

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

COMMITTEE OF THE WHOLE AGENDA

Tuesday, March 11, 2025, 5:30pm
Council Chambers
Municipal Administration Building
285 Beech Hill Road
Beech Hill, NS B2G 0B4

1. Call to Order – Chair, Warden Nicholas MacInnis
2. Approval of Agenda
3. In-Camera Items
 - a. Acquisition, Sale, Lease, and Security of Municipal Property
4. Approval of February 26, 2025 Committee of the Whole Minutes
5. Business Arising from the Minutes
6. Delegations
 - a. Antigonish Sno Dogs
7. Continuing Business
 - a. Gateway Signage on Secondary Highways
8. New Business
 - a. Mayfest Request for Volunteers
 - b. Policy Review Guidance Request
 - c. Provincial Bill 24 Discussion
 - d. Discussion Regarding Noxious Weeds Along Municipal Roadways
9. Community Events

This item provides Councillors with an opportunity to briefly bring to the attention of Council events that are taking place in their communities.
10. Additions to the Agenda
11. Adjournment

MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

Committee of the Whole Meeting Minutes

Wednesday February 26, 2025, following Asset Management Committee
Council Chambers
Municipal Administration Building
285 Beech Hill Road
Beech Hill, NS B2G 0B4

Present were: Warden Nicholas MacInnis
Deputy Warden John Dunbar
Councillor Mary MacLellan
Councillor Adam Baden-Clay
Councillor Richelle MacLaughlin
Councillor Shawn Brophy
Councillor Wayne Melanson (by Zoom)
Councillor Gary Mattie
Councillor Harris McNamara
Councillor Sterling Garvie

Regrets: None

Staff Present: Shirlyn Donovan, CAO
Beth Schumacher, Deputy Clerk

Others Present: Gallery (by Zoom)

Call to Order – Chairman, Warden Nicholas MacInnis

The meeting of the Committee of the Whole was called to order by the Chair, Warden MacInnis, at 6:45pm.

Approval of Agenda

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

Moved and Seconded

That the agenda be approved as presented.

Motion Carried

Approval of February 11, 2025 Committee of the Whole Minutes

Warden MacInnis called for any errors or omissions in the Committee of the Whole minutes of February 11, 2025. Hearing none, the minutes were considered approved.

Business Arising from the Minutes

There was no business arising from the minutes.

Delegations

There were no delegations.

Continuing Business

2025 Boundary Review

Ms. Schumacher spoke to the staff report outlining the actions taken by staff based on the direction given by the committee at their meeting on January 14th. She noted that staff had provided background information to the committee via email and had contacted several mapping contractors to obtain a range of pricing. Staff reviewed a preliminary outline of how staff thought that the boundary review process might proceed, and how they could utilize as much of the information gathered during the 2023/24 review if at all possible. The option of looking to carry forward with applying the first phase of the review done in 2023/24, confirming status quo of ten districts, was suggested due to how overwhelming the public support was for that option when that phase of the review took place.

The floor was then opened for questions from the committee. Councillors asked for clarification regarding the use of information from the previous review, staff workplans to handle the expected workload vs. utilizing a consultant to undertake the review, and comments were shared by several councillors regarding their experiences during the 2023/24 boundary review process. Discussion followed regarding the Warden or Mayor system, and the committee felt that could be reviewed and discussed later in their term separate from this boundary review process.

Moved and Seconded

The Committee recommends that Municipal Council utilize the results of the first phase of the 2023/24 boundary review and proceed with ten districts for the second phase of the review.

Motion Carried

New Business

2025 Football Canada Cup & Eastern Regional Challenge Sponsorship Request

Mrs. Donovan reviewed the request for sponsorship submitted for the 2025 Football Canada Cup & Eastern Regional Challenge. Where the sponsorship amounts are higher than what are typically higher than what is usually approved internally, the request is being brought forward to the Committee. Mrs. Donovan noted that the Town approved a donation for the same event following a presentation to their council. Discussion followed.

Moved and Seconded

The Committee recommends that Municipal Council approve a sponsorship for the 2025 Football Canada Cup & Eastern Regional Challenge in the amount of \$5,000.

Motion Carried

Meeting Recess for Council

Moved and Seconded

That the Committee of the Whole meeting recess at 7:37pm and resume following the Special Municipal Council meeting.

Motion Carried

The Committee of the Whole was reconvened at 8:26pm.

Community Events

- Councillor MacLaughlin shared that a breakfast was recently held in St. Joseph's and shared details about a number of other events taking place on a regular basis at the community centres.
- Councillor Melanson gave updates about Carnivale in Pomquet and the Coldest Night of the Year Fundraiser
- Councillor McNamara shared that March Break activities are planned at the Havre Boucher Community Centre. The Havre Boucher Fire Hall will also be holding a breakfast.
- Councillor Mattie noted that Fire Hall event details will be shared at the next meeting.
- Councillor MacLellan shared that pickleball activities are underway in Arisaig.
- Deputy Warden Dunbar shared that on February 15th a volunteer appreciation night was held at the Heatherton Community Centre. He also attended the Coldest Night of the Year fundraiser and expressed his thanks to staff that organized the municipal team's participation.
- Warden MacInnis also attended the Coldest Night of the Year fundraiser.

Reports from Inter-Municipal Boards, Committees, and Commissions

Heritage Museum

- Next meeting will be on Monday March 3rd. February meeting was cancelled.

Antigonish Arena Association

- Next meeting will be on March 4th.

Eastern District Planning Commission

- The personnel committee will be meeting to address a complaint.

Eastern Regional Solid Waste Management

- An online session didn't take place as planned, but a meeting is planned on February 27th to learn more about Extended Producer Responsibility.

Pictou Antigonish Regional Library

- Meeting was held by Zoom because of weather. Budget information is resulting in a number of cuts to libraries and a letter is expected to come to the next Council meeting.

RK MacDonald Nursing Home

- Next meeting will be on February 27th

County Paqtnkek Joint Steering Committee

- Nothing to report.

Community Navigation & Physician Retention Services Association

- Meeting was held on February 22nd. Susie Doucet will be leaving for a maternity leave in a few weeks, and her replacement has been hired and attended the last meeting.

PARC

- The committee has met and is working on identifying priorities for their requests to come before the municipalities. The group is looking to reach out to Paqtnkek.

AREMO

- Nothing to Report

Antigonish Community Transit

- Two of the buses for the fixed route have broken down, and a new vehicle is being obtained. The fixed route service has not been operable for the past few weeks because of this. Councillor Mattie explained how the different buses in the fleet are limited in what runs they can be used for because of the funding for the vehicles.

Deputy Warden Dunbar shared information about the upcoming NSFM Spring Conference scheduled to take place in Truro.

Additions to the Agenda

There were no additions to the agenda.

Adjournment

Moved

That the Committee of the Whole meeting be adjourned at 8:42pm.

Motion Carried

Warden Nicholas MacInnis

Shirlyn Donovan, CAO

Antigonish Sno-Dogs Snowmobile Club
PO Box 1253
Antigonish, NS
B2G 2I4

January 26, 2025

Municipality of the County of Antigonish
285 Beech Hill Rd
Antigonish, NS
B2G 0B4

Dear Councillors,

On behalf of the Antigonish Sno-Dogs Snowmobile Club, I am reaching out to request your support in enhancing our community's snowmobile trail network. We are seeking a \$50,000 sponsorship to help fund the purchase of a Prinoth Husky snow groomer, a vital piece of equipment for maintaining safe and accessible trails.

The Antigonish Sno Dogs Snowmobile Club maintains a vast network of over 200 kilometers of trails that connect numerous communities, including Ohio, Lochaber, Kenzieville, Barneys River, James River, Brierly Brook, East River St. Marys, Arisaig, Maryvale, and Clydesdale. These trails also link to the Pictou County trail system and the Eigg Mountain Trails Association through joint agreements. Our network showcases a variety of scenery, from tight, winding hardwood trails to wide-open logging roads, offering recreational opportunities for snowmobilers, hikers, fat bikers, cross-country skiers, and snowshoers.

In recent years, our club has faced significant challenges. The twinning of the TCH 104 highway required us to relocate our clubhouse, build over 15 kilometers of new trail, and negotiate under-highway crossings—all at our expense. Additionally, natural disasters, including the heavy rains of November 2021 and Hurricane Fiona in 2022, caused extensive damage to our trails. Despite these setbacks, our dedicated volunteers have tirelessly worked to rebuild and improve the trail system, securing over \$1 million in provincial and federal funding to restore the trails to better-than-original condition.

However, our current trail groomer, a 1993 John Deere tractor Gilbert conversion with tracks, has reached the end of its operational life. This outdated equipment is unreliable, difficult to operate, and incapable of handling deep or low snow conditions effectively. It takes over 40-50 hours to groom the entire trail network at a maximum speed of 7 km/h, and frequent breakdowns have made this goal unattainable in recent years.

To ensure the safety, accessibility and future growth of our trails, we have decided to upgrade to a modern, state-of-the-art Prinoth Husky snow groomer. This new equipment will:

- Operate efficiently in both deep and low snow conditions.
- Cover trails at an average speed of 12-18 km/h, significantly reducing grooming time.
- Provide a safer and more comfortable experience for operators.

The total cost of this machine is \$475,000. Through fundraising efforts, we have already raised approximately \$15,000. Our goal is to secure one-third of the cost—\$158,333—to apply for matching provincial and federal grants. We are requesting a \$50,000 contribution to help us achieve this goal. This sponsorship will not only support our trail network but also demonstrate your commitment to promoting outdoor recreation, enhancing community well-being, and growing tourism and economic spin-offs throughout our county.

In addition to maintaining trails, the new groomer will also be available for emergency services during extreme snow conditions, such as those experienced in February 2024. As a first responder with the Antigonish County Volunteer Department and a member of Ground Search and Rescue, I can attest to the life-saving potential of this equipment in providing wellness checks, rescues, and other critical services.

Our target timeline is to secure funding by July 2025 and acquire the machine by January 2026. We are actively working with sponsors, donors, and community partners to achieve this goal. Your support would make a significant impact in ensuring that our trail network remains a source of pride and enjoyment for our citizens and visitors.

Thank you for considering this opportunity to invest in the future of outdoor recreation in Antigonish County. We look forward to discussing this partnership further and hope to welcome you as a valued supporter of our goal of making our trail system a destination for outdoor enthusiasts.

Warm regards,

Jeremy Landry
President
Antigonish Sno-Dogs Snowmobile Club
(902)968-1967



MUNICIPALITY OF THE COUNTY OF
ANTIGONISH

MEMO FOR INFORMATION

TO: COMMITTEE OF THE WHOLE
FROM: MEGAN MACINNIS, STRATEGIC INITIATIVES COORDINATOR
SUBJECT: ***GATEWAY SIGNAGE ON SECONDARY HIGHWAYS***
DATE: MARCH 11, 2025

Summary

The County secured \$25,000 through the Beautification and Streetscaping Program to be matched by the Municipality to fund community enhancement projects. One key initiative is the replacement of missing or damaged gateway signage on secondary highways. The new 5x7 signs will be installed at key entry points into Antigonish County, including Highway 245 (Knoydart), Highway 7 (Lochaber), and Trunk 16 (south of Monastery). To align with the Town's signage and the Tourism Strategy, Vibe Marketing and Design Group was hired to design the new signage.

Background

Council directed staff to explore design options that would properly reflect Antigonish's diverse community. One suggestion was to incorporate a word cloud featuring all languages spoken in the region, expanding beyond the five historical "welcome" references previously reviewed at the February 11, 2025, Committee of the Whole meeting.

Discussion

Following consultation with Vibe Creative Group, the design firm advised that including too many languages could create a visual distraction, making the signage less effective and potentially unsafe for motorists. A cluttered design might also diminish the impact of the message, with some languages being overlooked.

To ensure historical accuracy, additional discussions took place with Barry MacKenzie of the Antigonish Heritage Museum. Based on his recommendations, two options were proposed:

1. Keep the five historical languages—Mi'kmaq, English, French, Dutch, and Gaelic.
2. Use a simplified approach featuring the three most widely used languages—Mi'kmaq, English, and French.

The attached mock-ups reflect these considerations. Staff seek Council's direction on the preferred language approach for the final signage.

From: [Gill Hillyard](#)
To: [Beth Schumacher](#)
Subject: EXTERNAL: Mayfest
Date: February 28, 2025 10:07:38 AM

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.

Hi Beth, Saint Marthas Hospital Auxiliary will be hosting Mayfest again this year on May 10th at Bloomfield. If there are any councillors who would like to help out at the admissions desks with security etc they would be very welcome. It's a bit early to ask but I know they only meet once a month. I look forward to hearing from you.
Gill Hillyard
Mayfest Chair.

REQUEST FOR DIRECTON

TO: Committee of the Whole
FROM: BETH SCHUMACHER, DEPUTY CLERK
SUBJECT: POLICY REVIEW GUIDANCE REQUEST
DATE: 11/03/2025

SUMMARY

At the Strategic Priority Setting Workshop held at the end of February 2025, Municipal Council identified policy review as a priority for the Administrative Department.

BACKGROUND

As of March 2025, the Municipality has 51 policies of Council, with dates of passing and revisions ranging from 1988 to 2024 (see the attached list). Council identified undertaking a review of all municipal policies as a priority at their priority setting workshop at the end of February, with the development of a policy to guide this review noted as a first step in this process.

DISCUSSION

For staff to prepare a policy to guide the review of municipal policies, some direction is being sought from Municipal Council regarding criteria for prioritizing the order in which policies are revised. Options include:

- Reviewing policies based on the date they were last revised (addressing the oldest ones first).
- Reviewing policies based on department (Administration, Finance, Public Works, Planning).
- Reviewing policies as identified by members of Municipal Council.
- Reviewing policies in numerical order.
- Reviewing policies based on other criteria as identified by Municipal Council.

Staff is also looking for confirmation of some of the factors to be considered when undertaking a review of a policy, to be noted in the guidance policy. A list of some of the factors that could be listed are:

- Updates to job titles and positions.
- Updates to references to other Municipal, Provincial, and Federal legislation.
- Updates to ensure that accessibility, diversity and inclusion, and anti-racism/hate initiatives are incorporated in policies and procedures.

NEXT STEPS

During the priority setting workshop a suggestion was made to look at including policy review as a standing item on a committee agenda. If it is the wish of Council, a standing item could be added to the Committee of the Whole agenda starting in April 2025.

Policy Number	Policy Name	Notes
1	Municipal Complaint Handling	Approved Apr 21/15
2	Position of Warden / Deputy Warden	Approved Jan 17/89, Revised Sept 20/15, last amended Sept 26/23
3	Subdivision Servicing	1988
4	Municipal Services Systems General Specifications	
5	Human Resources Administrative Policy Manual for Employees	Approved July 26/16, Revised Jan 16/18, Revised Mar 19/19, Revised Nov 19/19, Revised Sept 14/21, last amended Sept 13/22
6	Policy Regarding Garbage Collection Operators	Approved Jan 17/95, Revised Nov 23/07, Revised Apr 20/10, Last amended Apr 19/16
7	Streetlights	Feb 21/89, last amended July 7/01
8	Crosswalk Guards	Approved Feb 21/89, Revised Mar 17/98, last amended Feb 24/04
9	Cheques, Cash Receipts, and Deposits	Approved Feb 21/89
10	Write-Offs / Write-Ons	Approved June 20/95
11	Clothing and Footwear for "Outside" Municipal Employees	Approved Jul 13/07, Revised Apr 17/09, Revised Apr 20/10, last amended June 10/13
12	Private Roads & Municipal Waste Collection	Approved Apr 21/15
13	Investments	Approved April 16/96
14	Council Remuneration	Approved Apr 20/99, Revised Sept 20/16, Revised Nov 21/17, last amended Sept Dec 19/18
15	Tax Exemption for Low-Income Tax Payers	Approved May 18/99, Revised June 3/14,

Last Updated March 5, 2025

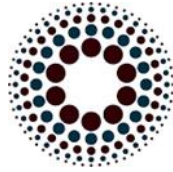
		Revised May 17/15, Revised 2016 (budget), Revised June 6/17, Revised May 21/19, Revised June 8/20, Revised June 7/22, last amended May 9/23
16	Procurement and Sustainable Purchasing	Amended Oct 16/14
17	Public Participation	Approved Sept 2014, last amended June 13/23
18	Committee of the Whole	Approved Dec 8/14, last amended Sept 20/16
19	Inter-Municipal Agreements	Approved Feb 17/15
20	Dog Control and Impoundments	Approved Nov 18/03, Revised Apr 16/13, last amended Jan 15/19
21	Interest / Late Charges	
22	Solid Waste Management Facility Charges	Approved July 15/03, last amended July 30/09
23	Policy on Municipal Council and CAO Expense Reimbursement	Approved Mar15/16, Revised Sept 20/16, Revised March 19/19, Revised Dec 14/20, last amended Jan 28/25
24	Landfill – Handling of Tire Fluff	Approved Dec 21/04
25	Naming of Private Roads	Approved Oct 20/15
26	Water Meters	Approved July 26/16
27	Proclamations Policy	Approved June 19/18
28	Occupational Health and Safety	Approved June 17/97, last amended Jan 2/14
29	Sale or Exchange of Municipal Land	Approved Nov 21/06
30	Fees for Compost Materials for Use by Residents / Commercial Establishments	Approved Oct 16/07, last amended May 17/11
31	Anti-Idling Standard Operating	Approved June 17/08
32	Dangerous and Unsightly Premises	Approved Sept 16/08
33	External Boards Policy	Approved Sept 20/16

Last Updated March 5, 2025

34	Council Special District Grants	Approved Nov 19/13, last amended Nov 20/18
35	Tax Exemption for Non-Profit Organizations Policy	Approved Oct 15/13, Revised Nov 19/13, Revised Mar 18/14, Revised Feb 17/15 Revised Sept 15/15, Revised Apr 19/16, Revised Sept 20/16, Revised Feb 21/17, Revised July 25/17, Revised Oct 17/17, Revised Feb 10/20 Revised Oct 13/20, Revised Feb 9/21, Revised March 9/21, Revised June 8/21, Revised July 13/21, last amended Feb 13/24
36	Community Partnership Grant Policy	Approved Jan 21/14, Revised Feb 16/16, last amended Feb 19/19
37	Policy Regarding Rules of Order, Council Proceedings and Committees (MGA)	Approved Jan 15/02, Revised Dec 17/19, last amended Jan 11/21
38	Procedures for Setting of Fire Rates – Antigonish County Volunteer Fire Departments	Approved Nov 18/14
39	Comfort Centre and Emergency Shelter Policy	Approved Apr 17/12, Revised May 11/21, Revised Nov 9/21, last amended Jan 9/24
40	Records Management	Approved Jun 21/16
41	Asset Management	Approved Jul 25/17, last amended Dec 19/18
42	Workplace Health & Wellness Policy	Approved Oct 17/17, last amended Dec 14/20
43	Leadership and Travel Assistance Grants	February 19, 2019

Last Updated March 5, 2025

44	Hospitality Policy	Approved Nov 19/19, Revised Dec 14/20, last amended Jan 28/25
45	Chief Administrative Officer Policy	Approved Sept 8/2020
46	Municipal Local Improvements Fees Policy	Approved Nov 23/20, last amended Nov 14/23
47	Municipal Council Videoconferencing Policy	October 12, 2021
48	Municipal COVID-19 Vaccination Policy	Approved Nov 9/21, last amended April 19/22
49	Policy to Set the Fees to be Paid for Building Permits	Approved June 14/22
50	Public Participation Program Regarding Engagement with Abutting Municipalities	Approved March 14/23
51	Municipal Code of Conduct for Elected Officials	Approved Dec 10/24



Delivered via email

March 4, 2025

RE: Pending Legislation

Dear Members,

I am writing to thank you for your participation in our Mayors, Wardens, & CAOs meeting, held on February 26. Your engagement during the meeting has helped shape our messaging and advocacy efforts as we continue to engage with the Province on Bills introduced in this sitting of the legislature, in particular, Bill 24, *Temporary Access to Land Act and Joint Regional Transportation Agency Act (amended)*.

Since our member meeting, NSFM has remained very active bringing your concerns directly to the Province. CEO, Juanita Spencer, and I have had several productive meetings with provincial officials, including Minister Lohr and Minister Tilley. We remain optimistic that our message has been heard and are hopeful that changes will be made to the legislation as presented. As we learn more, and are able to share, we will send updates to our members.

I also want to thank those of you who have forwarded letters of support for NSFM's work and invite others to forward us your support in writing, if possible. It is critical that we demonstrate a strong, united municipal voice as we advocate for change to this legislation.

If you have any questions or concerns, please contact us at info@nsfm.ca.

Sincerely,

Pam Mood
President
Nova Scotia Federation of Municipalities

BILL NO. 24

(as introduced)



1st Session, 65th General Assembly

Nova Scotia

3 Charles III, 2025

Government Bill

**Temporary Access to Land Act
and
Joint Regional Transportation Agency Act (amended)**

The Honourable Fred Tilley

Minister of Public Works

[First Reading](#): February 20, 2025

[\(Explanatory Notes\)](#)

Second Reading:

Third Reading:

Explanatory Notes

[Clause 1](#) provides that the Schedule, the Temporary Access to Land Act, comes into force as provided in that Schedule.

[Clauses 2 and 3](#) amend the long and short titles of the Joint Regional Transportation Agency Act.

BILL NO. 24

(as introduced)

[Clause 4](#) adds a purpose provision to the Joint Regional Transportation Agency Act.

[Clause 5](#) amends, adds to and removes from the Joint Regional Transportation Agency Act certain definitions.

[Clause 6](#) changes the name of the Joint Regional Transportation Agency to Link Nova Scotia.

[Clause 7](#)

- (a) amends and expands Link Nova Scotia's objects;
- (b) provides exclusions respecting Link Nova Scotia's responsibilities;
- (c) expands Link Nova Scotia's capacity and powers; and
- (d) provides rules and requirements respecting Link Nova Scotia's work on transportation projects.

[Clause 8](#) transfers the management and control of the affairs of Link Nova Scotia from a Board of Directors to the Minister of Public Works.

[Clause 9](#)

- (a) allows for ministerial orders to a municipality relating to the Act or transportation;
- (b) provides parameters for the exercise of the ministerial order-making power, including where a municipality does not comply with an order within a specified time;
- (c) excludes ministerial action under the Act from the duty to notify the Nova Scotia Federation of Municipalities under the Municipal Government Act;
- (d) provides requirements for transportation-related municipal actions;
- (e) provides for the appointment and duties of Link Nova Scotia's Chief Executive Officer;
- (f) replaces Link Nova Scotia's Board of Directors with an Advisory Board;
- (g) provides for the composition and structure of the Advisory Board;
- (h) removes Link Nova Scotia's ability to appoint officers and directors; and
- (i) amends Link Nova Scotia's process for using consultants.

[Clause 10](#) allows the Minister to make by-laws and policies for Link Nova Scotia.

[Clause 11](#) replaces references to Link Nova Scotia's Board of Directors with references to the Advisory Board.

[Clause 12](#) updates a cross-reference.

[Clause 13](#)

- (a) replaces the ministerial appointment of a Technical Advisory Board with a process where the Advisory Board appoints a Technical Advisory Committee;
- (b) outlines certain mandatory representation at the Committee; and
- (c) provides a process and parameters for the Advisory Board appointing other advisory committees.

[Clause 14](#)

- (a) outlines the application of certain legislation to Link Nova Scotia and its employees; and
- (b) provides rules and requirements respecting legal proceedings against Link Nova Scotia.

[Clause 15](#)

- (a) outlines the duty of good faith and care applicable to the Advisory Board and advisory committees; and
- (b) provides that Link Nova Scotia is not subject to taxation.

[Clauses 16 to 19](#)

- (a) require Link Nova Scotia's annual business plan to contain such information as required by the Minister;
- (b) require Link Nova Scotia to submit a multi-year strategic plan when required by the Minister;
- (c) replace the requirement for a five-year master transportation plan with a requirement for a regional transportation plan;
- (d) require ongoing review of the regional transportation plan by Link Nova Scotia; and
- (e) amend the deadline for Link Nova Scotia's annual report.

[Clause 20](#)

- (a) adds ministerial regulation-making authority; and
- (b) expands Governor in Council regulation-making authority.

[Clause 21](#) provides that certain provisions come into force on proclamation.

[The Schedule](#) enacts the Temporary Access to Land Act.

**An Act Respecting
Temporary Access to Adjacent Land,
and to Amend Chapter 23
of the Acts of 2021,
the Joint Regional Transportation Agency Act**

Be it enacted by the Governor and Assembly as follows:

1 The Schedule, the Temporary Access to Land Act, comes into force as provided in that Schedule.

2 The title of Chapter 23 of the Acts of 2021, the Joint Regional Transportation Agency Act, is amended by striking out "a Joint Regional Transportation Agency" and substituting "Link Nova Scotia".

3 Section 1 of Chapter 23 is amended by striking out "Joint Regional Transportation Agency" and substituting "Link Nova Scotia".

4 Chapter 23 is further amended by adding immediately after Section 1 the following Section:

1A The purpose of this Act is to

(a) address transportation issues and opportunities in keeping with the Province's population growth and regional development;

(b) provide the Minister with order-making authority with respect to transportation projects in municipalities; and

(c) establish Link Nova Scotia.

5 Section 2 of Chapter 23 is repealed and the following Section substituted:

2 In this Act,

"Advisory Board" means the Advisory Board of the Agency;

"Agency" means Link Nova Scotia established under Section 4;

"Deputy Minister" means the Deputy Minister appointed by the Governor in Council for the purpose of this Act;

"Minister" means the Minister of Public Works;

"municipality" means a regional municipality, town or municipality of a county or district;

"Region" means the Halifax Regional Municipality and includes any additional areas or municipalities prescribed by the Minister;

"regional transportation plan" means the regional transportation plan required under Section 26;

"regional transportation system" means a system in the Region for the movement of people and goods by any means, and includes freeway, arterial and collector roadways and associated bridges, harbour crossings, rail corridors, frequent, rapid and regional transit service and regional transportation links;

"transportation project" means any project that the Agency is authorized to undertake, including a highway, a roadway, a bridge, a transit facility, a transit service, an active transportation facility, traffic management or any other planning, infrastructure, program or policy project for transportation purposes.

6 Subsection 4(1) of Chapter 23 is amended by striking out "a body corporate to be known as the Joint Regional Transportation Agency" and substituting "as a body corporate a transportation agency to be known as Link Nova Scotia".

7 Section 5 of Chapter 23 is repealed and the following Sections substituted:

5 The objects of the Agency are to

(a) conduct comprehensive reviews of all aspects of transportation associated with the Region including roads, bridges, highways, bike lanes, buses, ferries, rail, airports and ports for the purpose of creating a regional transportation plan to ensure

(i) a regional approach to transportation consistent with Government priorities and the Region's growth and development, and

(ii) the safe, efficient and coordinated movement of people and goods;

(b) promote and facilitate coordinated decision-making in the Region across all levels of government respecting transportation planning, including policies, programs, projects and other initiatives;

(c) coordinate, plan, develop and implement, in co-operation with all levels of government, a regional transportation system for the movement of people and goods to support sustainable growth in the Region;

(d) promote and facilitate the identification, protection and preservation of transportation corridors; and

(e) conduct any other activities deemed necessary to fulfill the intent of this Act in accordance with the regulations.

5A Except as otherwise provided under this or any other Act, the Agency is not responsible for

(a) the construction, operation, maintenance or management of any municipal highway, provincial highway, public or private road or crossing, including any bridges thereon, except to the extent that the Agency has responsibility under the regional transportation plan to do so;

(b) operating a public transportation service within a municipality; or

(c) any other matter prescribed by the Governor in Council in the regulations.

5B (1) The Agency has the capacity and, subject to this Act, the rights, powers and privileges of a natural person.

(2) The Agency may do such things necessary for or incidental to the effective attainment of its objects and exercise of its powers, including

(a) acquiring, constructing and maintaining any assets, facilities and other real or personal property required for the regional transportation system;

(b) owning, managing or operating transit services as required for the regional transportation system;

(c) planning, designing, building, developing, buying, acquiring, holding, managing, improving, remediating, leasing, disposing of and otherwise dealing with any real or personal property or any interest therein in support of or to facilitate the development, construction or operation of the regional transportation system;

(d) preparing and implementing strategic, service, capital and operational plans for the regional transportation system;

(e) delivering, in whole or in part, any programs on behalf of the Minister as the Minister may direct, including the granting and receiving of funding for transportation initiatives, including community-based transit programs;

(f) negotiating agreements with all levels of government for funding of the capital and operating costs of maintaining, improving or expanding the regional transportation system;

(g) paying the costs, charges and expenses preliminary and incidental to the formation and establishment of the Agency;

(h) subject to this Act and the regulations, entering into agreements with any person or body, including governmental entities;

(i) doing such other things as may be incidental or conducive to carrying into effect the purpose and intent of this Act or the regulations; and

(j) pursuing such other activities as may be prescribed by the Governor in Council in the regulations.

5C With the approval of the Governor in Council, the Agency may plan, design, construct, maintain and operate a transportation project in the Region.

5D The Minister may request the Agency to investigate the present or future need of a transportation project in the Region, and the Agency shall

(a) conduct such investigations and studies as it considers advisable respecting

(i) the need for or advisability of the transportation project,

(ii) the proper location of the transportation project,

(iii) the manner or method of financing and operating the transportation project,

(iv) the probable cost of acquiring lands for the purpose of the transportation project and the cost of constructing the transportation project,

(v) conformity with the regional transportation plan,

(vi) conformity with land-use planning, housing and transit-supportive development, and

(vii) any other matter related to the construction, operation, maintenance or financing of the transportation project that the Agency considers relevant;

(b) for the purpose of conducting investigations and studies, engage expert or technical assistance;

(c) defray the cost of its investigations and studies out of the ordinary revenue of the Agency; and

(d) make reports and recommendations to the Minister.

8 Section 6 of Chapter 23 is amended by striking out "a Board of Directors and the Board" and substituting "the Minister and the Minister".

9 Sections 7 to 12 of Chapter 23 are repealed and the following Sections substituted:

7 (1) The Minister may order a municipality to

(a) do anything required by this Act;

(b) build, change, reconfigure or remove transportation infrastructure within the municipality; and

(c) do anything necessary or desirable in the interest of the safe, efficient and coordinated movement of people and goods.

(2) An order made under this Section must be consistent with the intent of this Act and in accordance with the regulations.

(3) The Minister may require a municipality to comply with an order made under this Section within a reasonable time specified in the order.

(4) Where the Minister orders a municipality to build, change, reconfigure or remove transportation infrastructure under subsection (1) and the municipality does not comply within the time specified in the order, the Minister, or any person acting by or under the Minister's authority, may build, change, reconfigure or remove the transportation infrastructure in such manner as the Minister deems expedient.

(5) The cost of any work completed under subsection (4) is a debt owed by the municipality to the Crown in right of the Province and is recoverable in any court of competent jurisdiction.

8 Notwithstanding Section 519 of the Municipal Government Act, the Minister of Municipal Affairs is not required to notify the Nova Scotia Federation of Municipalities with respect to any ministerial action taken pursuant to this Act.

9 A municipality's resolutions, regulations, by-laws and policies, and other acts or matters of a municipality, related to transportation must be reasonably consistent with the approved regional transportation plan.

10 (1) The Governor in Council shall appoint a Chief Executive Officer of the Agency.

(2) The Chief Executive Officer reports to the Deputy Minister.

(3) The Chief Executive Officer shall perform such duties as the Minister may determine.

11 The Agency has an Advisory Board that provides advice and recommendations to further the Agency's objects.

12 (1) The Advisory Board consists of not less than seven and not more than 15 members appointed by the Governor in Council.

(2) Advisory Board members hold office for such period of time as determined by the Governor in Council.

(3) The Deputy Minister or a person designated in writing by the Deputy Minister and the Chief Executive Officer may attend meetings of the Advisory Board, but the Deputy Minister or the Deputy Minister's designate and the Chief Executive Officer are not members of the Advisory Board and may not vote at meetings of the Advisory Board.

12A The Governor in Council shall appoint a Chair and Vice-chair of the Advisory Board, who hold office for such period of time as determined by the Governor in Council.

12B The Agency may retain consultants, who report to the Chief Executive Officer, as it deems necessary to carry out its objectives.

10 Section 13 of Chapter 23 is amended by

(a) striking out "Board" and substituting "Minister"; and

(b) striking out "its" the first time it appears and substituting "the Agency's".

11 Chapter 23 is further amended by adding "Advisory" immediately before "Board" wherever it appears in Sections 14 to 18.

12 Subsection 16(2) of Chapter 23 is amended by striking out "Sections 8 and 9" and substituting "Section 12".

13 Section 19 of Chapter 23 is repealed and the following Sections substituted:

19 (1) The Advisory Board may appoint a Technical Advisory Committee, consisting of internal and external partners, that reports to the Advisory Board on any considerations the Committee deems necessary to meet the objects of the Agency.

(2) The Technical Advisory Committee appointed under subsection (1) must include representatives from

(a) the Halifax Regional Municipality;

(b) the Halifax Port Authority;

(c) the Halifax International Airport Authority;

(d) Halifax Harbour Bridges;

(e) the Atlantic Canada Opportunities Agency; and

(f) the Department of Public Works.

19A (1) Subject to the approval of the Deputy Minister, the Advisory Board may appoint other advisory committees that report to the Advisory Board on any considerations deemed necessary to meet the objects of the Agency.

(2) Advisory committees may make recommendations to the Advisory Board but the Advisory Board and the Minister are not bound by any recommendation of an advisory committee.

14 Chapter 23 is further amended by adding immediately after Section 20 the following Sections:

20A Section 44A of the Civil Service Act applies with necessary changes to the Agency and the Advisory Board.

20B The Civil Service Act and the regulations made under that Act and the Civil Service Collective Bargaining Act do not apply to employees of the Agency.

20C (1) The Proceedings against the Crown Act applies to actions and proceedings against the Agency.

(2) For the purpose of this Section, a reference in the Proceedings against the Crown Act to

(a) the Crown is to be construed as a reference to the Agency; and

(b) the General Revenue Fund of the Province is to be construed as a reference to the funds of the Agency.

(3) In proceedings under this Section, an action must be brought against the Agency in the name of the Agency.

(4) Where a document or notice is to be served upon or given to the Agency pursuant to this Section or the Proceedings against the Crown Act, it may be served by delivering a copy to the office of the Attorney General or the Deputy Attorney General or any other lawyer employed in the Department of the Attorney General or by delivering a copy to a lawyer designated for that purpose by the Attorney General and such service is deemed to be service on the Agency.

15 Sections 21 and 22 of Chapter 23 are repealed and the following Sections substituted:

21 Each Advisory Board and advisory committee member shall, when exercising the powers or performing the duties of the member's position,

(a) act honestly and in good faith with a view to the best interests of the Agency;

(b) exercise the care, diligence and skill that a reasonably prudent individual would exercise in comparable circumstances; and

(c) act in accordance with this Act and the regulations.

22 The Agency, its property and its assets are not subject to taxation.

16 Section 25 of Chapter 23 is amended by adding "(1)" immediately after the Section number and adding the following subsection:

(2) The business plan must contain such information as required by the Minister.

17 Chapter 23 is further amended by adding immediately after Section 25 the following Section:

25A When required by the Minister, the Agency shall submit to the Minister for approval a multi-year strategic plan for the operation of the Agency.

18 Section 26 of Chapter 23 is repealed and the following Section substituted:

26 (1) As required by the Minister, the Agency shall submit to the Minister for approval a regional transportation plan to improve the flow of people and goods in and out of the Region, factoring in all aspects of transportation.

(2) The Minister shall submit the regional transportation plan required by subsection (1) to the Governor in Council for approval.

(3) The Agency shall review the regional transportation plan on an ongoing basis and report annually as required by subsection 27(1).

19 Subsection 27(1) of Chapter 23 is amended by

(a) striking out "December 31st" and substituting "such date as directed by the Minister"; and

(b) striking out "five-year master" and substituting "regional".

20 Section 28 of Chapter 23 is repealed and the following Sections substituted:

28 (1) The Minister may make regulations prescribing additional areas or municipalities to be included in the Region.

(2) The exercise by the Minister of the authority contained in subsection (1) is a regulation within the meaning of the Regulations Act.

28A (1) The Governor in Council may make regulations

- (a) respecting the governance of the Agency;
 - (b) changing the name of the Agency;
 - (c) respecting the regional transportation system, including any transit service;
 - (d) respecting the powers of the Agency to acquire, sell or otherwise dispose of assets, including real and personal property and infrastructure;
 - (e) respecting reporting requirements;
 - (f) respecting traffic by-laws, including with respect to electronic enforcement and traffic calming;
 - (g) prescribing matters the Agency is not responsible for under Section 5A;
 - (h) setting criteria and factors to be considered by the Minister when issuing orders under Section 7;
 - (i) prescribing matters to be included in the annual plans and reports required by Sections 25 and 27;
 - (j) respecting any matter authorized by this Act to be done by regulation;
 - (k) defining any word or expression used but not defined in this Act;
 - (l) respecting any matter or thing that the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act.
- (2) The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the Regulations Act.

21 Sections 2 to 20 come into force on such day as the Governor in Council orders and declares by proclamation.

SCHEDULE

An Act Respecting
Temporary Access to Adjacent Land

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the Temporary Access to Land Act.

2 In this Act,

"application" means an application to the Board for a temporary land-access order;

"Board" means the Nova Scotia Regulatory and Appeals Board established under the Energy and Regulatory Boards Act;

"land" includes a stratum of air above or a stratum of soil below the surface of the earth;

"Minister" means the member of the Executive Council assigned responsibility for this Act;

"order" means a temporary land-access order.

3 The following are eligible work for the purpose of this Act:

(a) construction, maintenance or repair of, or development for, a building or structure, other than a single-family residence, a duplex or a type of building or structure prescribed by the regulations; and

(b) any work that is necessary for, or incidental to, work referred to in clause (a).

4 (1) A person who

(a) for the purpose of carrying out eligible work on land owned by the person, requires temporary access to adjacent land owned by another person; and

(b) is unable to obtain the consent of the owner of the adjacent land for such access, may make an application to the Board for a temporary land-access order.

(2) An application may only be made in the manner prescribed by the regulations and must include any information prescribed by the regulations.

(3) An application must be accompanied by an application fee in the amount prescribed by the regulations.

5 (1) An applicant for an order shall, in the form and manner prescribed by the regulations and within the time prescribed by the regulations, provide notice of the application to the owner of the adjacent land.

(2) Notwithstanding subsection (1), where the owner of the adjacent land is unknown or cannot be located, the applicant for an order shall provide notice in the form and manner prescribed by the regulations.

6 (1) On hearing an application, the Board shall issue an order if the Board is satisfied that

(a) access to the adjacent land is required for the purpose of carrying out eligible work on the applicant's land and there is no reasonable alternative means of carrying out the eligible work without such access;

(b) the applicant has, in good faith, made reasonable attempts to obtain the consent of the owner of the adjacent land for access to the land;

(c) the completion of the eligible work aligns with prescribed Provincial priorities; and

(d) any additional requirement prescribed by the regulations has been met.

(2) The Board shall not make an order unless the Board is satisfied that the applicant has given notice of the application in accordance with Section 5.

7 Except to the extent that they conflict with the regulations, the Energy and Regulatory Boards Act and the rules respecting practice and procedure made by the Board under the Energy and Regulatory Boards Act apply in respect of a hearing under this Act.

8 An order must specify

(a) the portion of the adjacent land to which it permits access;

(b) the date on or from which access is permitted and the date when access ceases to be permitted and, where appropriate, the times during which access is permitted; and

(c) the amount of compensation that must be paid by the applicant to the owner of the adjacent land prior to the commencement of access.

9 (1) An order may not authorize access to an adjacent property for a period exceeding one year from the date on which the order is issued.

(2) Notwithstanding subsection (1), the Board may renew an order for successive periods not exceeding one year from the date of renewal if the Board is satisfied that

(a) the applicant has commenced the eligible work in respect of which the temporary access order was issued;

(b) access continues to be required for the purpose of the eligible work; and

(c) any additional requirement prescribed by the regulations has been met.

10 (1) The Board may specify such conditions in an order as the Board considers advisable in the circumstances.

(2) Without limiting the generality of subsection (1), an order may include conditions

(a) for the purpose of avoiding or minimizing loss, damage or injury to the owner of the land to which access is granted or to any other person or to any other land or property;

(b) for the purpose of avoiding or minimizing inconvenience or loss of privacy caused to the owner of the land to which access is granted or to any other person;

- (c) specifying precautions and safeguards to be put in place by the applicant;
- (d) in accordance with the regulations, requiring the taking out of insurance coverage by the applicant, in such amount as may be specified in the order; and
- (e) in accordance with the regulations, requiring that the applicant provide a damage deposit, bond or other security prior to the commencement of access.

11 It is a condition of every temporary access order that, following the period of permitted access, the applicant restore the land accessed to the same condition as it was before the access, so far as is reasonably practicable.

12 (1) An order authorizes, for the purpose of carrying out the eligible work in respect of which the order is issued, an applicant to have access to adjacent land in accordance with the order.

(2) Unless otherwise specified in an order, the order authorizes

(a) the access to and remaining on the land concerned of such persons authorized by the applicant as are reasonably necessary to carry out the eligible work;

(b) the applicant to bring on, leave on and remove from the land such materials, plant and equipment as are reasonably necessary for carrying out the work; and

(c) the applicant to remove from the land any waste that may arise from carrying out the work.

(3) An order does not confer on any party to the order any interest in the land to which access is granted and is not capable of being recorded pursuant to the Land Registration Act or registered pursuant to the Registry Act.

13 The Board may, in accordance with the regulations, vary or revoke an order.

14 (1) An order ceases to have effect on the date specified in the order or on revocation under Section 13.

(2) The cessation or revocation of an order does not affect the previous operation of the order.

(3) The cessation or revocation of an order does not prevent the enforcement by the owner of the land to which access is granted of any conditions of the order or obligations of the applicant imposed by this Act.

15 An applicant authorized to have access to adjacent land under an order is solely liable for any damages or injuries resulting from the applicant's access to the adjacent land.

16 No action or other proceeding lies or may be instituted against the Board, the Minister or the Crown in right of the Province as a direct or indirect result of access to land authorized under an order or as a direct or indirect result of a refusal to issue or renew an order.

17 For greater certainty, this Act does not bind the Crown in right of the Province and no application may be made under this Act respecting access to land owned by the Province, an agency of the Province or a Crown corporation.

18 (1) The Minister may make regulations

- (a) designating a region of the Province in which this Act does not apply;
- (b) prescribing a type of building or structure for the purpose of clause 3(a);
- (c) respecting an application, including prescribing the manner in which an application must be made and the information that must be included in an application;
- (d) respecting the provision of notice of an application;
- (e) respecting the conduct of hearings;
- (f) respecting criteria for determining whether an applicant has, in good faith, made reasonable efforts to obtain the consent of the adjacent property owner for access to the owner's property;
- (g) prescribing Provincial priorities for the purpose of this Act;
- (h) respecting the requirement for and calculation of compensation;
- (i) respecting insurance coverage to be obtained by an applicant and proof of such insurance;
- (j) respecting the requirement for and calculation of a damage deposit, a bond or other security;
- (k) respecting the contents of an order, including prescribing additional conditions applicable to all orders or to a class of orders;
- (l) respecting forms and documents to be used in the administration of this Act;
- (m) respecting the variance or revocation of an order, including establishing a process to apply for variance or revocation of an order and prescribing requirements that must be satisfied before an order is varied or revoked;

(n) respecting the renewal of an order, including respecting the process to apply for renewal of an order and prescribing requirements that must be satisfied before a renewal is granted;

(o) imposing and prescribing fees for the purpose of this Act;

(p) defining any term used but not defined in this Act;

(q) further defining any term defined in this Act;

(r) respecting any matter or thing the Governor in Council considers necessary or advisable to carry out the purpose of this Act.

(2) The exercise by the Minister of the authority contained in subsection (1) is a regulation within the meaning of the Regulations Act.

19 (1) Sections 4 to 6 cease to have effect on the third anniversary of their coming into force unless, before that anniversary, the Minister orders that Section 4 to 6 cease to have effect on a later date.

(2) The exercise by the Minister of the authority contained in subsection (1) is a regulation within the meaning of the Regulations Act.

(3) The cessation of effect of Sections 4 to 6 does not affect an order in force on the date that those Sections cease to have effect.

(4) The cessation of effect of Sections 4 to 6 does not prevent the enforcement by the owner of the land to which access is granted under an order of any conditions of the order or any obligations of the applicant imposed by this Act.

20 This Act comes into force on such day, not before April 1, 2025, as the Governor in Council orders and declares by proclamation.

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