February 29, 2024. The following Councillors participated:

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

The following recommendation was made:

The Asst Management Committee recommends to Municipal Council that the Appleseed Drive Repaving project be tendered.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: Glenn Horne, CAO
SUBJECT: February 29, 2024 COMMITTEE OF THE WHOLE E-POLL REPORT
DATE: March 12, 2024

The Committee of the Whole was queried by e-poll on Thursday, February 29, 2024.
The following Councillors participated:

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

The following recommendations were made:

The Committee recommends to Municipal Council that the Antigonish Community Transit Service Review be awarded to WSP at a bid price of \$37,730, contingent on approval of Town Council.

The Committee recommends to Municipal Council that the Housing Accelerator Fund Agreement be approved as presented.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: Deputy Warden Bill MacFarlane
SUBJECT: **March 18, 2024 Asset Management Committee E-poll Report**
DATE: April 5, 2024

The Asset Management Committee was queried by e-poll on Monday, March 18, 2024.
The following Councillors participated:

Warden McCarron
Councillor MacDonald
Councillor MacLellan
Councillor Stewart
Councillor Brophy
Councillor Deveau
Councillor Dunbar

The following recommendation was made:

The Asst Management Committee recommends to Municipal Council that the CAO be authorized to sign the license agreement for lands located at 30 Appleseed Drive for the purpose of constructing and operating the Antigonish Mini-Pitch.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: Deputy Warden Bill MacFarlane
SUBJECT: **March 26 2024 Asset Management Committee Report**
DATE: April 5, 2024

The Asset Management Committee was convened on Tuesday, March 26, 2023. The following Councillors were present:

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

The following recommendation was made:

The Asset Management Committee recommends that Municipal Council award the tender for the paving of Appleseed Drive to Nova Construction Co Ltd at the bid price of \$385,819.00 +HST.

The Asset Management Committee recommends that Municipal Council write a letter to NSDPW to ask to install the new pole and anchors as required for the streetlight.

The Asset Management Committee recommends that Municipal Council send a letter to the Minister of NSDPW regarding concerns with the flooding of Cape Jack Road.

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

TO: MUNICIPAL COUNCIL
FROM: Glenn Horne, CAO
SUBJECT: **March 26, 2024 COMMITTEE OF THE WHOLE REPORT**
DATE: April 9, 2024

The Committee of the Whole was convened on Tuesday, March 26, 2024. The following Councillors were present:

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

The following recommendations were made:

The Committee recommends to Municipal Council that Bobby Mattie be reappointed as the public member of the County's audit committee for a one-year term.

The Committee recommends that Municipal Council approves the annual appointments of Eastern District Planning Commission staff to Municipal positions, as proposed.

The Committee recommends that Municipal Council appoint Bern Balawyder as a By-law Enforcement Officer for the Municipality of the County of Antigonish for the purpose of enforcing the By-Law Respecting the Responsible Ownership of Dogs.

The Committee recommends that Municipal Council commits to a \$5000 Friendship Sponsorship for the 2024 Paqtnkek Powwow.

The Committee recommends to Municipal Council that the proclamation of March 26th, 2024 as Purple Day for Epilepsy Awareness in Antigonish County be approved.

Nova Scotia

Newly twinned stretch of Highway 104 opens, bringing hope it will save lives

The 38-km twinning project was on time and on budget

[Michael Gorman](#) · CBC News · Posted: Jul 21, 2023 1:01 PM ADT | Last Updated: July 21, 2023



An aerial photo shows the new twinned Highway 104 to the right, and the old single-lane highway to the left. (Communications Nova Scotia)

Friday was nine years in the making for Joe MacDonald.

After years of responding to fatal car crashes along Nova Scotia's Highway 104, MacDonald, the chief of the Barneys River Fire Department, started a lobby campaign in 2014 to have the stretch of the Trans-Canada Highway from Sutherlands River to Antigonish twinned.

Government officials were on hand Friday along part of the new highway to officially open the road. The final 12½ kilometres between French River and Barneys River will open next week.

"It's a wonderful feeling," MacDonald said during an interview on Thursday. "We pushed and pushed and this is reality."



Joe MacDonald, chief of the Barneys River Fire Department, started lobbying for the project in 2014. He hopes it leads to fewer car crashes. (Michael Gorman/CBC)

The 38 kilometres of twinned highway is coming in on budget and slightly ahead of schedule. But MacDonald is less concerned about the \$364-million price tag for the

work, which included 24 new bridges, two new interchanges and 10 kilometres of entirely new road made possible by blasting through mountainous rock.

What MacDonald is more focused on is the fact that people are now travelling a much safer, less serpentine road.

"Hopefully, it will cut down on the deaths immensely," he said. "It's an unbelievable relief for everybody. We feel a sense of accomplishment and we're very relieved to see it's opening soon."

The Highway 104 project [was one of four major twinning projects announced by the former Liberal government in 2017](#). Unlike the others, this one was done using the public-private partnership, or P3, model.



Work is nearly complete on this component of the highway project that will allow for vehicle and animal passage under Highway 104. (Michael Gorman/CBC)

Peter Lauch, the design-build director for Dexter Nova Alliance, the consortium that built the highway, said the approach created an incentive to get the work done on

time and on budget because any cost overruns or time-related penalties would have fallen to the company.

Lauch said the team benefited from past experience working on a similar project in New Brunswick.

This project comes with a 20-year maintenance contract that will see Dexter Nova Alliance paid \$196.4 million over the life of the deal to maintain the road, handle all snow clearing, vegetation management and everything else related to the new highway and an additional 25 kilometres of previously existing highway.

"The province has nothing to do with it except make sure that we're doing what we said we're going to do," said Lauch. "It's all on us."



Peter Lauch, the design-build director for Dexter Nova Alliance, stands in front of the new bridge that crosses Middle Brook, one of the more challenging engineering components of the project. (Michael Gorman/CBC)

Along with wanting to hand a high-quality project over to the maintenance team, Lauch said the people working on the project had an appreciation for why MacDonald lobbied so hard to have the road twinned.

"This is a highway in Nova Scotia built by Nova Scotians. They have a vested interest in doing a good job. Parts of the existing highway were quite treacherous. So this was very important for the area, for the people travelling between New Glasgow and Antigonish, and a lot of those people were working on the job."

A spokesperson for the provincial government said the twinning projects along highways 103 and 107 remain on schedule to be completed later this year.

The twinning project on Highway 101, meanwhile, cannot be completed until the provincial and federal governments agree on the design for a new aboiteau as part of a new roadway that would cross the Avon River.

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