

**Region of Queens Municipality Regular Council
Tuesday, September 28, 2021**

6:00 p.m.

Agenda

1.0 Call to Order

2.0 Changes / Approval of Agenda

3.0 Tabling of Petitions

4.0 Public Question / Comment Session

5.0 Approval of Minutes

5.1 Regular Council – September 14, 2021

6.0 Presentations

6.1 Agricultural Sector Review 2021

7.0 Recommendations

7.1 Pre-approved Borrowing – Brooklyn

7.2 Privateer Farmers' Market for Waiver of Policy 58 – Consumption of Alcohol on Municipal Property

7.3 Road Naming – Edith's Point Road

7.4 Request for Memorial Bench at Privateer Park

7.5 Queens Accessibility Advisory Committee Application

7.6 Community Investment Fund Application – PAC Autism Nova Scotia Society

7.7 Community Investment Fund Application – Liverpool Curling Club

7.8 Proposed Civic Holiday – Bylaw No. 5, A Bylaw Respecting a Truth and Reconciliation Civic Holiday

8.0 Discussions

- 8.1 Nova Scotia Federation of Municipalities Interim Resolutions Report – September 8, 2021
- 8.2 Coastal Protection Act: Proposed Regulations
- 8.3 Cost Sharing of J-Class Roads – 2022-2023 Fiscal Year
- 8.4 NSFM 2021 Virtual Conference November 3-4, 2021
- 8.5 Policy 84 – Flags
- 8.6 Appointment to Audit and Internal Control Committee
- 8.7 Queens Accessibility Advisory Committee Application
- 8.8 Council Implementation Report

9.0 In-Camera Items

- 9.1 Potential Litigation
- 9.2 Sale of Municipal Property

10.0 Adjournment

**Region of Queens Municipality Regular Council
Tuesday, September 14, 2021, 9:00 a.m.**

5.1

Minutes

Present: Mayor Darlene Norman, Chair
Deputy Mayor Kevin Muise
Councillor Maddie Charlton
Councillor Ralph Gidney
Councillor Vicki Amirault
Councillor Jack Fancy
Councillor David Brown
Councillor Carl Hawkes
Chris McNeill, CAO
Christine Watson, Admin. Assistant – Planning & Development

1.0 Call to Order

Mayor Norman called the meeting to order at 9:00 a.m.

2.0 Changes / Approval of Agenda

It was moved by Councillor Gidney and seconded by Councillor Brown that the Agenda be approved as presented.

MOTION CARRIED unanimously.

3.0 Tabling of Petitions

There were no petitions to come before this meeting.

4.0 Public Question / Comment Session

Leon Robertson, College Street, Liverpool – Mr. Robertson enquired if \$60,000 for a 2009 vehicle was too expensive under 6.2 GMC Dump Truck Purchase. Mayor Norman stated this would be discussed later on the agenda.

5.0 Approval of Minutes

5.1 Regular Council – August 10, 2021

It was moved by Councillor Brown and seconded by Councillor Hawkes:

THAT the minutes of the Regular Council meeting held August 10, 2021 be approved as circulated.

MOTION CARRIED unanimously.

6.0 Recommendations

6.1 2021, 4x4, 14,000lb Chassis Cab Purchase

It was moved by Deputy Mayor Muise and seconded by Councillor Charlton:

THAT the Council of Region of Queens Municipality approve the purchase of a 2021, 4x4, 14,000lb Chassis Cab from Mosher Motors at a price of \$58,517.70 + HST.

Adam Grant, Director of Engineering & Public Works, stated a Request for Quotation was issued in August to three local manufacturer representatives. One completed request was received from Mosher Motors in Hebbville, NS. The other two advised that due to supply chain issues they were unable to offer at this time.

The truck is a budgeted item and is within allocation. This will replace a 2005 truck that will be disposed for salvage materials.

MOTION CARRIED unanimously.

6.2 2009 GMC Topkick Tandem Axle Dump Truck Purchase

It was moved by Councillor Hawkes and seconded by Councillor Brown:

THAT the Council of Region of Queens Municipality approve the purchase of the 2009 GMC Topkick from Nova Freightliner at a price of \$60,000 + HST.

Mr. Grant stated the Engineering and Public Works department staff have been working to source a suitable replacement for a 1989 Ford L8000. The cost to purchase this vehicle new would be approximately \$240,000 prior to being equipped to our specifications. The replaced vehicle will be retained to salvage for parts.

The truck is a budgeted item and is within budget.

MOTION CARRIED unanimously.

6.3 Ad Hoc Noise Bylaw Committee Application

It was moved by Councillor Charlton and seconded by Councillor Brown:

THAT Council of Region of Queens Municipality appoint Sue Beaumont-Rudderham to the Ad Hoc Noise Bylaw Committee to represent Electoral District 1.

MOTION CARRIED unanimously.

6.4 Queens Municipal Accessibility Plan 2021-2030

It was moved by Councillor Armirault and seconded by Councillor Gidney:

THAT the Council of Region of Queens Municipality adopt Queens Municipal Accessibility Plan dated August 27, 2021.

Elise Johnston, Accessibility Coordinator, stated the draft Queens Municipal Accessibility Plan 2021-2030 (QMAP) was presented to Council on April 27, 2021 and was released for public input for 45 days; response was minimal.

MOTION CARRIED unanimously.

6.5 Municipal Heritage Design – North Queens Heritage House

It was moved by Councillor Hawkes and seconded by Councillor Fancy:

THAT Council of Region of Queens Municipality serve Notice of Recommendation upon the owners of property identified as PID #70151147 and located at 25 West Caledonia Road in Caledonia, regarding the registration of the property (known as Milton Douglas House) in the Municipality Registry of Heritage Property;

AND THAT a hearing be scheduled for October 26, 2021 at 6:00 p.m. in the Council Chambers of the Municipal Administration Building, 249 White Point Road in Liverpool, to provide opportunity for the property owners to make comment on the proposed designation.

Mike MacLeod, Director of Planning and Development, stated owners of property located at 25 West Caledonia Road in Caledonia have made application to have the property designated under the municipal register of heritage properties.

The Milton Douglas House is currently home of the North Queens Heritage House Museum. It was constructed circa 1854 and is situated on part of the lands granted to John Douglas in 1825. The house is a good example of those constructed during this era. The Douglas family has a long history in the Caledonia area and are well-known business owners and employers.

The Region's Heritage Advisory Committee met on August 19, 2021 to discuss the application. While the architectural style of the structure is a good example of those homes typically constructed during this year, the Committee felt that the role of the Douglas family in the community was of even greater significance for heritage designation.

Under the Heritage Property Act there are a number of categories which the property can be registered as a heritage designation; architecture, person or place. The Act sets out the process of how properties are designated. They are first served notice of the recommendation to the owner. In this case, the owners are the applicants. They are given the opportunity to come before Council and make comment on the designation. Following approval, notice will be served and a hearing will be scheduled.

Councillor Fancy enquired as to what the heritage designation gives them. Mr. MacLeod stated that they can participate in provincial grants for upgrades, but it is more for prestige value than money. With the designation, there are restrictions on property alterations.

MOTION CARRIED unanimously.

6.6 Rezoning Request – 1428 East Port L'Hebert Road, East Port L'Hebert

It was moved by Councillor Amirault and seconded by Deputy Mayor Muise:

THAT Council of Region of Queens Municipality give notice of its intention to amend the Land Use Bylaw to rezone PID #70275185 from Fishing and Marine (M3) to Mixed Use Coastal Residential (R6);

AND THAT a Public Hearing be held on October 12, 2021 at 9:00 a.m. in Council Chambers of the Municipal Administration Building, 249 White Point Road in Liverpool.

Mr. MacLeod stated the owner of property located at 1428 East Port L'Hebert Road in East Port L'Hebert has made application to rezone the property from Fishing and Marine (M3) to Mixed Use Coastal Residential (R6). The property was formerly part of Sandy and Sons Fisheries land and in 2019 was subdivided in 2019 with the future intent to construct a new home.

The property is currently zoned as Fishing and Marine (M3) under the Land Use Bylaw and under the Municipal Planning Strategy (MPS) has a future land use designation of Industrial (M). The proposed use of the property as residential does not meet the list of permitted uses. In order for them to construct a dwelling on the property, a rezoning is necessary.

The surrounding properties are designated as residential under future land use, so Council has policy whereby amendments are not required to the MPS where a parcel with one designation abuts another. This is a residential designation so we can do a rezoning rather than amend the Land Use Bylaw (LUB). Amendments do not have to go to the province for approval.

The MPS as well contains policy that Council needs to consider when looking at amendments to the MPS as outlined in Policy 12.5.2.

The Planning Advisory Committee met to discuss the application and are supportive of the rezoning of the property to Mixed Use Coastal Residential (R6).

MOTION CARRIED unanimously.

6.7 Cost of Living Adjustment (COLA)

It was moved by Councillor Charlton and seconded by Councillor Hawkes:

THAT Council grant a 4% cost of living increase for all non-union employees, excluding Hillview Acres, effective October 1, 2021.

Joanne Veinotte, Director of Corporate Services, stated the Consumer Price Index for Nova Scotia has been used as a basis to calculate any adjustment to the pay scale for the non-union salaried employees.

No increase was recommended for fiscal 2020-2021 as the Consumer Price Index fell by .5%. Union contracts dictated a 2% increase as negotiated in their collective agreements. The budgeted amount of 2% fell into the annual surplus.

The differential from July 2020 to July 2021 for Nova Scotia was 4.6%. The differential for Canada was 3.7%. An increase of 4% (2% over budget) would consider the difference between the Canadian CPI and the Nova Scotian CPI increase. The increase would bring non-union salaried staff in line with the increases awarded to unionized employees.

MOTION CARRIED unanimously.

7.1 Request for Memorial Bench at Privateer Park

Mayor Norman stated a written request was received requesting permission to install a memorial bench at Beach Meadows Beach or Privateer Park. Council has in the past approved a bench in Milton's Tupper Park, a granite bench at Port Medway Lighthouse Park and at Beach Meadows Beach. The installment costs are borne by the applicant.

Councillor Charlton stated they are a wonderful and tasteful way to honour someone.

Councillor Fancy stated if the requested location is not available, then it should be open for discussion.

Councillor Brown stated he likes this idea and future development of the areas should be taken into consideration when making a decision. He suggested investigating memorial walkways as done in other areas.

Councillor Hawkes suggested that all the memorial benches be the same.

It was moved by Councillor Charlton and seconded by Councillor Amirault:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

7.2 Road Naming – Edith's Point Road

Mr. MacLeod stated a request for the naming of a private road has been received which would see an existing driveway off Peters Point Road in South Brookfield named Edith's Point Road. The existing driveway is owned by the applicant and provides access to two dwellings, with potential for further development within the subject property.

RQM does have a policy in respect of naming private roads whereby a petition signed by 70% of the property owners that abut the road must sign the petition. In this case, the road is entirely enclosed within the applicant's property.

The name choice is acceptable to the Planning Department as no same or similarly named road exists in Queens County.

It was moved by Councillor Brown and seconded by Councillor Charlton:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

7.3 Cost Sharing of J-Class Roads – 2022-2023 Fiscal Year

Chris McNeill, CAO, stated a service agreement was in place in the early 90's where the Municipalities were responsible for community services and other services. An exchange took place where some municipalities took over some of the responsibility of paying for some provincial roads in exchange for the Province taking over some community services with a result of net zero. The amount of the deficit left owing by the municipality is based on a formula. RQM pays the province approximately \$6,000 per kilometer for maintaining the roads in which we have no control or responsibility for them except to pay the province each year for our contribution for the service exchange agreement.

The province offers municipalities the opportunity to help pay for the repaving of provincial roads if they wish to cost share. The cost for repaving a road, which includes ditching, etc. is \$300,000 per kilometer. Our cost would be 50% of the final cost.

RQM has only participated in this service exchange agreement on two occasions and both were related to areas at schools especially where the bus traffic was heavy.

The annual provincial budget is \$1 million to be matched by the eligible rural and regional municipalities so funding available for Queens County in the past has been minimal.

Queens County roads are costed and paid for according to two different methods:

1. Roads within Liverpool are paid for 75% by all assessment accounts in Liverpool while the remaining 25% is paid from the general tax rate of all accounts within Queens including Liverpool.
2. Costs for roads outside Liverpool (specifically J-class roads) that are owned by the Province and billed to the Region are paid for 75% by all assessment accounts outside Liverpool, while the remaining 25% is paid from the general tax rate on all accounts within Queens County.

Councillor Charlton enquired if roads are requested to be repaved, will the cost be part of the 2022-2023 budget process. Mr. McNeill stated yes, and any substantial road costs that may be considered should also be considered for an area rate for the communities in which the work is completed, which is what happens in Liverpool.

She requested that Road #404 Shore Road to Pleasant Avenue, 0.3 kilometers be included in the request. This area is by the high school and Day Care and is in poor condition.

Councillor Fancy stated that many of the roads are in bad shape and voiced his opinion on the need to start repairing some of them. He requested that Road #675 Oliver Street, .14 kilometers be included in the request as the road is in bad condition.

Councillor Brown agreed with Councillor Fancy and voiced his concern over the costs and where the money will come from to pay for them, i.e. reserves. He would like more time to review the list of roads before submitting to the province.

It was moved by Councillor Brown and seconded by Councillor Amirault:

THAT this issue be deferred to the next Council meeting for further discussion.

MOTION CARRIED with 6 in favour and 2 against.

7.4 Queens Accessibility Advisory Committee Application

Ms. Johnston stated the Terms of Reference for Queens Accessibility Advisory Committee establishes that the Committee be made up of two members of Council and up to five members of the public. There are currently two public vacancies and call-out for more applications was made in late May. One new application has been received.

It was moved by Councillor Charlton and seconded by Councillor Brown:

THAT this issue be referred to the next Council meeting for a recommendation.

MOTION CARRIED unanimously.

8.0 In-Camera Items

It was moved by Councillor Amirault and seconded by Councillor Charlton that the proceedings go In-Camera at 10:08 a.m. to discuss the following:

8.1 Personnel Matter

MOTION CARRIED unanimously.

It was moved by Councillor Gidney and seconded by Councillor Fancy that the proceedings exit In-Camera at 11:15 a.m.

MOTION CARRIED unanimously.

9.0 Adjournment

The meeting adjourned at 11:15 a.m.

Mayor Darlene Norman, Chair

Chris McNeill, CAO

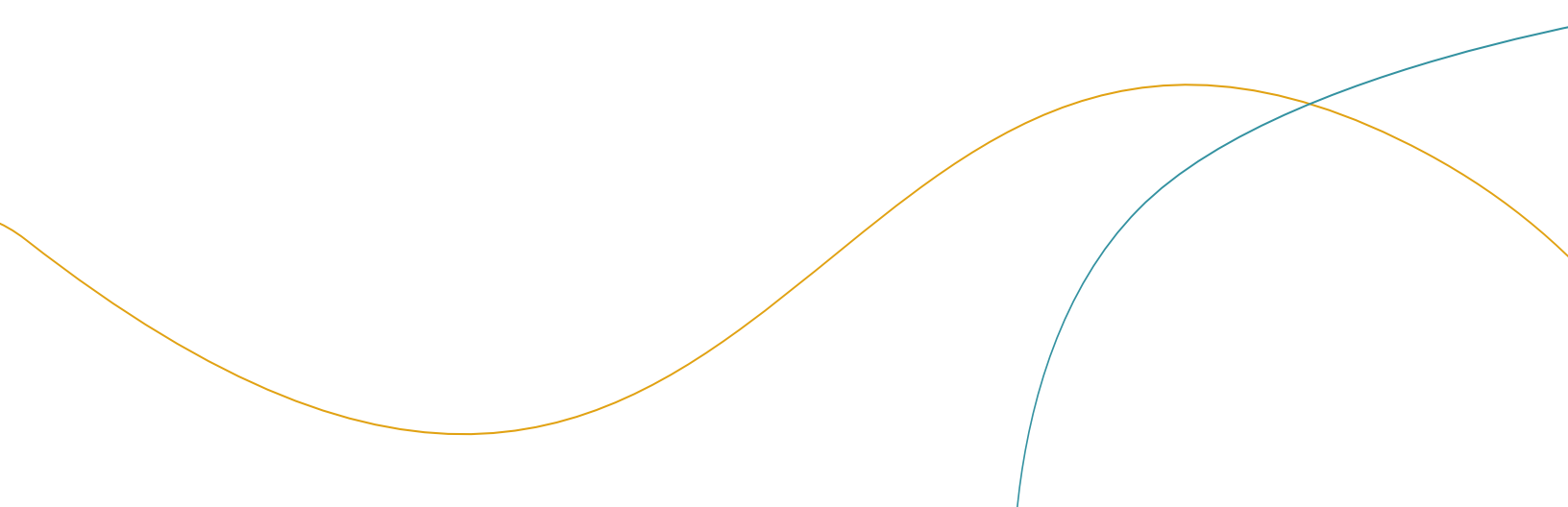
Christine Watson, Administrative Assistant – Planning & Development

Date Approved: _____



Agricultural Sector Review 2021 – Queens County

Region of Queens Municipality
September 28, 2021



Introduction

Queens County has opportunities to develop agricultural enterprises at a level higher than currently, however it is a challenge to create compelling unique selling points when compared to its neighbouring counties.

Registered Farms and Farmland

According to Property Valuation Services Corporation (PVSC) records, in 2021, there are 155 registered parcels of land assessed as agricultural, amounting to a total acreage of 8394 acres. Compared to equivalent data from 2011, the numbers of assessed parcels of agricultural land has actually increased from 141, and the acreage has increased from 7873 acres. The distribution of agricultural land is mapped, and attached in Appendix A.

In the fiscal year 2019-2020, there were 22 registered farms in Queens County (<https://data.novascotia.ca/Agriculture-and-Agri-business/Farm-Registration-by-County/ay9f-ihu5>). This puts Queens County 15th out of 18 reporting counties in Nova Scotia for farm numbers. The federal **Census of Agriculture** also reports the number of registered farms, most recently from 2016 and 2011, including classification by total farm area;

	2011	2016
Total number of farms	37	34
Farms under 10 acres	5	6
Farms 10 to 69 acres	7	7
Farms 70 to 129 acres	4	2
Farms 130 to 179 acres	3	1
Farms 180 to 239 acres	0	1
Farms 240 to 399 acres	5	9
Farms 400 to 559 acres	6	4
Farms 560 to 759 acres	3	2
Farms 760 to 1,119 acres	4	1
Farms 1,120 to 1,599 acres	0	1

The Nova Scotia Department of Agriculture (NSDA) administers the Farm Registration Program, "*Farm Registration is a voluntary annual program that provides managed access to government programs by farm businesses, collection of farm information to develop agricultural policy and provide stable funding of the Nova Scotia Federation of Agriculture.*"

Confidentiality rules restrict access to any information listing who these registered farms are, where they are located, or what farming enterprises they practice. This information could be sourced by personal contact, but has not been done to date.

Available Land

There is no known source for information on potential agricultural lands. Anecdotally, there is a lot of land that has grown up in 'pasture pine', areas that were obviously previously open fields, now long abandoned. It is possible that survey data could be sourced, for example using LIDAR mapping, to ascertain the extent and location of these former fields. Dr. David Colville at the NSCC Centre of Geographic Sciences (COGS) would be a contact if we wanted to follow up this aspect.

The Canadian Land Inventory (CLI) classes land according to its suitability for agricultural production. CLI classes 2, 3, and 4 are most suitable. Queens has no CLI2 soils, and less than 1% of the province's CLI3 and CLI4 land.

Queens has lost a higher percentage of its potential agricultural land to urban development than other counties, but nearly all (98.4%) urban development in Queens is on land with poor capability for agriculture, which really just reflects the very small arable land base available. More data on this, and on general land classification and composition, including soil quality is contained in the Department of Agriculture *Profile of Agricultural Land Resources – Queens County*, attached as Appendix B.

It is clear from the NSDA document referenced above, that Queens has comparable soils to neighbouring counties, although overall, Nova Scotia is of relatively poor soil quality. Queens is utilizing only a small fraction of land classed as suitable for agriculture – therefore, it is safe to say that the agriculture industry

here is not limited by land availability. Indeed land availability and land affordability are positive factors for Queens.

Very little agricultural land is ever listed for sale with realtors. Occasionally, properties are listed for sale that have acreage with them, but it is not a feature the real estate agents have experienced sufficient demand for to concentrate efforts on. Only one realtor agency was identified as having a particular expertise and focus on agricultural land (<https://www.countryrealestatebroker.com/>).

Farm Revenues, Employment, and Economic Impact

With only 4% of arable land in Queens used for agriculture, compared to the Nova Scotia average of 13%, agriculture is not a dominant industry here in terms of employment or farm revenue. The potential for agricultural enterprises exist, given the comparable soil types and somewhat favourable climate data, but the industry also faces significant barriers to success.

Statistical data regarding the agricultural and economic profiles of Queens is attached as Appendix C. This *Statistical Profile of Queens County* was compiled by the Nova Scotia Federation of Agriculture in 2014 and although it is several years old, the overall patterns remain much the same.

Climate Data Study

Between 2011-2015, an extensive climate data study was undertaken in South West Nova Scotia comprising a network of 74 weather stations reporting a multitude of climatic factors. The data was compiled into a report which is still available online at: <https://www.regionofqueens.com/document-library/business/2153-swns-weather-study-summary-2014/file>.

Measurements of frost-free period and growing degree days, winter minimum, solar radiation consistency, precipitation and more, showed the area as more

favourable for some agricultural enterprises than previously thought; *“many sites continued to demonstrate data comparable or superior to those obtained from the benchmark stations in the Annapolis Valley. Even more exciting were a number of truly exceptional sites located on the coast or in the deep interior that continued to show superior climate data in spite of the challenging conditions that 2014 presented.”*

Training, Advice, and Funding

The established starting point for anyone contemplating an agricultural enterprise in Nova Scotia would be the provincial ThinkFarm website (<https://novascotia.ca/thinkfarm/>). This project assists entrants with defining their farm vision, business planning and regulations which apply to new farm businesses. It is recommended as a starting point prior to contacting subject matter experts, and maintains extensive links to training, research, and funding resources.

The Nova Scotia Department of Agriculture has a network of five regional offices with extension, business development, and outreach staff. Queens is covered by the Kentville office, though they also maintain an office in Lunenburg. Staff contacts are available at: <https://novascotia.ca/agri/programs-and-services/regional-services/>.

For specific advice, consultancy, and training on particular areas of agriculture, product development and lab services, Perennia Food and Agriculture Inc. is a provincial development agency with the mission *“to support growth, transformation and economic development in Nova Scotia’s agriculture, seafood, and food and beverage sectors”*. Perennia has an extensive staff of subject matter experts (<https://www.perennia.ca/about/our-team/>), and is a primary source for learning and training (<https://www.perennia.ca/learning/>).

In addition to specialized agri-business advice from the sources above, general and specific business advice can be requested from banks, e.g. Business Development Bank of Canada (<https://www.bdc.ca/en>), or from specialist consultants.



Nova Scotia Business Inc. (NSBI) have an active interest in agricultural enterprise, especially where it involves export potential, innovation, and technology. They have a network of Business Development Advisers who can advise and assist with product and market development. They maintain a list of provincial and federal programs and incentives, and summarize how they help agriculture industry in this infogram:

<https://nsbi.infogram.com/1p3ekqq5n7d75ws0lymqzrk20jid7p12wnd>

Business advice and funding for agricultural enterprises has long been an area of focus for the Community Business Development Corporations (CBDC). Nova Scotia is covered by a network of thirteen CBDCs, and Queens is in scope for South Shore Opportunities CBDC (<https://www.cbdc.ca/en>), who have staff in Liverpool and Bridgewater. In addition to business counselling, business management skills training, and a variety of loans, they also administer the Consultant Advisory Services (CAS) fund, which gives clients financial help accessing expert assistance with business development challenges.

FarmWorks Investment Co-operative Limited (<https://farmworks.ca/>) was established specifically to address concerns about Nova Scotia food security. It operates a Community Economic Development Investment Fund (CEDIF) which sells shares to private investors and loans the revenue to client entrepreneurs in various sectors of the Nova Scotian food supply chain including farmers, processors, retailers, and restaurateurs.

Current Agricultural Enterprises in Queens

When assessing the state of the agricultural sector in Queens, one has to take into account that there are various issues with definition - the terms 'farm' and 'farmer' can be loosely defined. Registering as a *bona fide* farm in Nova Scotia is voluntary and restricted by acreage, level of revenue from on-farm enterprises, and history of operation. However, there are more unregistered 'farms' who produce foodstuffs for sale, and there are 'farmers' who engage in agriculture without public sales. Property Valuation Services Corporation (PVSC) have assessment criteria for agricultural land, but the RQM MPS/LUB does not include specific separate zoning for agriculture.

Christmas trees are currently considered to be an agricultural enterprise in Nova Scotia, so Christmas tree producers can be registered farmers, are eligible for agricultural programs and can be members of the Nova Scotia Federation of Agriculture if they choose.

Current commercial agricultural enterprises in Queens include; dairy farm, aquaponic cannabis producer, blueberry grower and processor, greenhouse and market garden operation, Christmas trees, seaweed compost producer, beef producer, mixed livestock producer, several smaller scale growers, egg producers, and livestock producers. In addition to the primary producers, we have value-added baked products, jams and jellies, honey, processed meat, brewery, and non-timber forest products (such as mushrooms, berries, wreaths).

As the statistics referenced above show, Queens has few people fully employed in agriculture or agriculture-related enterprise, and farm receipts are almost balanced by deficits. The overall picture, other than a few notable exceptions, is one where many people keep a few hens, meat birds, a couple pigs or beef cattle, grow a garden for produce, or bake extra to sell locally. There is probably a degree more 'food security' in Queens than evidenced by official statistics. Most of these operations are not registered or regulated and 'fly under the radar', and the operators have no intention or desire to grow their enterprise. Part of the reason for that is a perception that regulations around food production are onerous and restrictive, or that profitability is not sufficient for the amount of work involved. Advice and supports for those who are interested in growing an agricultural enterprise exist, but often 'talk a different language'.

There are relatively few markets for local produce in Queens. Outlets, such as restaurants, have established integrated supply chains, and small producers have difficulty matching fluctuations in demand with profitability and continuity of high quality produce. Some shops will sell local produce on an ad-hoc basis, but breaking into supermarket chains is almost impossible for a variety of reasons. Direct to consumer sales has become the established pattern for many, e.g. farmers' market, farm gate, Community Supported Agriculture. Shipping to Halifax outlets can work, especially if your product has an 'experiential' component, a compelling story, or a unique selling point.

SWOT Analysis

Strengths

- Affordable land for agricultural use
- Available land for agricultural use

Weaknesses

- Unsuitable topography / field sizes for mechanized row cropping
- Seasonal climate despite favourable in-season conditions and somewhat ameliorated winter conditions
- Aging infrastructure
- Aging workforce demographic
- Distance to market centres

Opportunities

- No major competitors locally for many products
- Agri-tourism and experiential agriculture, artisan and craft marketing
- Lifestyle factors offer attractive 'value proposition' for prospective residents

Threats

- Global nature of food supply – expectations of consumers
- Other Nova Scotia domestic competition
- Home growers for personal supply

Recommendations

There is an established chain of support existing in Nova Scotia to help growers, producers and processors - there is no obvious gap in learning, training or funding resources. RQM, in collaboration with other municipal units, and the agencies identified in previous sections, have hosted an annual Agriculture Day which acts as a touchpoint with "farmers, dreamers and interested public". Unfortunately, due to the pandemic this could not take place in 2020 or 2021. The same regional collaboration group created the website landing site at <https://www.growsouthwestnovascotia.ca/> and have discussed joint initiatives to create a promotional video series. The **recommendation** would be to reinstate Agriculture Day, hosted next in Queens in Spring 2022, or whenever

pandemic restrictions allow, and develop a video series either singly or in collaboration.

There are no obvious show-stopping factors to prevent many agricultural operations from taking place in Queens, which can be successfully undertaken elsewhere in Nova Scotia. The corollary presents an opportunity as Queens has affordable and available agricultural land that might not be as available elsewhere. The challenge here is finding the land. **Recommendation** is to evaluate mapping solutions to publicize available commercial property, which could also apply to agricultural land.

Promoting existing farms and farm enterprises can be done by supporting the annual Open Farm Day when it is reinstated, and other events organized by the Nova Scotia Federation of Agriculture (<https://meetyourfarmer.ca/>).

Recommendation also to attend and promote the Nova Scotia Department of Agriculture Minister's Conference (<https://www.perennia.ca/agriconference/>).

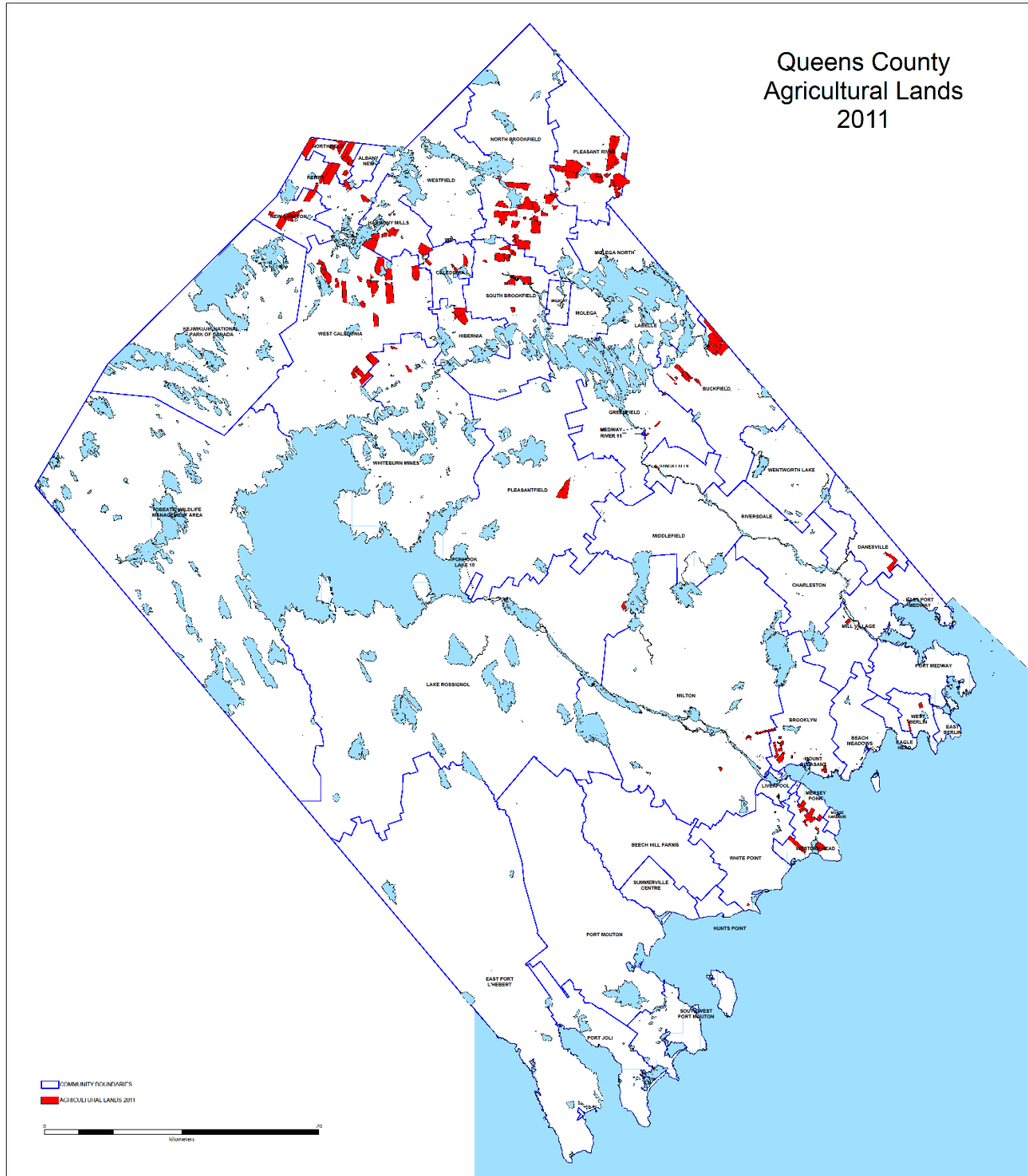
Perhaps the greatest opportunity in agriculture remains the potential to attract newcomers to Queens with the promise of affordable property with acreage, allowing part-time or supplementary income to be made whilst testing markets for produce. A small proportion of these will develop into fully commercial operations, and we can ensure that supports exist, and are known about, for them.

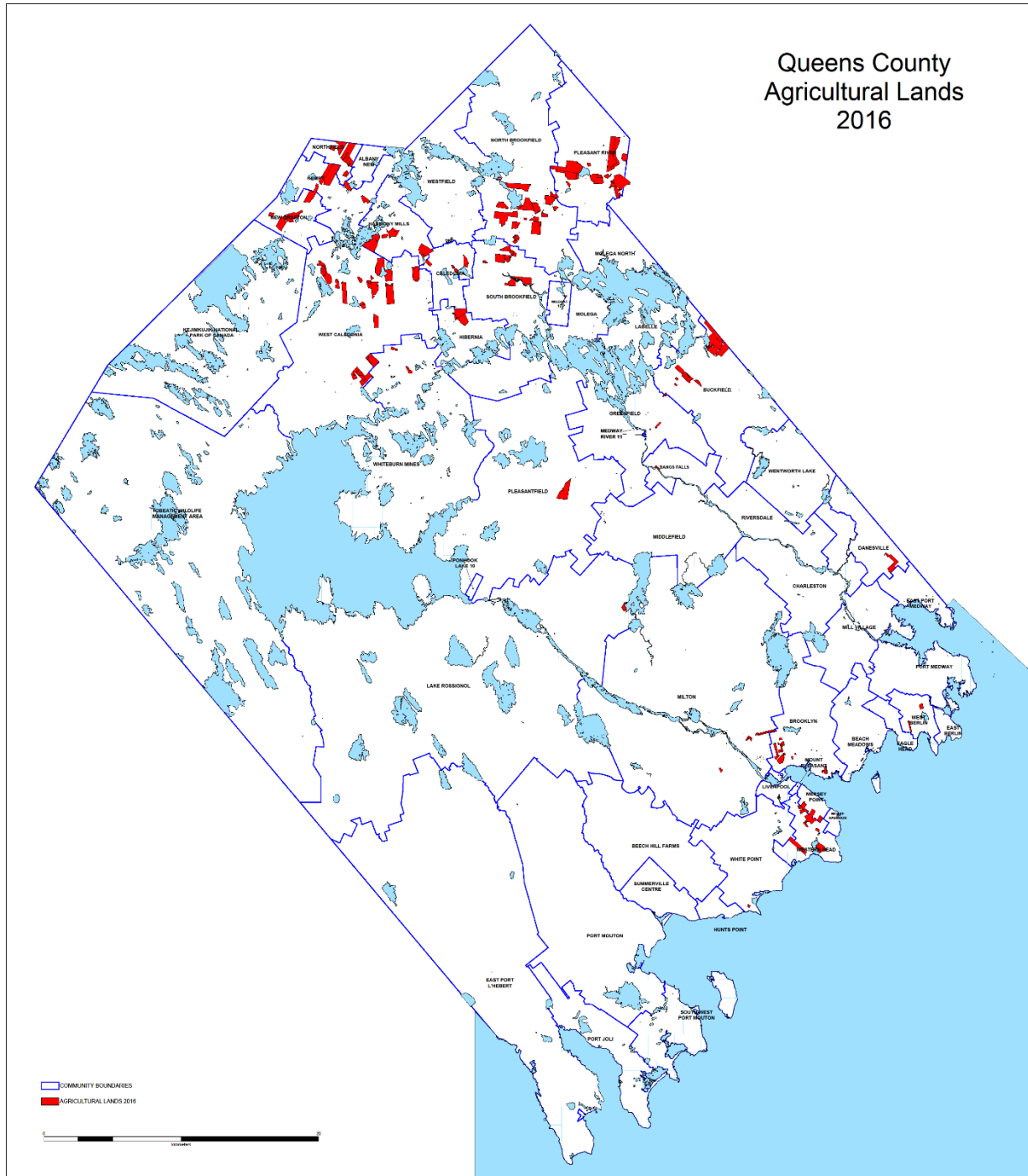
Appendices

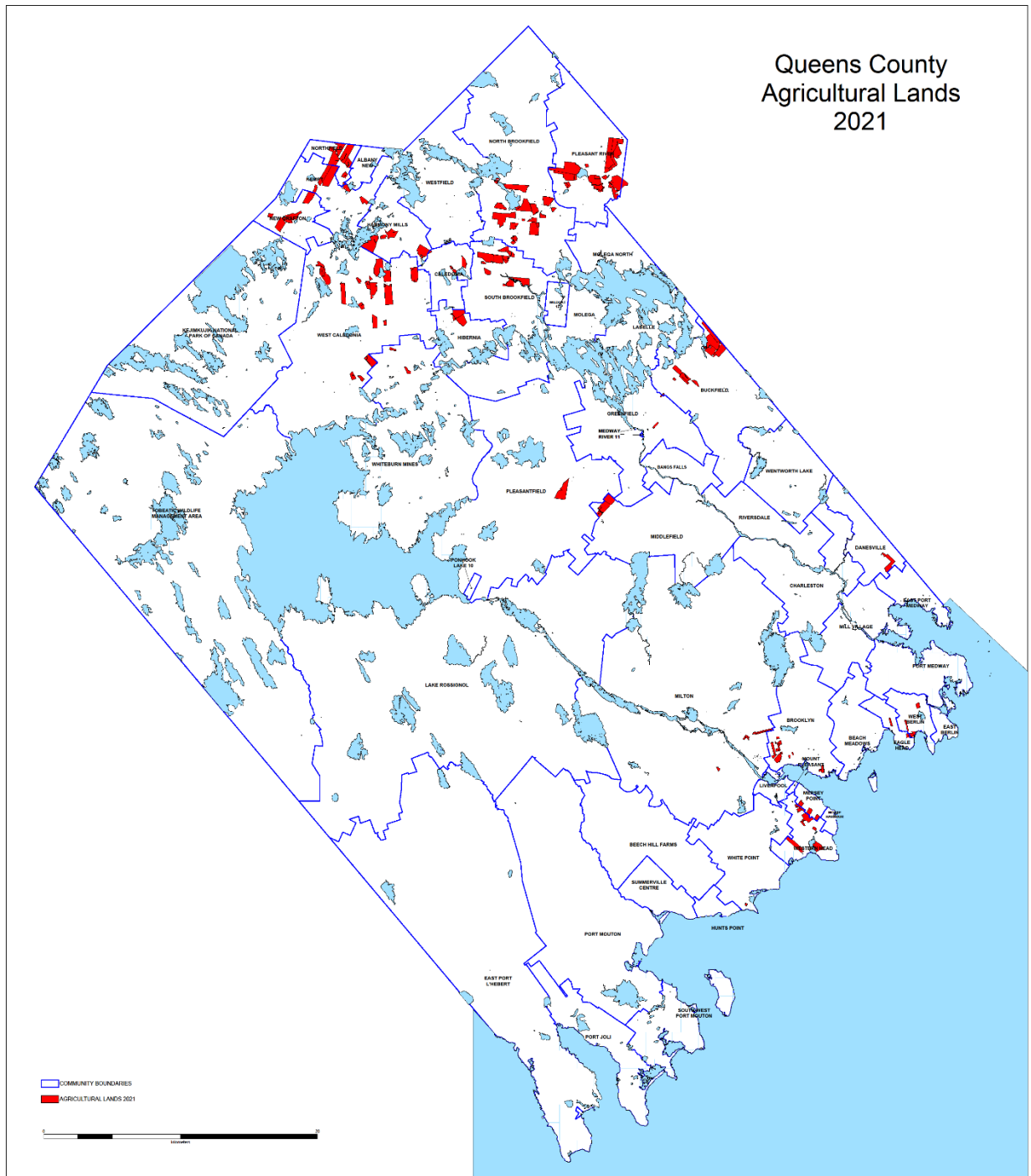
Please note that the maps and reports contained in these Appendices are externally produced pdf files included here for brevity – they have not been edited for accessibility. Larger copies of maps can be printed on request, but are best viewed electronically where they can be zoomed in for detail.

Appendix A

Maps of assessed agricultural lands in Queens County



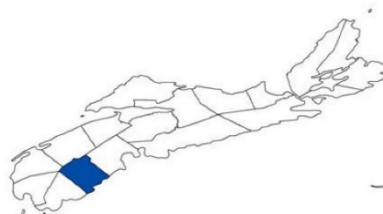




Appendix B

Profile of Agricultural Land Resources – Queens County

QUEENS COUNTY



PROFILE of AGRICULTURAL LAND RESOURCES

Overview of county land resources

Land most suitable for agricultural production (Canadian Land Inventory (CLI) classes 2,3 and 4¹) covers less than 1 percent of Queens County (see Table 1). Queens has no CLI 2 soils, and less than 1 percent of the province's CLI 3 and CLI 4 land. Queens has the smallest amount of arable land in the province.

Queens has approximately 1,000 hectares in agricultural production. This amounts to less than 1 percent of Nova Scotia land in agriculture. Farming in Queens uses less than 1 percent of the county land area.

Table 1. Agricultural land statistics- Queens County

	Hectares	Percent of provincial total	Percent of county land area
CLI 2,3,4 TOTAL	470	0.03	0.2
CLI 2	0.0	0.0	0.0
CLI 3	265	0.03	0.1
CLI 4	205.4	0.1	0.1
Agricultural land (ALIP)*	989	0.4	0.4
Agricultural land (DNR)**	1,018	0.4	0.4
Blueberry land (DNR)**	33	0.2	0.01

Queens has a small amount of wild blueberry production (33 hectares). This amounts to a small fraction of the provincial total.

* As indicated by the NSDA Agricultural Land Identification Project.
 ** Based on forest coverage files from NS Natural Resources (blueberry land is low-bush/ wild)
 Source: Nova Scotia Department of Agriculture, Natural Resources Canada, Nova Scotia Department of Natural Resources.

Figure 1a. Agricultural lands in Queens County

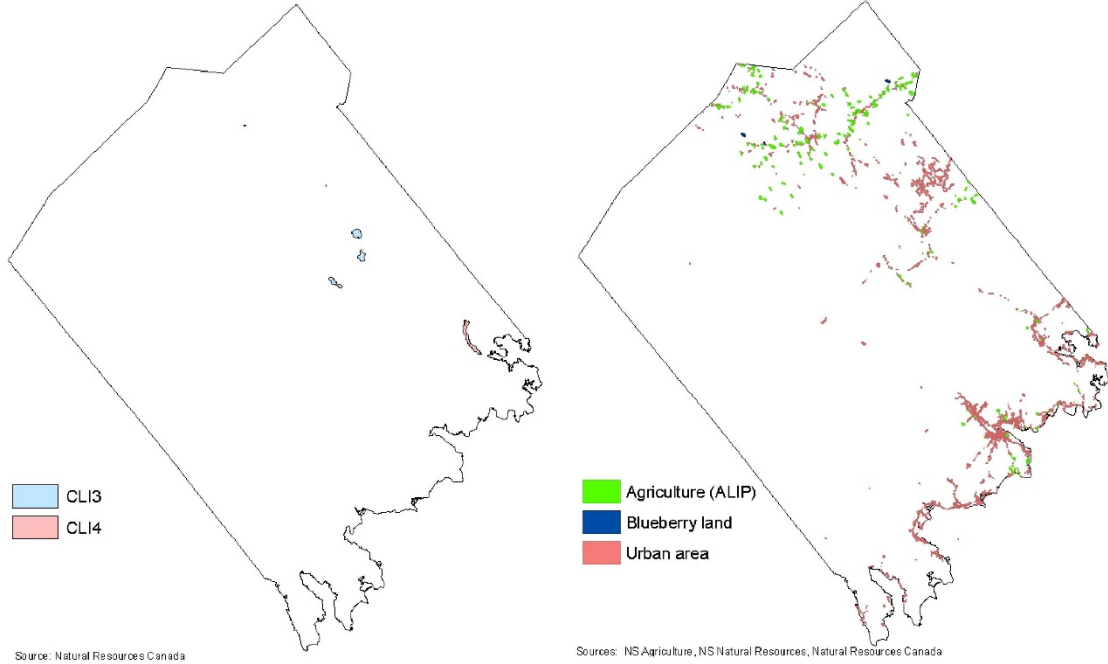
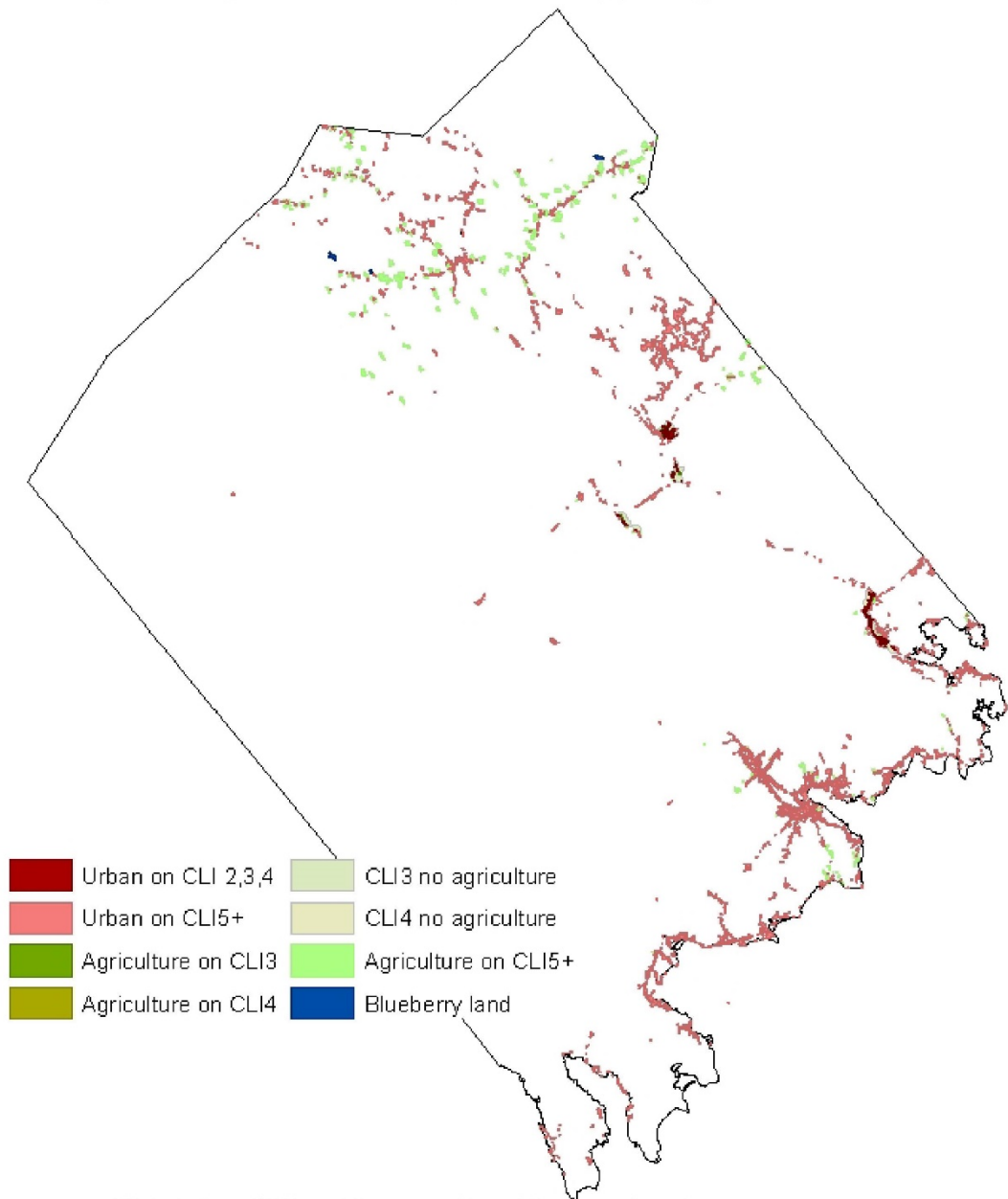


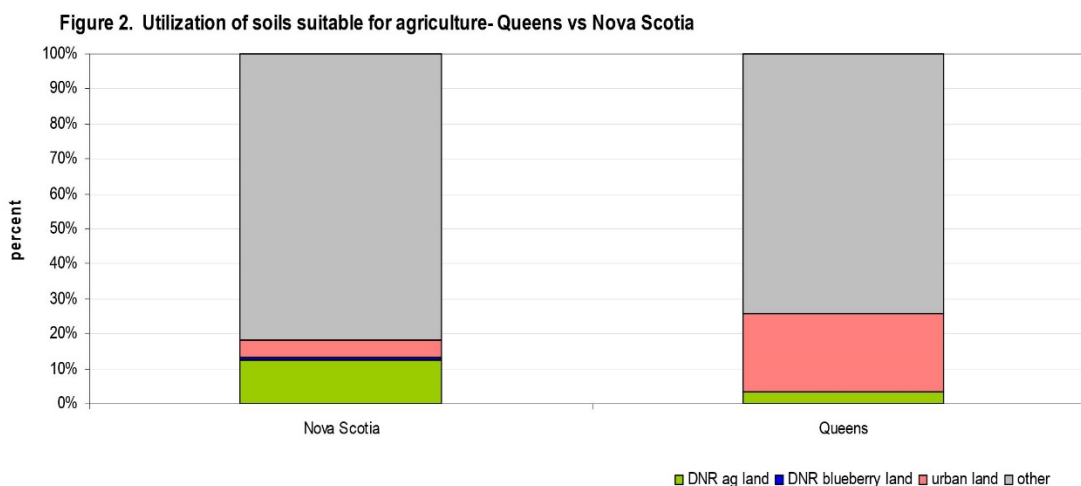
Figure 1b. Agricultural lands in Queens County (overlay)



Sources: NS Agriculture, NS Natural Resources, Natural Resources Canada

Usage of arable land and composition of farmed land

Land most suitable for agricultural production (CLI classes 2, 3 and 4) are used for agriculture in Queens County at a significantly lower rate than the provincial average (see Figure 2 and Table2). About 4 percent of suitable agricultural land is used for agricultural production in Queens compared with 13 percent provincially. This places Queens 15th among the 18 counties in terms of utilization of arable land for farming.



Queens has lost the highest percentage of its potential arable land to urban development of any county at 22 percent. The high percentage is due to the very small arable land base that Queens is endowed with.

Table 2. Use of agricultural soils (CLI classes 2,3,4) in Queens County and Nova Scotia

	CLI 2		CLI 3		CLI 4		TOTAL CLI 2,3,4	
	Queens	Nova Scotia	Queens	Nova Scotia	Queens	Nova Scotia	Queens	Nova Scotia
	Percent							
Agricultural land (DNR)*	n/a	29.3	6.2	12.0	0.0	7.9	3.5	12.7
Blueberry land (DNR)*	n/a	0.5	0.0	0.3	0.0	1.8	0.0	0.7
Urban area	n/a	6.9	18.3	5.4	27.0	4.6	22.1	5.4
Other	n/a	63.3	75.5	82.3	73.0	85.7	74.4	81.2

* Based on forest coverage files from NS Natural Resources (blueberry land is low-bush/ wild)
Source: Nova Scotia Department of Agriculture, Natural Resources Canada, Nova Scotia Department of Natural Resources.

Looking at the land base from a slightly different perspective (the composition of lands in agriculture, Table 3) it is apparent that almost all agriculture in Queens takes place on poorer than class 4 land. The approximately 1.5 percent of agriculture that occurs on better than class 4 land is the lowest in Nova Scotia.

Table 3. Composition of lands in agriculture- Queens County

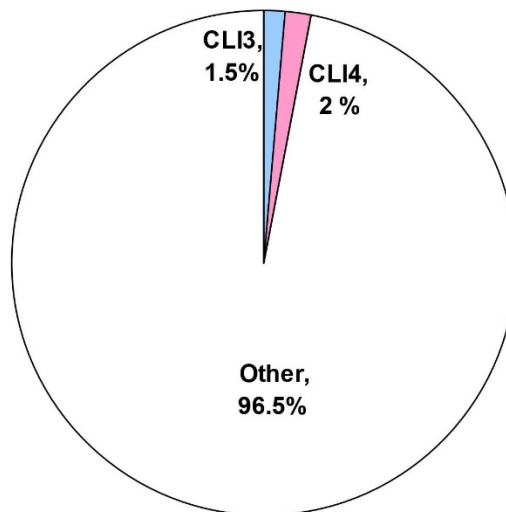
	Agricultural land (ALIP)*		Agricultural land (DNR)**		Blueberry land (DNR)**	
	Queens	Nova Scotia	Queens	Nova Scotia	Queens	Nova Scotia
	Percent					
CLI 2	n/a	20.5	n/a	21.1	n/a	4.7
CLI 3	1.2	49.4	1.6	51.8	0.0	16.4
CLI 4	0.0	16.3	0.0	14.5	0.0	44.5
Other	98.8	13.8	98.4	12.7	100	34.4

* As indicated by the NSDA Agricultural Land Identification Project.
** Based on forest coverage files from NS Natural Resources (blueberry land is low-bush/ wild)
Source: Nova Scotia Department of Agriculture, Natural Resources Canada, Nova Scotia Department of Natural Resources.

Urban use and property fragmentation of the agricultural land base

As shown in Figure 3, nearly all urban development in Queens is on land with poor capability for agriculture. Approximately 3.5 percent of urban development is on class 3 or 4 land combined, making Queens the least intensive user of arable land for urban development of any county in the province, due mostly to the small amount of arable land available.

Figure 3. Composition of urban land-
Queens



Some lands currently in agriculture may be relatively easily removed for other forms of development. A contributing factor is lot size. Queens County is the only county in the province without any small properties (less than two hectares in area) that are centered in ALIP lands (Table 4).

Table 4. Analysis of small properties (< 2ha) encroaching on farm land- Queens County, Nova Scotia

	Vacant properties		Properties with civic address		TOTAL of small properties (< 2 ha)	
	# properties	Hectares	# properties	Hectares	# properties	Hectares
Centered in ALIP farmland	0	0	0	0	0	0
Area in farmland of properties centered in ALIP	0	0	0	0	0	0
Within 10 meters of ALIP farmland	70	48	122	78	192	126

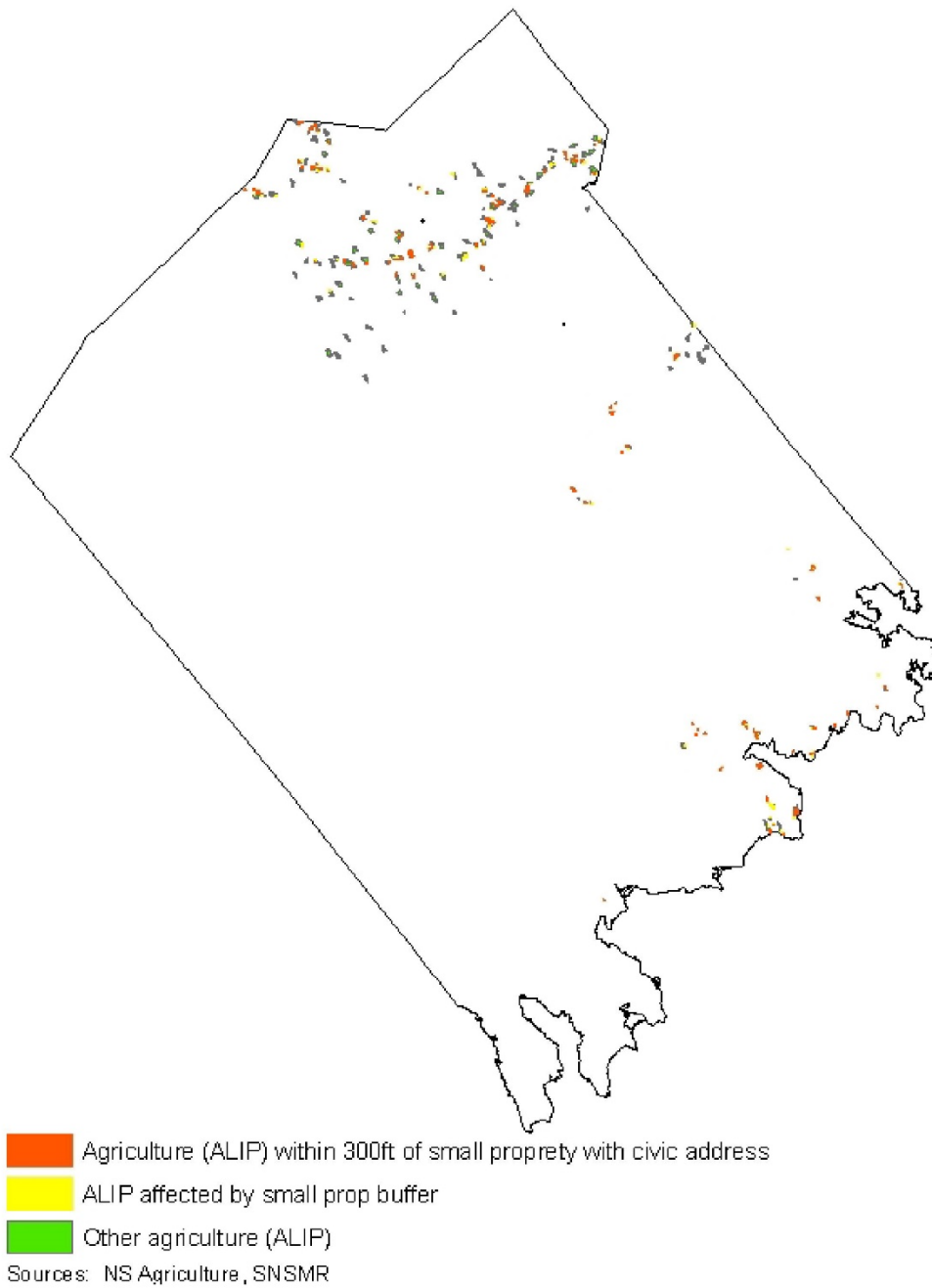
Source: Provincial PID data, NSDA (ALIP data)

A total of 192 properties less than two hectares in size are on or adjacent to ALIP lands, 64 percent of which have civic addresses (i.e. are not vacant). This amounts to 1 percent of the provincial total of these properties. Relative to the amount of farming in Queens, the county has the 8th highest rate of small developed properties that are adjacent to farmland.

Ultimately, approximately 5 hectares (0.5 percent) of ALIP lands in Queens has been lost to urban development since 1998. This places Queens 17th in terms of both percentage farmland lost to development and area of farmland lost.

While physical occupancy of land by non farm development or land with the potential for non-farm development can be used to estimate potential loss of land to the sector, the effect of development on adjacent agricultural lands is probably of greater significance in terms of area affected. In order to estimate the area of farm land that is at risk due to the proximity of development, a 300 ft (91.44m) buffer was drawn around each small (<2ha) property and the amount of ALIP farm land falling under this zone was calculated (Figure 4). Queens has approximately 22 percent of its ALIP farmland falling under this category, the 2nd lowest in the province in both percent and absolute terms. Approximately 16 percent of Queens farmland is within 300 feet of a small property with a civic address (i.e likely a developed property), the smallest percentage in the province.

Figure 4. Agriculture (ALIP) within 300 feet of small properties (< 2ha)



ⁱ Nova Scotia does not have any CLI class 1 soil. Class 2 to 4 soils have moderate to severe limitations that restrict the range of crops or require special conservation practices or both. Class 5 soils and below have very severe limitations for agriculture.

Sources

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Appendix C

Statistical Profile of Queens County

Statistical Profile of Queens County



Prepared by the Nova Scotia Federation of Agriculture

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1.0 Introduction

Agriculture in the Local Economy

Queens County is home to several types of farm production activities such as greenhouse, nursery and floriculture production and cattle ranching. In 2010, Queens County farms reported a total of approximately \$1.13 million in farm receipts which accounted for 0.19% of all receipts reported in Nova Scotia. In the same year, farms in Queens County reported a total business operating expense of approximately \$1.16 million. Thus, agriculture in Queens experienced a deficit of \$0.03 million.

In terms of employment, health care, trade, manufacturing, and natural resources are the dominant industries in the Southern region. Low employment in the agricultural industry may be due to geographical limitations, climate, and a focus on other industries. Although the agri-tourism industry is not established in Queens to the same extent that it is in other parts of Nova Scotia, there are still several events that promote local agriculture. These agri-tourism projects include the farmers' market, U-cut Christmas trees and the annual Queens County Fair.

Despite an increase in farms since 2006, Queens County has experienced a decrease in the number of acres used for farming purposes. Indeed, Queens County ranks 15th among all counties in regard to its use of arable land ("Queens County," para. 3). With 4% of arable land being used for agricultural production, Queens falls below the provincial average of 13% ("Queens County," para. 3). It is clear that although agriculture is not a dominant industry in Queens, there is potential for economic growth through agriculture.

2.0 Population and Population Change

Between the years 2006 and 2011, Queens County experienced a total population decline of 2.2% or a total of 252 people. Table 1 demonstrates that, for the most part, Queens experienced a decrease in population across the census subdivisions. The only area to experience an increase was the Wildcat reserve with a population increase of 65%. Queens County's rate of population change (-2.2%) fell below that of Nova Scotia's (0.9%).

Table 1: Population of Queens and Census Subdivisions, 2006-2011

Area	2011	2006	% Change
Queens County	10,960	11,212	-2.2
Queens (RGM)	10,917	11,177	-2.3
Ponhook Lake 10 (Reserve)	10	15	-33.3
Wildcat 12 (Reserve)	33	20	65

Note: Adapted from Statistics Canada, 2011.

Since Queens County is amalgamated under a regional municipality, there are no subdivisions like the other counties. Thus, it is difficult to determine the population distribution in terms of rural and population centres.

3.0 Economic Profile

In 2013, the Southern region (including Digby, Yarmouth, Queens, Shelburne, and Lunenburg)¹ represented approximately 15% of the agricultural industry in Nova Scotia. Although, an estimate for Queens County is not specifically given, the data indicates that its geographic region is an important component to the agricultural industry in Nova Scotia.

In comparison to the other industries in the Southern region, agriculture accounted for approximately 1.63% of all jobs in the region, which is higher than the provincial average of 1.17%. The industries with the highest employment in the Southern region were trade, health care and social assistance, manufacturing and natural resources (i.e. forestry, fishing, etc.).

Table 2: Southern Region, Total Employment by Industry, 2013

¹ The North American Industry Classification System (NAICS) divides Nova Scotia into 5 geographical regions. The Southern region includes Digby, Yarmouth, Queens, Shelburne, and Lunenburg counties. According to the Labour Force Survey Estimates (LFS), some areas are too small to enable production of independent estimates from the survey. Thus, smaller regions with similar economic characteristics are grouped together.

Industry	Nova Scotia	% of Nova Scotia's Total Employment	Southern	% of Southern Region's Total Employment
Total employed, all industries	453,800	100	49,100	100
Agriculture	5,300	1.17	800	1.63
Forestry, fishing, mining, etc.	11,200	2.47	4,200	8.55
Utilities	4,600	1.01	N/A	N/A
Construction	33,500	7.38	4,100	8.35
Manufacturing	30,600	6.74	5,900	12.02
Trade	73,000	16.09	8,000	16.29
Transportation and warehousing	19,600	4.32	1,400	2.85
Finance, insurance, real estate and leasing	22,100	4.87	1,000	2.04
Professional, scientific and technical services	27,800	6.13	1,500	3.05
Business, building and other support services	23,500	5.18	2,300	4.68
Educational services	36,700	8.09	3,900	7.94
Health care and social assistance	69,400	15.29	6,700	13.65
Information, culture and recreation	19,300	4.25	1,700	3.46
Accommodation and food services	29,000	6.39	3,300	6.72
Other services	18,600	4.1	2,300	4.68
Public administration	29,400	6.48	1,700	3.46

Note: Adapted from Statistics Canada, 2013.

Figure 1 displays a clear comparison of the percentages of total employed by each industry in Nova Scotia and the Southern region.

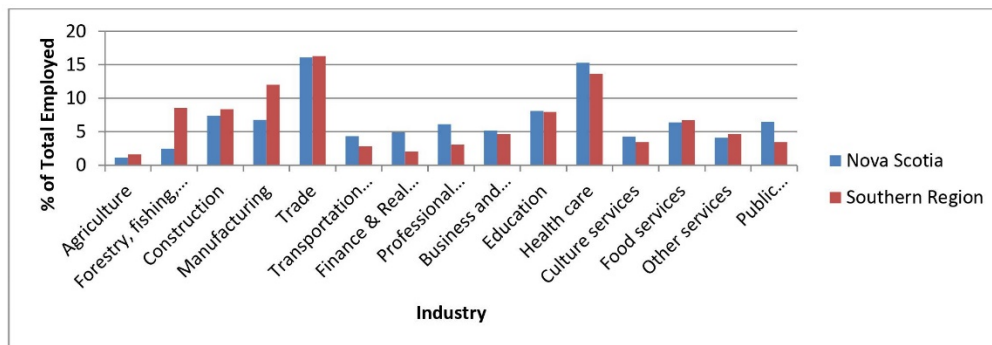


Figure 1: % of Total Employed by Industry: Southern Region vs. Nova Scotia, 2013.

Note: Adapted from Statistics Canada, 2013.

4.0 Agricultural Profile of Queens County

4.1 Number of Farms

From 2006 to 2011, the total number of farms in Queens County had increased by two. Table 3 indicates that the predominant farm type in Queens County was greenhouse, nursery and floriculture production (37.8%). Although greenhouse, nursery and floriculture production remains a dominant farm activity in Queens, it had decreased from 15 to 14 farms (-6.67%) since 2006. Similarly, cattle ranching and hog and pig farming had also decreased since 2006. All other types of farm production had either increased or remained the same.

Table 3: Queens County, Total Number of Farms by Farm Type, 2006-2011

Farm Type	2011		2006		% Change
	# of Farms	% of Total	# of Farms	% of Total	
Cattle ranching and farming	7	18.9	8	22.9	-12.5
Hog and pig farming	0	0	1	2.8	-100
Poultry and egg production	0	0	0	0	0
Sheep and goat farming	0	0	0	0	0
Other animal production	6	16.3	5	14.3	20
Oilseed and grain farming	0	0	0	0	0
Vegetable and melon farming	0	0	0	0	0
Fruit and tree nut farming	5	13.5	4	11.4	25
Greenhouse, nursery and floriculture production	14	37.8	15	42.9	-6.67
Other crop farming	5	13.5	2	5.7	150
<i>Total farms</i>	<i>37</i>	<i>100</i>	<i>35</i>	<i>100</i>	<i>5.71</i>

Note: Retrieved from Statistics Canada, 2011.

In comparison to Nova Scotia, Queens County had a higher percentage in cattle ranching, greenhouse, nursery and floriculture production, and animal production. It is evident that the percentage of greenhouse, nursery and floriculture production (37.8%) in Queens County was significantly higher than that of the provincial percentage of 14.1%. On the other hand, the percentage of fruit and tree nut farming in Queens County fell below that of the provincial average by 11.3%.

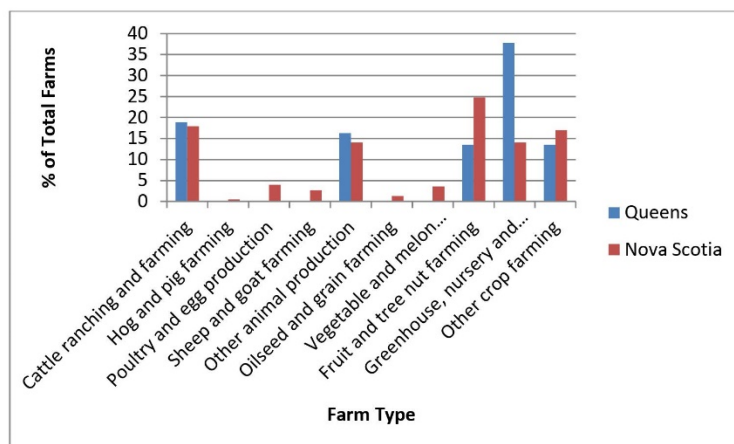


Figure 2: % of Total Farms by Farm Type: Queens County vs. Nova Scotia, 2011

Note: Adapted from Statistics Canada, 2011.

4.2 Farm Revenue

Farms in Queens County reported approximately \$1.1 million in farm receipts in 2010 which had decreased from approximately \$1.8 million in 2006. In addition to Queens County's decrease in revenue, its percentage of Nova Scotia's total farm receipts also decreased. In 2006, Queens County's revenue formed 0.36% of Nova Scotia's total revenue. Meanwhile in 2010, Queens County's revenue constituted 0.19% of Nova Scotia's total revenue.

Table 5: Total Farm Receipts for Queens County and Nova Scotia, 2006-2010

	2010	2006	% Change
Nova Scotia	\$ 594,903,481.00	\$ 509,520,691.00	16.76
Queens County	\$ 1,134,116.00	\$ 1,812,319.00	-37.42
% of Nova Scotia's receipts	0.19	0.36	

Note: Adapted from Statistics Canada, 2011.

In 2010, 86.49% of farms in Queens County reported receipts of an amount less than \$50,000. Farm receipts under \$10,000 appeared to be the most popular category with 19 farms reporting receipts of this amount. These reports constituted 51.35% of the total farm receipts for Queens County.

Table 6: Total Number of Farms in Queens County by Farm Receipts, 2006-2010

Farm Receipts Category	2010		2006	
	# of Farms	% of Total	# of Farms	% of Total
Under \$10,000	19	51.35	18	51.43
\$10,000 to \$24,999	7	18.92	7	20
\$25,000 to \$49,999	6	16.22	1	2.86
\$50,000 to \$99,999	3	8.11	5	14.28
\$100,000 to \$249,999	1	2.7	3	8.57
\$250,000 to \$499,999	0	0	0	0
\$500,000 to \$999,999	1	2.7	1	2.86
\$1,000,000 to \$1,999,999	0	0	0	0
\$2,000,000 and over	0	0	0	0
Total Farms	37	100	35	100

Note: Adapted from Statistics Canada, 2011.

Figure 3 demonstrates that the percentage of farm receipts for Queens and Nova Scotia were similarly distributed across all categories.

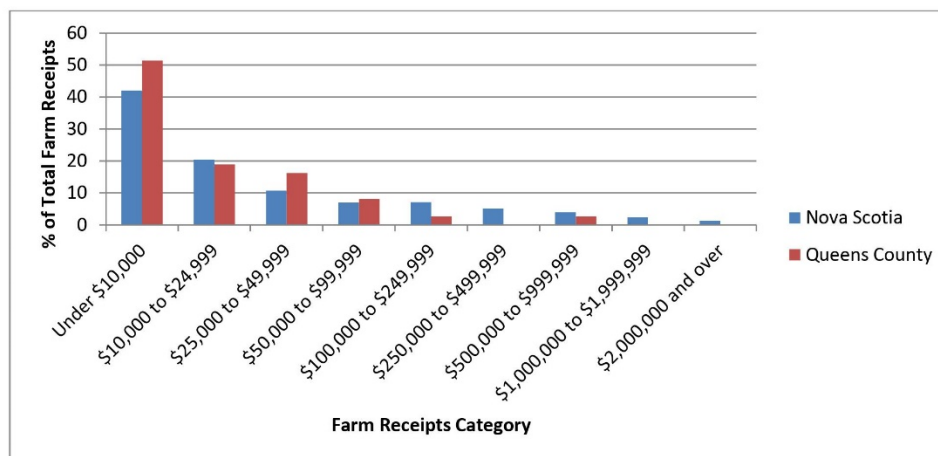


Figure 3: % of Total Farms by Farm Receipts Category: Queens County vs. Nova Scotia, 2010

Note: Adapted from Statistics Canada, 2011.

4.3 Farm Expenses

In 2010, the total farm business operating expense for Queens County was \$1,166,467. In Queens, the average business operating expense per farm was approximately \$31,500 which was lower than the provincial average of approximately \$128,000. It is evident that the greatest expenses for farms

were other expenses excluding depreciation and capital cost allowance (\$332,868), total wages and salaries (\$274,792), and repairs and maintenance to farm machinery (\$104,617).

Table 2: Farm Business Operating Expenses for Queens County and Nova Scotia, 2010

	Nova Scotia		Queens County	
	<i>Farms Reporting</i>	<i>Amount (\$)</i>	<i>Farms Reporting</i>	<i>Amount (\$)</i>
Fertilizer and lime purchases	1,957	\$ 13,201,434.00	21	\$ 46,953.00
Purchases of herbicides, insecticides, fungicides, etc.	1,459	\$ 11,734,327.00	13	\$ 44,135.00
Seed and plant purchases (excluding materials purchased for resale)	1,286	\$ 10,952,683.00	12	N/A
Total feed, supplements and hay purchases	1,825	\$ 108,870,856.00	20	\$ 49,388.00
Livestock and poultry purchases	1,067	\$ 30,507,684.00	9	\$ 9,114.00
Veterinary services, drugs, semen, breeding fees, etc.	1,517	\$ 8,710,636.00	15	\$ 8,095.00
Custom work, contract work and hired trucking	1,665	\$ 28,483,557.00	16	\$ 63,241.00
Total wages and salaries	1,521	\$ 101,190,562.00	15	\$ 274,792.00
All fuel expenses (diesel, gas, etc.)	3,644	\$ 26,035,222.00	32	\$ 81,137.00
Repairs and maintenance to farm machinery, equipment and vehicles	3,344	\$ 22,441,124.00	30	\$ 104,617.00
Repairs and maintenance to farm buildings and fences	2,301	\$ 10,367,519.00	21	\$ 33,550.00
Rental and leasing of land and buildings	581	\$ 4,145,716.00	7	\$ 27,783.00
Rental and leasing of farm machinery, equipment and vehicles	515	\$ 5,818,991.00	3	N/A
Electricity, telephone and all other telecommunication services	2,898	\$ 11,790,016.00	27	\$ 39,815.00
Farm interest expenses	1,579	\$ 26,107,223.00	9	\$ 21,512.00
All other expenses (excluding depreciation and capital cost allowance)	3,352	\$ 80,190,026.00	30	\$ 332,868.00
<i>Total farm business operating expenses</i>	<i>3,905</i>	<i>\$ 500,547,576.00</i>	<i>37</i>	<i>\$ 1,166,467.00</i>

Note: Retrieved from Statistics Canada, 2011.

In 2006, Queens County farms reported a total of \$1,501,642 in farm business expenses with an average expense per farm of approximately \$43,000. On the other hand, in 2010, farms reported an

amount of \$1,166,467 with an average expense per farm of approximately \$32,000. Therefore, farms in Queens County decreased their average operating expense by approximately \$11,000 in four years.

Table 83: Total Farm Business Operating Expenses Queens County, 2006-2010

Total Farm Business Operating Expenses	Farms Reporting	Amount (\$)	Average Operating Expense per Farm
2010	37	\$ 1,166,467.00	\$ 31,526.14
2006	35	\$ 1,501,642.00	\$ 42,904.06

Note: Adapted from Statistics Canada, 2011.

4.4 Land Use

In 2011, area in Christmas trees, woodlands and wetlands accounted for most of the land use in Queens County (67.75%). Furthermore, land in crops made up 15.01% of the land use. Summer fallow, tame of seeded pasture, natural land for pasture, and other land composed the remaining farmland (17.24%).

In comparison to provincial land use, Queens County had a higher percentage in Christmas trees, woodlands, and wetlands and all other land.

Table 94: Land Use for Queens County and Nova Scotia, 2011

Land Use	Queens County		Nova Scotia	
	# of Acres	% of Total	# of Acres	% of Total
Land in Crops (excluding Christmas tree area)	1,644	15.01	280,889	27.59
Summer Fallow	0	0	1,145	0.11
Tame of Seeded Pasture	535	4.88	52,271	5.13
Natural Land for Pasture	438	4	62,142	6.11
Area in Christmas trees, Woodlands and Wetlands	7,421	67.75	559,664	54.97
All Other Land	916	8.36	61,964	6.09
<i>Total</i>	<i>10,954</i>	<i>100</i>	<i>1,018,075</i>	<i>100</i>

Note: Adapted from Statistics Canada, 2011.

The number of acres used for farming purposes had decreased since 2006 from 13,060 acres to 10,954 acres. Since 2006, there had been an increase in the percentage of total land used for Christmas trees, woodlands and wetlands and tame of seeded pasture.

Table 10: Land Use in Queens County, 2006-2011

Land Use	2011		2006	
	# of Acres	% of Total	# of Acres	% of Total
Land in Crops (excluding Christmas tree area)	1,644	15.01	2,339	17.91
Summer Fallow	0	0	0	0
Tame of Seeded Pasture	535	4.88	302	2.31
Natural Land for Pasture	438	4	1,052	8.06
Area in Christmas trees, Woodlands and Wetlands	7,421	67.75	7,949	60.87
All Other Land	916	8.36	1,418	10.85
<i>Total</i>	<i>10,954</i>	<i>100</i>	<i>13,060</i>	<i>100</i>

Note: Adapted from Statistics Canada, 2011.

4.5 Farm Size

In 2011, the average farm size in Queens County was approximately 296 acres which was higher than the provincial average of approximately 260 acres.

Table 11: Total Acres and Average Farm Size in Queens County and Nova Scotia, 2011

	Total Farms	Total Acres	Average Farm Size (acres)
Nova Scotia	3,905	1,018,075	260.71
Queens County	37	10,954	296.05

Note: Adapted from Statistics Canada, 2011.

In Queens County, approximately 43% of reporting farms owned less than 129 acres. Indeed, the most common acreage sizes in Queens were between 10 to 69 acres (7 farms reported). In total, the farms with these acreage sizes accounted for almost 19% of Queens County farms.

Table 52: Total Farms by Farm Size Category for Queens County and Nova Scotia

	Total Farms	Under 10 acres	10-69 acres	70-129 acres	130-179 acres	180-239 acres	240-399 acres	400-559 acres	560-759 acres	760 acres and over
Nova Scotia	3,905	406	907	637	317	343	574	302	192	227
Queens County	37	5	7	4	3	0	5	6	3	4

Note: Retrieved from Statistics Canada, 2011.

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Appendix

Map of Queens County



Note: Retrieved from Ancestry.com, 2004.

Region of Queens Municipality Staff Report

7.1

To: Council

From: Joanne Veinotte, CPA, CGA
Director of Corporate Services

Date: September 28, 2021

Re: Pre approved borrowing – Brooklyn

Background

This project was completed in fiscal 2020-2021 and included in that capital budget. Region of Queens Municipality did not apply to borrow for this project in the spring of 2021 due to staffing changes, and as such financed the project from the Sewer Reserve on a temporary basis. Total cost of the project was \$507,757.

Details

This project was budgeted to be funded by debenture. Participation in the fall 2021 Municipal Finance Corporation debenture process was requested by the Finance Department, and as such a Temporary Borrowing Resolution was approved by Council on July 13, 2021.

Approval of the Temporary Borrowing Resolution by the Minister is delayed due to the recent change in government. Council can approve the Pre approval form and the Director of Corporate Services will complete the commitment letter required and forward both documents to the Municipal Finance Corporation. Once the Minister has approved the Resolution the issuance of the debenture will proceed.



Applicable Legislation

Section 66 of the Municipal Government Act provides that a municipality may borrow to expend funds for a capital purpose as authorized by statute, subject to the approval of the Minister. Section 65 of the Municipal Government Act provides that a municipality must approve a capital budget and expend funds for a capital purpose identified in said budget. Section 91 of the Municipal Government Act provides that a municipality is authorized to borrow money, subject to the approval of the Minister.

Budget Impacts

The debenture amount requested will be \$507,757 to be retired over ten years. Principal and interest expenditures will be included in the budget for fiscal 2022-2023.

Recommendation

THAT Council of Region of Queens Municipality approves the Pre Approval Form as attached – File 21/22 – 01 in the amount of \$507,757 for the Brooklyn Sewer/Water project.

Communications

A copy of the signed and sealed copy of the Pre approval Form, Commitment Letter and a copy of Council approval, will be sent to the Municipal Finance Corporation.

Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate

WHEREAS clause 66 (1) of the Municipal Government Act (the “Act”) provides that a municipality may borrow to carry out an authority to expend funds for capital purposes conferred by the Act or another Act of the Legislature;

AND **WHEREAS** clause 91(1)(a) of the Act provides that where a municipality is authorized to borrow money, subject to the approval of the Minister of Municipal Affairs (the “Minister”), that the sum shall be borrowed by the issue and sale of debentures, in one sum or by installments, as determined by the council;

AND **WHEREAS** clause 91(1)(b) of the *Municipal Government Act* authorizes the council to determine the amount and term of, and the rate of interest, on each debenture, when the interest on a debenture is to be paid, and where the principal and interest on a debenture are to be paid;

AND **WHEREAS** clause 91(2) of the *Municipal Government Act* states, that in accordance with the *Municipal Finance Corporation Act*, the mayor or warden and clerk or the person designated by the council, by policy, shall sell and deliver the debentures on behalf of the municipality at the price, in the sums and in the manner deemed proper;

AND **WHEREAS** the resolution of council to borrow for was approved by the municipal council on July 13, 2021.

BE IT THEREFORE RESOLVED

THAT under the authority of Section 91 of the *Municipal Government Act*, the

Region of Queens Municipality

borrow by the issue and sale of debentures a sum or sums not exceeding \$ 507,757 , for a period not to exceed 10 years, subject to the approval of the Minister;

THAT the sum be borrowed by the issue and sale of debentures of the

Region of Queens Municipality

in the amount that the mayor or warden and clerk or the person designated by the council deems proper, provided the average interest rate of the debenture does not exceed the rate of 5.5%;

THAT the debenture be arranged with the Nova Scotia Municipal Finance Corporation with interest to be paid semi-annually and principal payments made annually;

THAT this resolution remains in force for a period not exceeding twelve months from the passing of this resolution.

For MFC use only:
TBR #: _____
Minister signed: _____

THIS IS TO CERTIFY that the foregoing is a true copy of a resolution duly passed at a meeting of the Council of the

Region of Queens Municipality

held on the 28 day of September 2021

GIVEN under the hands of the Mayor and the Deputy Clerk of the

Region of Queens Municipality

this day of 20

Mayor

Clerk

September 28, 2021

Paul Wills, Chief Executive Officer/Treasurer,
Nova Scotia Municipal Finance Corporation,
Suite 8317, Maritime Centre
1505 Barrington Street,
P.O. Box 850, Station "M",
Halifax, N.S. B3J 2V2

Re: 2021 Fall Debenture Funding

Please accept this letter as a firm commitment by the Council of the Region of Queens Municipality to participate in the NSMFC Fall 2021 Debenture Issue.

We request long-term funding for the following completed municipal capital project for the following amount and term:

Purpose:	Loan Amount	Loan Term	Loan Amort *	TBR #	Project Completion Date dd/mm/yyyy	Federal and/or Provincial Funding?
Brooklyn Water/Sewer Project	507,757	10 Years	10 Years	XX	31/03/2021	[] Yes [X] No

Total Debenture Requirement: \$507,757

Also, please find enclosed the "Resolution for Pre-Approval of Debenture Issuance Subject to Interest Rate" which has been duly passed by Council.

Respectfully yours,

Joanne Veinotte, CPA CGA
Director of Corporate Services



Region of Queens Municipality

249 White Point Road,
P.O. Box 1264, Liverpool, NS,
B0T 1K0
regionofqueens.com

P: 902-354-3453
F: 902-354-7473
E: jveinotte@regionofqueens.com
Toll Free: 1-800-655-5741

Region of Queens Municipality Staff Report

7.2

To: Council

From: Dana Henley, Community Development Coordinator

Date: September 28, 2021

Re: Privateer Farmers' Market for Waiver of Policy 58 – Consumption of Alcohol on Municipal Property

Background

Privateer Farmers' Market attracts vendors of all types including locally made arts, crafts and wares to sell their products at the Market. The Market has had requests from vendors to have the ability to sell alcoholic beverages; however they are prohibited under Operational Policy 58 – Consumption of Alcohol on Municipal Property. Privateer Farmers' Market is requesting that this policy be waived to allow liquor to be sold, given, or consumed at the market from licensed liquor distributors, as has been granted in the past.

Details

Privateer Farmers' Market is held in Centennial Park, on the Liverpool Waterfront, adjacent to the Liverpool Visitor Information Centre. This is the seventh season for the market and they have requested and been granted a waiver of Policy 58, six out of seven seasons. The waiver was not sought during the 2020 season. The waiver is being sought for Saturdays, from October 1 to October 9, 2021 inclusive.



Applicable Legislation

Operational Policy #58 – Consumption of Alcohol on Municipally Owned Properties.

Budget Impacts

There would be no budget implications resulting from the approval of this request.

Recommendation

That the Council of Region of Queens Municipality agree to waive Policy 58 – Consumption of Alcohol on Municipally Owned Properties at the request of Privateer Farmers' Market at Centennial Park, Liverpool on Saturdays from October 1 to October 9, 2021.

And that the applicant be required to submit proof of insurance in no less than \$2,000,000 per occurrence with the Region of Queens Municipality as additional insured, and copy of the in effect liquor license from the Province of Nova Scotia to the Region, and that all municipal, provincial, and federal laws be strictly adhered to.

Communications

The applicant will be notified of a decision following Council.

Privateer Farmers' Market

Jennifer Chivers

30 Old Harmony Rd

Caledonia, NS

B0T 1B0

8/31/21

To The Municipality Council of Queens County, Nova Scotia;

On behalf of the Privateer Farmers' Market Co-operative, I request a waiver of policy 58 restricting the sales of alcohol for the remainder of the market season – October 9, 2021 at Centennial Park, Liverpool waterfront. This would include all Saturdays until October 9, 2021. This will allow us to have local distilleries, breweries, and vineyards attend the market.

Thank you for your consideration,

Jennifer Chivers

Market Manager

**Region of Queens Municipality
Staff Report**

7.3

To: Council

From: Mike MacLeod, Director of Planning and Development

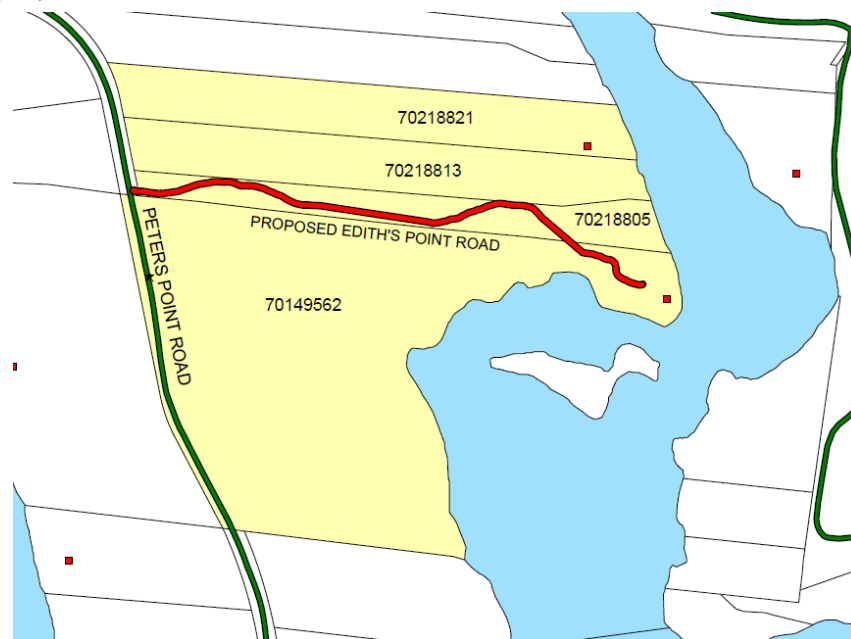
Date: September 28, 2021

Re: Road Naming – Edith's Point Road

Background

A request for the naming of a private road has been submitted to the Planning Department, which would see an existing driveway off Peters Point Road in South Brookfield named as **Edith's Point Road**.

The first name choice; **Edith's Point Road**; is acceptable to the Planning Department, as no same or similarly named road exists in Queens County. Refer to map below.



The Region's Policy respecting Naming and Renaming of Roads sets out that:

At the request for a road (private or public) name change or the naming of an unnamed road, a petition (Schedule "A") must be submitted by the owner of the road. However, if no specific owner can be determined, a petition signed by seventy percent (70%) of the persons that own land abutting the road may be submitted. This includes owners of both developed and vacant land on the road.

The driveway is owned by the applicant; Mr. George Kovacs; and provides access to two civic addressed properties. The petition has been submitted by Mr. Kovacs, as well as the abutting property owner. Petition for road naming is attached.

The Region of Queens also has a policy; Private Road Name Signage – Policy 69; which sets out that the Municipality will purchase and install private road name signs in an effort to ensure that proper signage is in place for emergency service purposes. This is a one-time purchase and install, after which, the responsibility for the signage becomes the responsibility of the road owner. Policy requires the road owner(s) to sign a form acknowledging this. Please see attached form.

Applicable Legislation

Region of Queens Municipality *Policy Number 6 – Naming and Renaming of Roads* and *Policy Number 69 – Private Road Name Signage*.

Budget Impacts

Costs to purchase and install the signage is approximately \$200, which is provided for in the 2021/ 2022 Planning budget.

Recommendation

THAT Council of Region of Queens Municipality approve the naming of an existing driveway off Peters Point Road in South Brookfield as Edith's Point Road.

Communication

The applicant will be advised of Council's decision.

Region of Queens Municipality Staff Report

7.4

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 28, 2021

Re: Request for Memorial Bench at Privateer Park

Background

On occasion, the Municipality receives written requests from individuals or groups wishing to donate a tree or bench to a municipal park to honour a long time resident or friend that has made a kind and positive contribution to their community. In the past, Council has approved a bench in Milton's Tupper Park for a long time teacher in Milton, a granite bench at Port Medway Lighthouse Park, and one recently at Beach Meadows Beach.


Details

On August 26, 2021, Mayor Norman received a written request from Jennifer Inglis, requesting permission to install a memorial bench at Beach Meadows Beach or Privateer Park in honour of Karen Smith who passed away in 2021. Ms. Smith's family is supportive of this idea.

Applicable Legislation

Section 47 of the *Municipal Government Act* states that:

(2) The council may exercise any of its powers and duties by resolution unless a policy or a by-law is required by an enactment.



(5) The council may make and carry out a contract, perform an act, do any thing or provide a service for which the municipality or the council is authorized by an Act of the Legislature to spend or borrow money.

Budget Impacts

The applicant will be required to ensure that the donated bench is installed according to municipal expectations on a concrete slab with the cost being fully funded by the applicant. Therefore, there is no budget cost to the Municipality in approving this request.

Recommendation

THAT Council of Region of Queens Municipality agree to accept a donation from Jennifer Inglis of a granite memorial bench;

AND THAT the bench be placed in a mutually agreeable location at Privateer Park with the future maintenance being the responsibility of the Municipality.

Communications

If approved by Council, recognition of this will provided on our social media accounts, and a letter of approval will be provided to the applicant.

Region of Queens Municipality Staff Report

To: Council

From: Elise Johnston, Accessibility Coordinator

Date: 28 September 2021

Re: Queens Accessibility Advisory Committee Application

Background


Nova Scotia's Accessibility Act, Bill 59, of September of 2017 aims to remove and prevent barriers that disable people with respect to participating in the broad community.

The Act mandates all public sector bodies create an Accessibility Advisory Committee made up of people with a range of abilities and life experiences in terms of accessibility issues to guide plans and actions towards an accessible Nova Scotia by 2030. The Act's Regulations prescribe municipalities as public sector bodies as of April 1, 2021. Region of Queens Municipality approved their first committee members at the Regular Council Meeting of 13 October, 2020.

Details

The Act defines Accessibility Advisory Committee: "Every public sector body shall establish an accessibility advisory committee or continue any such committee that was established before the coming into force of this Act. (2) At least one half of the members of an accessibility advisory committee must be persons with disabilities or representatives from organizations representing persons with disabilities. 2017, c. 2, s. 44."

The Terms of Reference for Queens Accessibility Advisory Committee establishes that the Committee be made up of two members of Council and up to five



members of the public. Currently there are two public vacancies. A call-out for more applications was made public in late May and one new application has been received.

Janine Stewart has mobility problems following four surgeries on her right leg because of bone cancer which led to much time in wheelchairs and an internal prosthesis. A Queens resident for 30 years, she continues to work at various businesses and organisations as a bookkeeper/financial officer. Current volunteer commitments include the Hospital Gift Shop, Astor Theatre, Harbour Authority of Moose Harbour, and Protect Liverpool Bay Association. Past volunteer activity included Air Cadets, Mersey Point Community Centre, Coffin Island Lighthouse Society, Hospital Hustle, etc. She writes: "I would like to help the committee in their efforts to make Queens County more accessible for myself and others with mobility problems. I can bring a perspective to the committee from personal experience trying to navigate the businesses and services in Queens County."

Applicable Legislation

The NS Accessibility Act 2017 c.2 s.1

Budget Impacts

There are no budget impacts for this recommendation.

Recommendation

That Council of Region of Queens Municipality appoint Janine Stewart to the Accessibility Advisory Committee.

Communications

Communications of the appointment will be through publicly posted Regular Meeting of Council Minutes.

Region of Queens Municipality Staff Report

7.6

To: Council

From: Dana Henley, Community Development Coordinator

Date: September 28, 2021

Re: Community Investment Fund

Background

The Community Investment Fund (CIF) is entering its third year. It was initially approved by Council on November 27, 2019, and amended by Council on January 14, 2020.

Total funding available in the 2021-2022 budget year is \$175,000, in addition to the remainder in reserve which will be updated once all 2020-2021 approvals under the fund are completed.

The deadline for operational funding was January 31, 2021, all other funds are available for application throughout the year beginning April 1 until all funds have been exhausted.

Details

The funding request for consideration today is for the Capital Investment Fund, which has received a completed eligible application.



Organizations are eligible for Capital Investment Funds under three categories:

- a) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure, to a maximum of \$250,000;
- b) Up to fifty percent (50%) funding of eligible expenses for alterations or improvements to existing community infrastructure that will prolong the life of the facility at least 10 years or significantly increase usage, to a maximum of \$50,000; or
- c) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure planning or feasibility studies, to a maximum of \$10,000.

Below is a summary of the funding request and comments regarding the application:

PAC Autism Nova Scotia Society

Request \$111,773 – New Capital

PAC Autism Nova Scotia Society have requested capital funding to assist in the development of a universally designed playpark to be located at 72 Old Cobb's Barn Road, Liverpool; to be owned and operated by Region of Queens Municipality. Total eligible costs for the project are \$447,090. All required documentation was provided and the request meets Policy 11 – Community Investment Fund's criteria.


Applicable Legislation

Municipal Government Act (MGA) authorizes Council to expend money under:

Authorized municipal expenditures

65A (1) Subject to subsections (2) to (4), the municipality may only spend money for municipal purposes if:

- (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality;
- (b) the expenditure is in respect of an emergency under the *Emergency Management Act*; or
- (c) the expenditure is legally required to be paid.



(5) In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.

Budget Impacts

This report is seeking approval to expend money from Community Investment Fund budget line. All funding will be distributed as per guidelines set out in Operational Policy 11 – Community Investment Fund.

Recommendation

That the Council of Region of Queens Municipality provide grant funding to PAC Autism Nova Scotia Society up to the amount of \$111,773 from the 2021-2022 Community Investment Fund as per their submitted application.

Communications

The applicant will be notified of a decision following Council. Approved applicants will be included in the 2021-2022 Grant Disclosure per Policy 89.

Region of Queens Municipality Staff Report

7.7

To: Council

From: Dana Henley, Community Development Coordinator

Date: September 28, 2021

Re: Community Investment Fund

Background

The Community Investment Fund (CIF) is entering its third year. It was initially approved by Council on November 27, 2019, and amended by Council on January 14, 2020.

Total funding available in the 2021-2022 budget year is \$175,000, in addition to the remainder in reserve which will be updated once all 2020-2021 approvals under the fund are completed.

The deadline for operational funding was January 31, 2021, all other funds are available for application throughout the year beginning April 1 until all funds have been exhausted.

Details

The funding request for consideration today is for the Capital Investment Fund, which has received a completed eligible application.



Organizations are eligible for Capital Investment Funds under three categories:

- a) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure, to a maximum of \$250,000;
- b) Up to fifty percent (50%) funding of eligible expenses for alterations or improvements to existing community infrastructure that will prolong the life of the facility at least 10 years or significantly increase usage, to a maximum of \$50,000; or
- c) Up to twenty-five percent (25%) funding of eligible expenses for new capital community infrastructure planning or feasibility studies, to a maximum of \$10,000.

Below is a summary of the funding request and comments regarding the application:

Liverpool Curling Club

Request \$9,000 – Capital Upgrade

Liverpool Curling Club has requested capital funding to assist in the purchase of preprinted rings; a vinyl mesh sheet that emulates the painted sheets from one end of a curling sheet to the other which encompasses all lines and rings. Total eligible costs for the project are \$18,000. All required documentation was provided, with the exception of a second quote for the product as there is only one supplier in Canada that produces the entire preprinted curling sheet from end to end, the request meets Policy 11 – Community Investment Fund's criteria.

Applicable Legislation

Municipal Government Act (MGA) authorizes Council to expend money under:

Authorized municipal expenditures

- 65A (1) Subject to subsections (2) to (4), the municipality may only spend money for municipal purposes if:
- (a) the expenditure is included in the municipality's operating budget or capital budget or is otherwise authorized by the municipality;
 - (b) the expenditure is in respect of an emergency under the *Emergency Management Act*; or



(c) the expenditure is legally required to be paid.

(5) In the event of ambiguity in whether or not the municipality has the authority under this or any other Act to spend money or to take any other action, the ambiguity may be resolved so as to include, rather than exclude, powers the municipality had on the day before this Section came into force.

Budget Impacts

This report is seeking approval to expend money from Community Investment Fund budget line. All funding will be distributed as per guidelines set out in Operational Policy 11 – Community Investment Fund.

Recommendation

That the Council of Region of Queens Municipality provide grant funding to Liverpool Curling Club in the amount of \$9,000 from the 2021-2022 Community Investment Fund as per their submitted application.

Communications

The applicant will be notified of a decision following Council. Approved applicants will be included in the 2021-2022 Grant Disclosure per Policy 89.

Region of Queens Municipality Staff Report

7.8

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 28, 2021

Re: Proposed Civic Holiday

Background

On September 29, 2020, the Honourable Steven Guilbeault, Minister of Canadian Heritage, introduced Bill C-5, to establish a National Day for Truth and Reconciliation for federally regulated workers that will be observed as a statutory holiday on September 30th of each year to begin in 2021. This was Action #80 recommended in implementing the Truth and Reconciliation Commission's Call to Action.

The new national day is meant to honour survivors, their families and communities. It will also ensure that public commemoration of the tragic and painful history and legacy of residential schools remains a vital component of the reconciliation process. This is part of the federal government's commitment to reconciliation and ensuring that the tragic history and ongoing legacy of residential schools is never forgotten. It is meant to be a day of quiet reflection or participation in a community event.

Recently, the provincial government on September 3, 2021, acknowledged that Nova Scotia will annually recognize September 30 as Truth and Reconciliation Day beginning in 2021. Provincial government offices, public schools and regulated child care will be closed. Businesses will have the choice, as they do on other occasions, to remain open.



Details

The federal government has proclaimed September 30th each year as a holiday for federal employees and agencies only. Recently, the provincial government announced that they will annually recognize September 30th as Truth and Reconciliation Day by closing government offices and schools, but no mention of making it a provincial holiday.

This leaves the Municipality to decide how it wants to deal with the issue as the above federal and provincial acknowledgements do not include municipalities.

Civic holidays may be proclaimed by any municipality in Nova Scotia with the approval of Council. Within that proclamation, Council can provide for various regulations within the bylaw. Bylaws require two readings with at least 10 days between the readings.

Applicable Legislation

Section 172(1)(h) of the *Municipal Government Act* states that council may make by-laws, for municipal purposes, respecting the appointment of a day to be a civic holiday.

Budget Impacts

It is anticipated that the additional costs to make September 30th each year a civic holiday when it does not fall on a Sunday will cost the Municipality approximately \$6,600 in additional overtime costs for contractual obligations and mandated public services.

Recommendation

THAT Council of Region of Queens Municipality give first reading to a Bylaw Respecting a Civic Holiday.



Communications

The proposed bylaw will be advertised in a local newspaper allowing for public input prior to second reading, as well as being posted on our website and social media platforms.



BYLAW NO. 5

A BYLAW RESPECTING A TRUTH AND RECONCILIATION CIVIC HOLIDAY

BE IT ENACTED by the Council of Region of Queens Municipality, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

1. This bylaw shall be known as Bylaw Number 5 and may be cited as the “Truth and Reconciliation Civic Holiday Bylaw”.

DEFINITIONS

2. “civic holiday” means any day designated by municipal council to be observed as a civic holiday within Region of Queens Municipality.

CLOSURES

3. All municipal operations and facilities will be closed on any civic holiday designated by Region of Queens Municipality, excluding those required to remain open under legal contract including health care facilities.

TRUTH AND RECONCILIATION CIVIC HOLIDAY

4. September 30th of each year is hereby declared a civic holiday within Queens County and is to be known as the Truth and Reconciliation Civic Holiday.

EFFECTIVE DATE

5. This bylaw shall take effect from the 1st day of January 2022.

OFFICIAL CERTIFICATION

THIS IS TO CERTIFY THAT this bylaw was passed by the Council of Region of Queens Municipality at a duly constituted meeting of said Council held on the 26th day of October, 2021.

SIGNED by the Mayor and Deputy Clerk this 27th day of October, 2021.

Mayor

Deputy Clerk

READINGS: First Reading:	September 28, 2021
Date of Publication:	October 6, 2021
Second Reading:	October 26, 2021
Newspaper Passing:	November 3, 2021
Filed / Approved:	Minister of Municipal Affairs November 4, 2021



NOVA SCOTIA FEDERATION
OF MUNICIPALITIES

INTERIM RESOLUTIONS REPORT

September 8, 2021

Feedback Welcome

Deadline for written feedback: October 1, 2021

Meetings to discuss Resolutions:

September 27, 2021, 10:00am – 12:00pm, Virtual Meeting via Zoom

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INTRODUCTION

What is a Resolution?

- Resolutions are matters of importance to NS municipalities. They include, but are not limited to the following:
 - ✓ Requesting new or increased funding
 - ✓ Cost-sharing for services and infrastructure
 - ✓ Changes in provincial legislation
 - ✓ Creating or formalizing partnerships
- NSFM advocates to federal and provincial levels of government to ensure municipal priorities put forward as resolutions are considered and actioned.

History of Current Resolutions

- In recent years, NSFM decided to focus its advocacy efforts by limiting the number of resolutions to five (5).
- Recognizing that progress with the provincial and federal government takes time, NSFM policy states that resolutions will remain active for up to three **(3) years**.
- The NSFM Board may request the renewal of a resolution about to meet its 3-year expiry.
- In **2019** the following resolutions were approved or extended by the membership for the three (3) year period of **2020-2022**:
 1. **Removing the CAP** on property assessment, while continuing to protect low-income homeowners.
 2. Implementing **Extended Producer Responsibility (EPR)** for printed paper and packaging.
 3. Addressing inadequacies in funding levels and formulas for **Municipal Funding**.
 4. Enabling **Municipal Modernization**, including support for new governance and collaboration models
 5. **Funding for Roads**, including equitable distribution to towns and former towns for shared arterial and collector roads.

For a full description and background information, please see the [Our Resolutions](#) section of the NSFM website.

- In **2020**, NSFM shifted its focus to responding to the demands of the Covid-19 pandemic. Advocacy on the above resolutions continued while several pandemic-related research and advocacy projects were also completed.
- In **2022**, the NSFM membership will have the opportunity to propose additional resolutions to the Resolutions Review Committee. For information on this process, please see Appendix A.

Resolutions Update:

- Between April 4- April 16, NSFM staff provided a progress update on resolutions via 5 Regional meetings.
- This report provides an additional update to reflect progress made since that time.

Statements of Concern:

- Statements of concern are additional issues that NSFM may advocate to the province about.
- When a resolution is resolved or phased out, a statement of concern may take its place. As our membership responded to the demands of the pandemic, no new statements of concern were brought forward in 2020.
- Our current Statements of Concern include the following:
 - 1. Sustainability and Infrastructure Funding**
 - 2. Climate Change**
 - 3. Policing**
 - 4. Municipal Responsibilities**
 - 5. Surplus Schools**
- To read an in-depth description of the above issues, visit [Our Resolutions](#) on the NSFM website.

Next Steps:

- Members are asked to review the Interim Resolution Report and provide feedback, either written or through attendance at the following virtual meeting:
 - **September 27, 2021, 10:00 – 12:00, Zoom**
- Feedback will be summarized and presented to the NSFM Executive.
- A final Resolutions Report will be sent to members in advance of the Fall Conference.
- Resolutions and Statements of Concern will be reviewed but not debated at the 2021 AGM.

Feedback and Resolutions Meeting

Written feedback can be submitted to NSFM via info@nsfm.ca. The deadline to submit feedback is **October 1, 2021**.

If you did not receive the Zoom link for the Resolutions Meeting, please contact the email above.

Resolutions 2019/20-2022

As a result of the 2021 provincial elections, NSFM will be working with a new government on the priorities of our membership. As an organization, we have previously engaged with the PC Party of Nova Scotia when they held opposition party status. This included sharing information on the work of NSFM. Our focus will now turn to creating collaboration opportunities and sustaining advocacy on our resolutions.

A progress update on each of our top 5 priorities can be found below.

1. MUNICIPAL FUNDING

Current Progress:

NSFM has requested provincial support in the form of a **50/50 cost share** for all municipal projects required to comply with the Accessibility Act. We continue to work closely with the Accessibility Directorate to ensure our membership is consulted on emerging legislation and directives such as the Built Environment Standards.

At our Spring Conference, we asked the Minister of Municipal Affairs and party critics whether they would commit to providing municipalities with a **share of related tax revenue from the sale of Cannabis**. During the provincial election campaign, we posed the question again to party leaders. The PC Party of Nova Scotia indicated they will be renegotiating the federal Memorandum of Understanding with the province, and they would 'expect all parties to come to the table with their asks.'

The government has committed to **doubling the Municipal Financial Capacity Grant**, for one year, while a new MOU is established with municipalities. NSFM has requested that increased funding remain in place until the new MOU takes effect.

2. ROADS

Current Progress:

A provincial/municipal Roads Committee has been meeting since 2018. The two main outputs this year are a **Municipal-Provincial Roads Handbook** that will guide annual discussions between the Department of Transportation and Active Transit and relevant senior municipal staff on achieving efficiencies, and a **new funding proposal** to repurpose the current J-class cost-sharing formula. The funding proposal was presented by committee members to DMA and TAT in early April 2021.

3. CAPPED ASSESSMENT PROGRAM (CAP)

Current Progress:

The CAP is a significant issue for municipalities as it unfairly distorts the property tax system. NSFM will be reviewing and revising a **recently completed CAP-phase out proposal** to reflect the current circumstances of the Nova Scotia housing market. NSFM will be advocating to the new government for the **re-establishment of the All-Party CAP Committee** implement an alternative to CAP.

NSFM will also be engaging in a **communications strategy** to provide messaging to key target audiences on the benefits of alternatives to CAP.

4. MUNICIPAL MODERNIZATION

Current Progress:

Municipal Modernization is a broad concept that includes some of the following:

- Flexible funding from the province to allow for regional planning
- Modernizing the Municipal Government Act and the HRM Charter
- Allowing for virtual council meetings and other legislation that enables municipal decision-making.

In addition to the above, NSFM worked closely with DMA to ensure legislation regarding municipal **codes of conduct** was strengthened. Two NSFM Board members will be part of committee that will draft regulations around code of conduct for consultation with the membership.

5. EXTENDED PRODUCER RESPONSIBILITY FOR PRINTED PAPER AND PACKAGING (EPR for PPP)

Current Update:

Together with the Municipal-Provincial Solid Waste Resource Priorities Working Group, NSFM delivered a formal EPR proposal to the Minister of Environment in June 2019.

An independent, third-party report on the efficiency and effectiveness of the solid waste resource management system in Nova Scotia, which included recommendations to bring an EPR model to Nova Scotia, was presented to the Minister of Environment in 2019. NSFM also continues participation on Divert NS Board.

With the new government, NSFM is committed to **ensuring a review of the extensive research and stakeholder engagement** that has previously been completed on EPR.

The previous government included EPR in the mandate letters of both the Minister of Environment and Climate Change and the Minister of Municipal Affairs. NSFM will be working with the new government to **ensure EPR is included in new mandate letters.**

Appendix A

What kind of issues can become resolutions?

NSFM policy provides guidance on what qualifies an issue to become a resolution:

- It's of major importance to a large number of municipalities
- The issue is correctly identified and well-researched, including a recommended solution in the form of a resolution.
- The issue is within the municipal mandate

How is a resolution proposed?

The resolutions process is as follows:

1. Resolutions can only be submitted Regions, Caucuses, or with the support of at least one-third of all municipalities.
2. The final opportunity to submit a resolution is within forty (40) days of the annual Fall Conference.
3. The NSFM Executive serves annually as the Resolutions Review Committee.
4. This NSFM Executive may also identify a resolution and will seek feedback from the membership via the Interim Resolutions Report.
5. The Interim Resolutions Report contains resolutions that have been identified, and/or approved by the Committee. The Report is forwarded to the membership in early September.
6. NSFM staff facilitates a meeting(s) with the membership to facilitate input and feedback on the Interim Resolution Report.
7. The membership will have an opportunity to review the Final Resolutions Report fourteen (14) days prior to the annual conference.
8. Members vote on proposed resolutions and statements of concern at the AGM.





Coastal Protection Act: Proposed Regulations

CONSULTATION SESSIONS WITH NOVA SCOTIA MUNICIPALITIES

AUGUST 15TH – SEPTEMBER 30TH, 2021

ENVIRONMENT AND CLIMATE CHANGE

Your input will help refine our approach to the Coastal Protection Act regulations.

- ▶ The content of the consultation documents and this presentation pertaining to regulations is for the purpose of public consultation and is subject to change. Regulations must be approved by Governor in Council.
- ▶ Who we're engaging with:
 - ▶ All Nova Scotians
 - ▶ Municipalities
 - ▶ Formal Terms of Reference Consultation with the Mi'kmaq and outreach to indigenous groups with an environmental focus
 - ▶ Professional bodies (Engineers, Geoscientists, and Land Surveyors)
 - ▶ Sector organizations
- ▶ Consultation documents are posted online at novascotia.ca/coast
- ▶ Consultation closes on September 30th, 2021.

The Coastal Protection Act

- ▶ The need for coastal protection legislation
- ▶ How the Coastal Protection Act will work
- ▶ Overview of proposed regulations
- ▶ The role of municipalities
- ▶ Keys to success
- ▶ Discussion



Climate Change and Nova Scotia's Vulnerable Coast

- ▶ Many low-lying coastal areas in Nova Scotia will become increasingly vulnerable to sea level rise and storm surge in the coming decades.
- ▶ Nova Scotia's coast includes many areas with significant erosion risks. Stabilization measures (e.g., armouring) can accelerate erosion.
- ▶ Fighting the sea is an expensive, long-term battle. Costs can exceed the means of individual landowners whose properties are at risk from coastal flooding and erosion.
- ▶ Shoreline structures can interfere with or damage sensitive coastal ecosystems that provide valuable ecological services such as carbon sequestration.



Bill 106 - The Coastal Protection Act

The public and municipalities were consulted in 2018

- ▶ Public supported the approach
- ▶ Considerations made to mitigate municipal concerns (resources, property value impact, immediate actions)

The Coastal Protection Act was passed in 2019 to prevent or restrict development and related activity in places where it will:

- ▶ Damage sensitive coastal ecosystems
- ▶ Put property at risk from:
 - ▶ Inundation (flooding from sea level rise and storm surge).
 - ▶ Coastal erosion

The Act will be in effect once regulations are approved



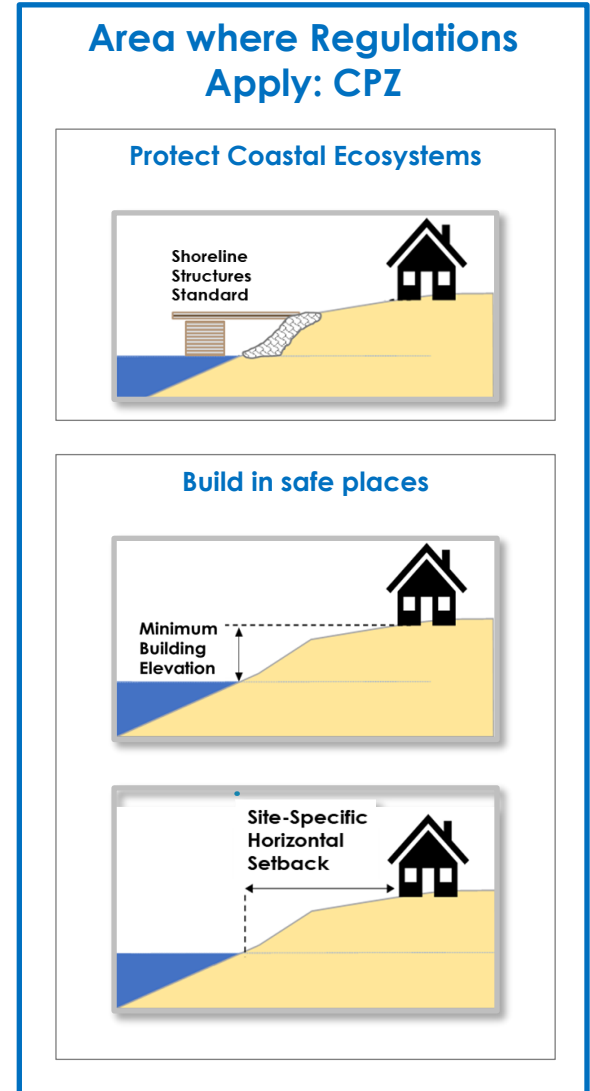
Challenges that shaped the CPA

- ▶ 13,300 km of convoluted coastline with varied geology, topography, bathymetry, tides and wave exposure.
- ▶ Erosion risk levels vary significantly – sometimes within a few tens of meters at the same site – making province-wide or regional setbacks less effective.
- ▶ Need to keep incremental regulatory and administrative burden to a minimum.
- ▶ Rules / allowances for existing structures.
- ▶ Many communities with developed waterfront areas.
- ▶ Many stakeholders with diverse short and long-term interests and perspectives.



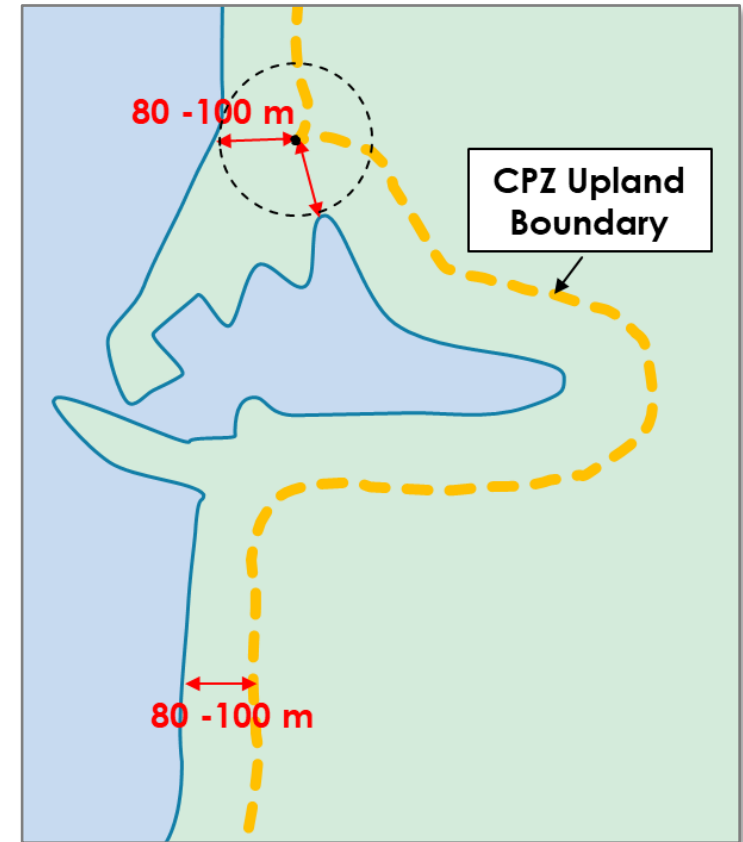
How the Coastal Protection Act will work

- ▶ Regulations will create a coastal protection zone (CPZ), a band around the coastline where the CPA and Regulations will apply.
- ▶ Primary regulatory tools are:
 - ▶ Shoreline structures standards and restrictions to protect coastal ecosystems.
 - ▶ Vertical building setbacks to reduce future coastal flooding risks.
 - ▶ **Site-specific** horizontal building setbacks determined by a designated professional (DP) to reduce risks from coastal erosion.
- ▶ The CPA does not create new permitting processes; it works through processes that already exist.
- ▶ The CPA does not require legally-permitted existing structures to be moved and allows for maintenance and repair.
- ▶ The Act and Regulations will allow for reasonable exceptions, for example, structures that need to be near the water and modified rules for developed downtown waterfronts.



Coastal Protection Zone (CPZ)

- ▶ This distance is not a setback, but a regulatory “trigger” for where:
 - ▶ the **minimum building elevation** applies, and
 - ▶ the landowner will normally require a “DP Report” to determine the **horizontal setback** for their property a building permit.
- ▶ The upland boundary of the Coastal Protection Zone (CPZ) is proposed to be 80 – 100 meters back from the ordinary high-water mark.
- ▶ Government will determine a single “default” upland distance following consultation.
- ▶ Specific delineation rules determine how the CPZ boundaries are applied around small and large estuaries, and barrier beaches.



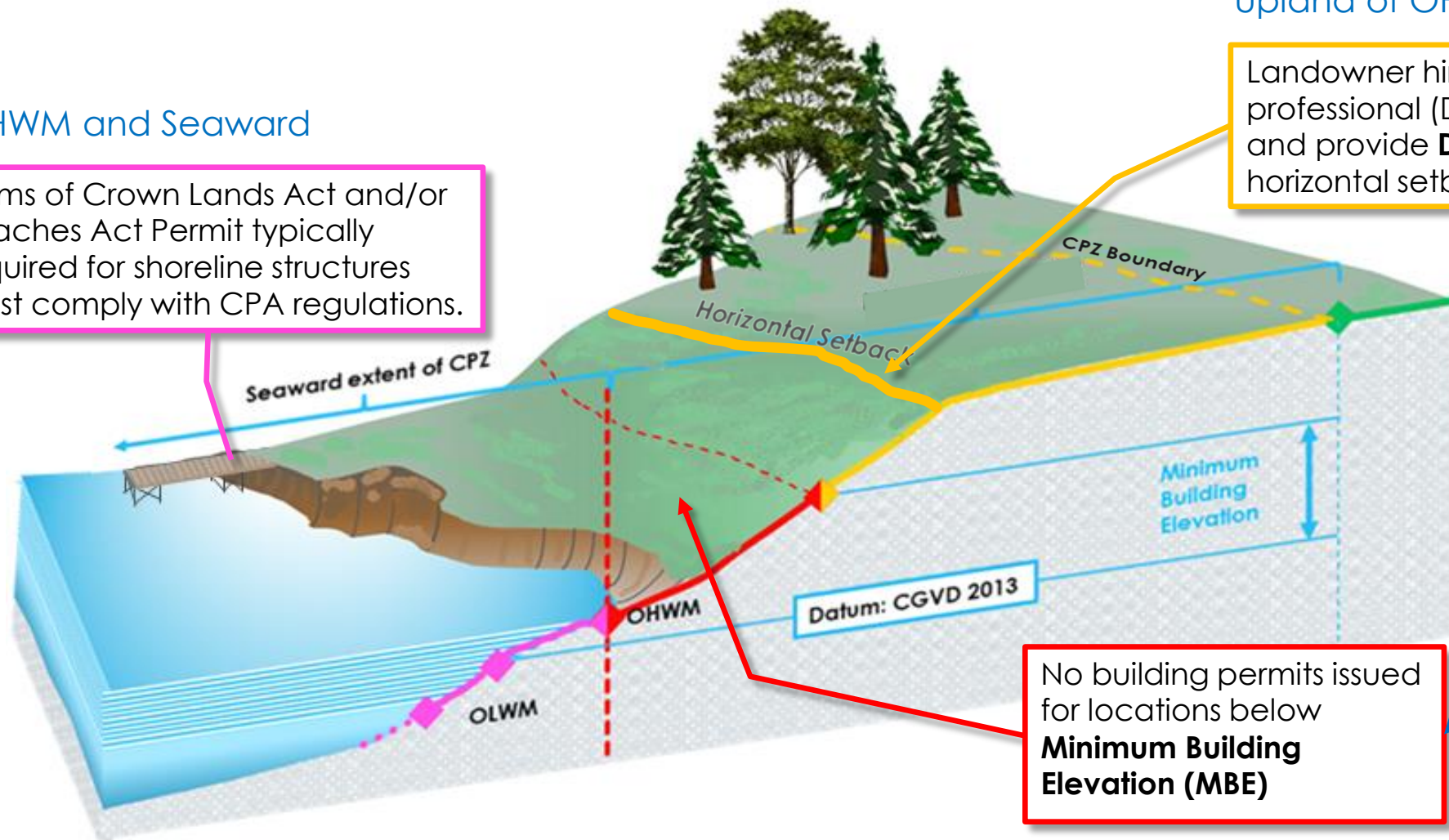
How the CPA will work

OHWM and Seaward

Terms of Crown Lands Act and/or Beaches Act Permit typically required for shoreline structures must comply with CPA regulations.

Upland of OHWM

Landowner hires designated professional (DP) to assess erosion risk and provide **DP report** with site-specific horizontal setback to municipality.



Required for Building Permit

No building permits issued for locations below **Minimum Building Elevation (MBE)**

Protecting Coastal Ecosystems

Shoreline Structures Standard

- ▶ The CPA is not intended to stop all construction along the coast.
- ▶ The CPA will help minimize unnecessary disruption of natural processes that can result in accelerated damage to natural and built infrastructure.
- ▶ Permits issued pursuant to the Crown Lands Act and the Beaches Act for activity within the Coastal Protection Zone (CPZ) must comply with the CPA once the act is proclaimed into law.
- ▶ Regulations will restrict infilling, including shoreline armouring, on submerged provincial Crown lands to cases where it is necessary to protect an existing structure or repair existing shoreline stabilization structures.

Regulatory Focus

Toxic Building Materials in contact with water

Direct destruction of habitat area

Blocking dynamic movement of coast

Disrupt sediment transport and water circulation

Disrupt ecosystem connectivity

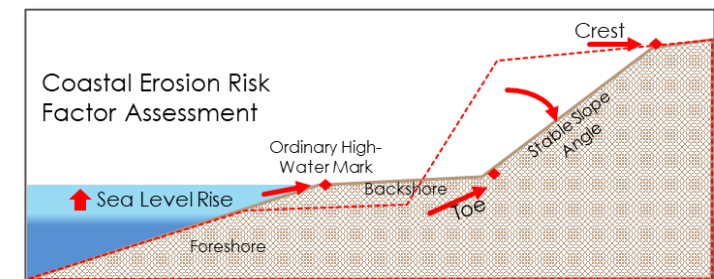
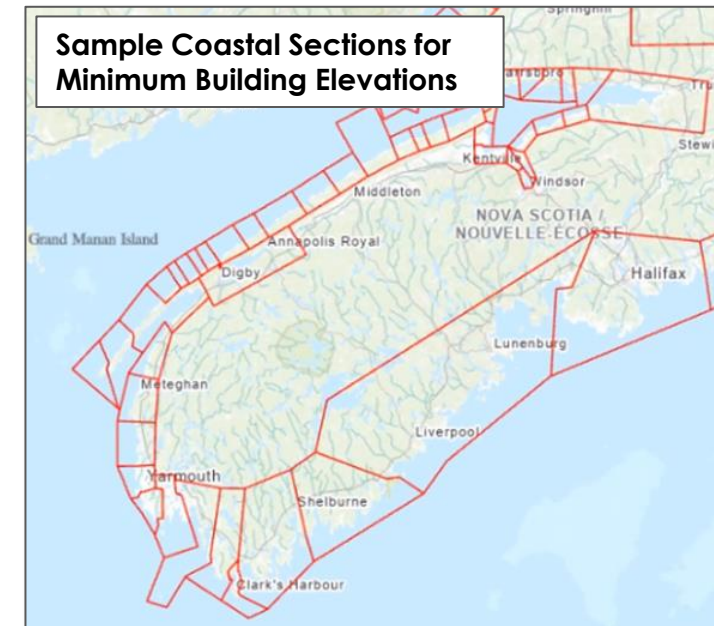
Increased wave energy reflection

Minimum Building Elevations (MBEs)

- ▶ Minimum Building Elevations will be a system of vertical building setbacks to restrict or prohibit development in low-lying areas within the CPZ that are expected to be vulnerable to sea level rise and coastal flooding.
- ▶ Because of large differences in local tidal amplitudes, MBEs will vary significantly around the coast.
- ▶ MBEs will be set out in a tabular schedule with MBEs for different areas of the coast, supported by map resources for easier interpretation.

Site Specific Horizontal Setbacks

- ▶ Nova Scotia's coast is too diverse for a "one size fits all" solution to provide effective erosion risk management. A single, rigid setback for large regions of coast will frequently be either too restrictive or too risky in any specific location.
- ▶ The CPA incorporates *site-specific* horizontal setbacks determined by a designated professional (DP) using a specific coastal erosion risk factor assessment tool to assess the risk in a consistent way.
- ▶ The risk assessment is done at the landowner's expense.
- ▶ The setback is contained in a "DP Report" which the landowner provides to the municipality when applying for a building permit or development permit.



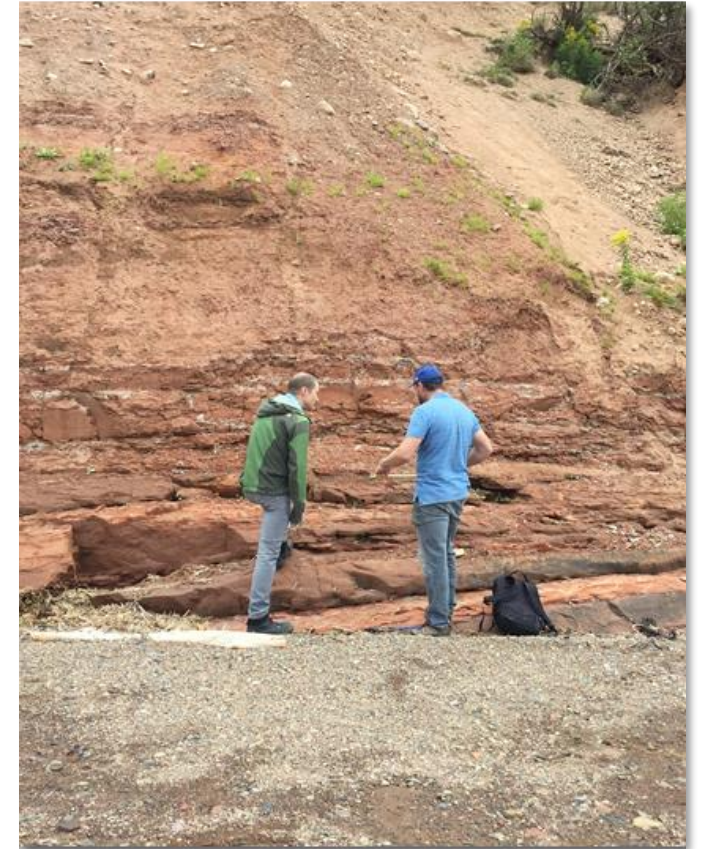
Designated Professionals

Who can be a designated professional (DP)?

- ▶ DP will need to be a member of a professional body designated under the regulations. This has not been finalized however we are in discussions with:
 - ▶ Engineers Nova Scotia
 - ▶ Geoscientists Nova Scotia
 - ▶ Association of Nova Scotia Land Surveyors

What is the DP's Role?

- ▶ The DP's role is to complete an erosion risk assessment for the landowner using the specific method prescribed in regulations and create a DP report that specifies the horizontal setback distance for the property.
- ▶ The Designated Professional is certifying they are qualified to do the work, they are a member in good standing of a designated profession and that they followed the method prescribed by the regulations in determining the horizontal setback.
- ▶ The DP's erosion risk assessment is conducted at the landowner's expense.
- ▶ The Designated Professional is not providing a guarantee of safety from coastal erosion, nor determining where the CPZ or property boundaries are located.



Municipality considering a building permit approval for construction within the CPZ must:

- ▶ Determine if the Coastal Protection Act applies:
 - ▶ Construction location is within the CPZ?
 - ▶ Act applies to structure type?
- ▶ Ensure:
 - ▶ The application for a building permit is accompanied by a DP Report.
 - ▶ The proposed location as indicated on a plot plan or surveyor's location certificate is:
 - ▶ above the Minimum Building Elevation.
 - ▶ upland of the site-specific horizontal setback provided in the DP report.
 - ▶ The designated professional was member in good standing of a professional body designated in the regulations at the time the DP report was signed.

Compliance and enforcement

- ▶ Municipalities use the usual means of monitoring, inspecting and ensuring compliance as they would with other building or development permits.

Municipalities and DP Reports

- ▶ DP reports and the horizontal setback may apply to:
 - ▶ Multiple properties, if they are adjacent and have a similar shoreline composition.
 - ▶ The entire property, if the shoreline is consistent throughout the water frontage or the setback is based on the greatest erosion risk present in the area being assessed.
 - ▶ A portion of a property, if a DP only assessed a part of the lot. The DP report must include a diagram indicating the area in which the setback applies.
- ▶ A municipality may reject a DP Report if in the opinion of the municipality it is invalid for any reason or if conditions on the site have changed.
- ▶ A landowner may hire another DP to do a further risk assessment, if they wish. A municipality may accept the second report.
- ▶ A DP Report will be valid for ten years. The municipality must keep a record.

Exemptions covered by the Act and regulations

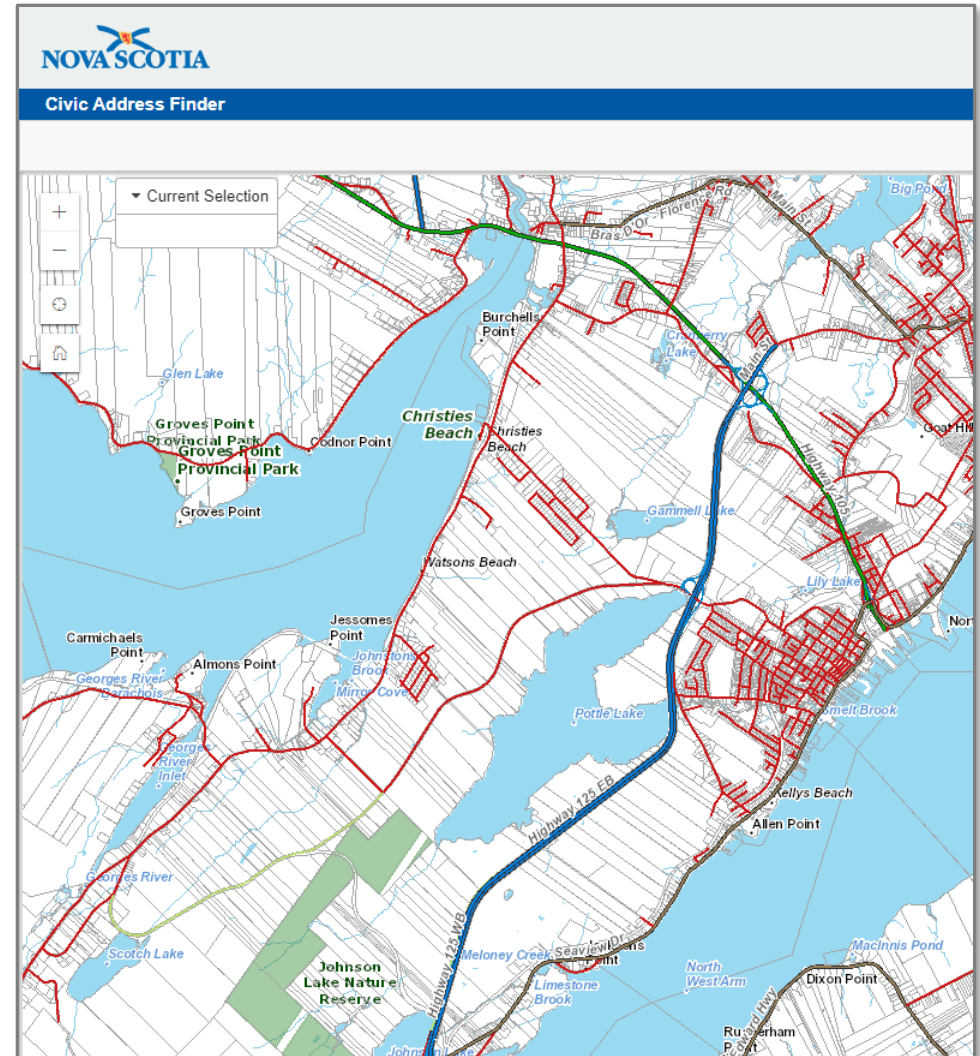
- ▶ Requirements for building permits within the zone apply to houses, cottages and commercial or industrial buildings.
- ▶ The Act provides some exemptions:
 - ▶ public infrastructure
 - ▶ commercial or industrial structures that need to be located at the shoreline.
- ▶ Proposed exemptions under the regulations:
 - ▶ trailers or mobile homes that are designed for frequent transport;
 - ▶ boathouses, detached garages, or outbuildings that are intended for storage or similar uses and do not have water service, plumbing, living quarters or similar amenities, and
 - ▶ decks, gazebos or similar structures, regardless of whether it requires a permit.

Developed Waterfronts

- ▶ Waterfronts are an important part of many Nova Scotia communities.
- ▶ The Regulations seek to balance the economic, social, and cultural value of these areas with the need to avoid increasing our risk exposure to climate change by including modified rules for these area.
- ▶ Proposed definition for a developed waterfront:
“areas dominated by mixed-use structures with a public amenity or multi-unit residential component where there are no gaps of greater than 75 meters between existing mixed-use structures, or where the area was zoned for commercial, mixed use or equivalent prior to the Act coming into effect”
- ▶ Proposed modified rules: qualifying structures in the zone would be exempted from a site-specific horizontal setback, however
 - ▶ no residential part of a new structure can be below the minimum building elevation.
 - ▶ no residential part of an existing structure being modified can be below the minimum building elevation.

Keys to Success

- ▶ On-going dialogue with stakeholders:
 - ▶ During development of regulations,
 - ▶ During implementation phase,
 - ▶ On-going operation of the Coastal Protection Act regulations.
- ▶ Training for designated professionals, municipal building officials, provincial staff.
- ▶ Effective, two Communication with key stakeholders.
- ▶ Mapping tools on a user-friendly platform, displaying:
 - ▶ Coastal Protection Zone boundaries,
 - ▶ Minimum Building Elevation contour lines.
- ▶ Ongoing monitoring and evaluation.





Thank You!

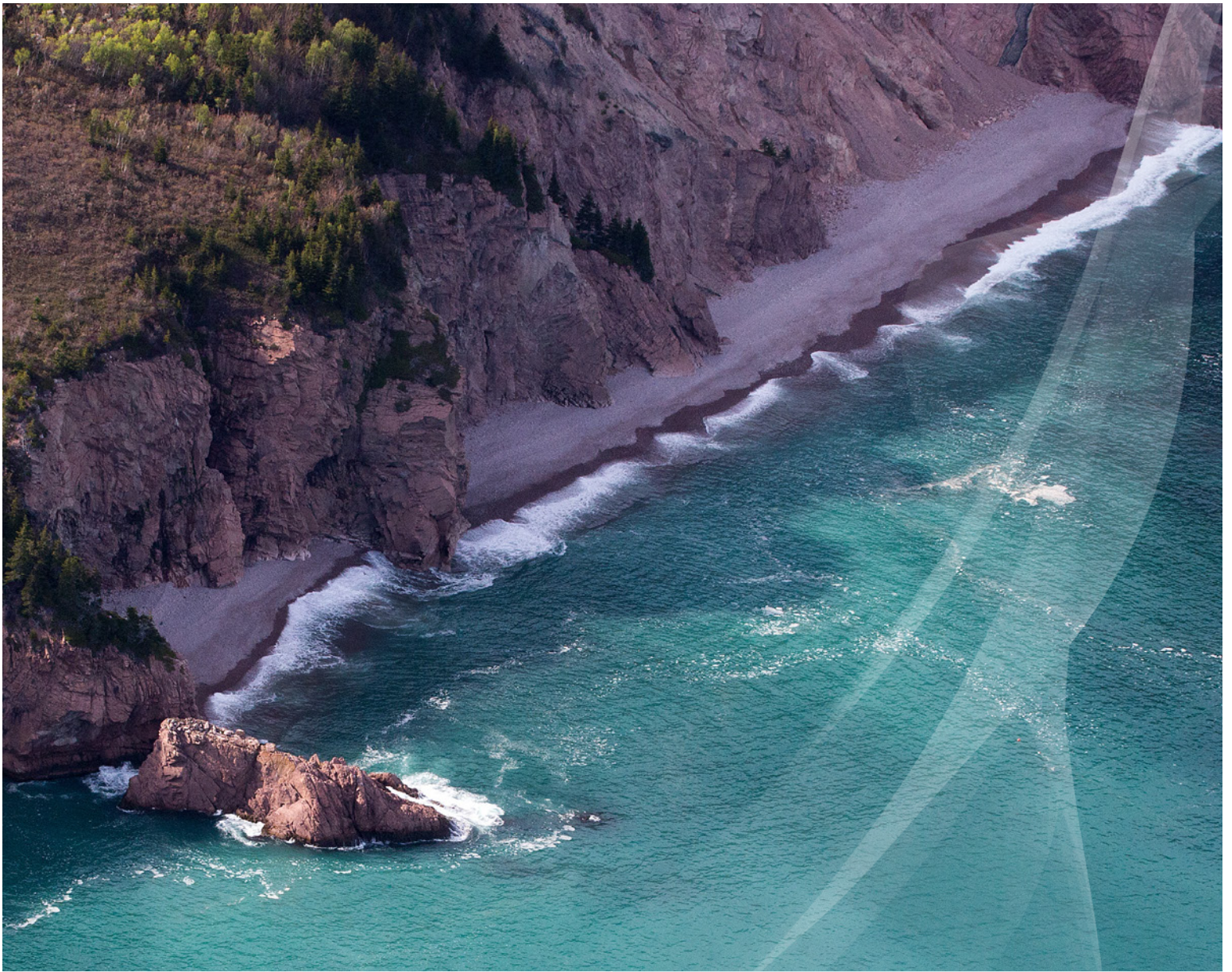
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PART 2

A Detailed Guide to
Proposed *Coastal Protection Act* Regulations


NOVA SCOTIA

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Part 2: A Detailed Guide to Proposed Coastal Protection Act Regulations

Department of Environment and Climate Change

July 2021

ISBN: 978-1-77448-210-0

Introduction

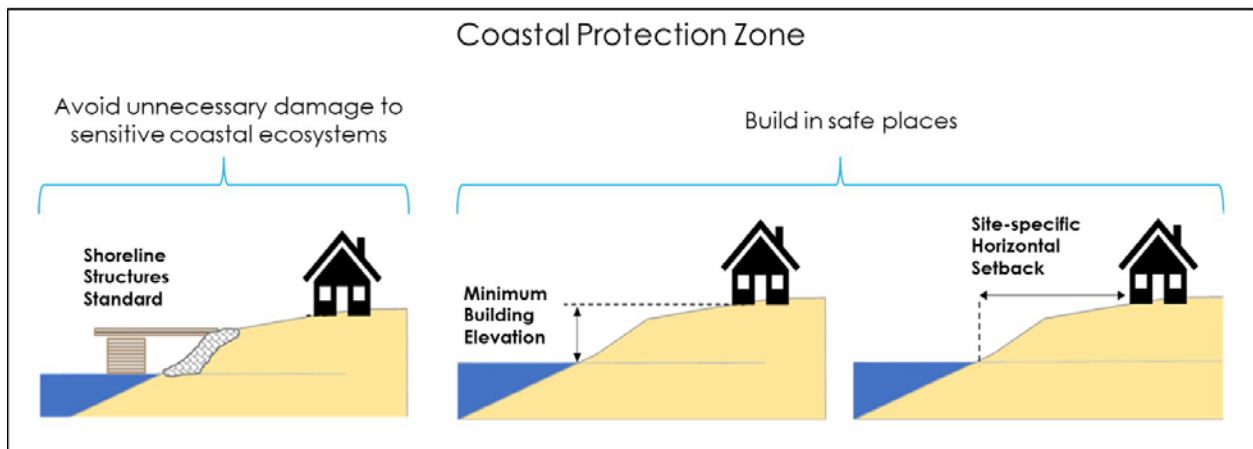
This document is designed to help those who need a more detailed look at the proposed *Coastal Protection Act* regulations. This could include municipal officials, members of professions designated to perform erosion assessments under the Act, and those involved in construction or property purchase, sale or subdivision of coastal lands. We also encourage anyone who may be interested in or impacted by the Act to read this document and share their thoughts with us. We have included a few questions at the end to help people respond to this consultation .

The following sections outline government's proposed approach and are intended for discussion purposes only. All content is subject to change.

Coastal Protection Zone

Regulations will identify the area included in the Coastal Protection Zone, where the Act and regulations will apply. The Coastal Protection Zone will be a narrow band surrounding the province's coast, including land and water-covered areas on either side of the ordinary high-water mark. This zone will include islands, major tidal rivers where they near the ocean, and other estuaries that are directly connected to coastal waters.

The Coastal Protection Zone includes both public and private lands and may overlap with lands designated under other Acts, such as the *Agricultural Marshlands Conservation Act* and the *Special Places Protection Act*. In these areas, the *Coastal Protection Act* provides exemptions to avoid interference with the intent of existing legislation. The Coastal Protection Zone does not include federal Crown lands.



How the Regulations will Apply in the Coastal Protection Zone

The Coastal Protection Zone boundaries will be identified using the high-water mark (which may be set out in regulations as the ordinary high-water mark, or similar reference line approximating water levels at high tide). The area that starts at the high-water mark and extends inland, in most cases, will be called the “upland” area of the zone. The width of the upland area has not yet been finalized, but government is proposing it be in the range of 80 to 100 meters.

Within this area, municipalities will need to ensure building permits and construction are compliant with two new setbacks: the minimum building elevation for different regions of the coast; and a horizontal building setback determined for the specific property by a Designated Professional, as defined under the regulations.

For the area that starts at the high-water mark and extends seaward, the Coastal Protection Zone boundary will not be specified. Within this zone, regulations will apply to wharfs, jetties, seawalls, groynes, in-filing, shoreline armouring and similar structures, and will be administered using existing permitting processes administered by the Department of Lands and Forestry for areas where the *Crown Lands Act* and *Beaches Act* apply.

Coastal Protection Zone Upland Boundary

The upland boundary will be a line that follows the coastline at a set distance upland from the closest point on the high-water mark.

Two types of naturally occurring shorelines need to be considered when setting the Coastal Protection Zone boundary to the coast - barrier beach areas and estuaries (tidal rivers that meet the sea and, in this case, include the Bras d’Or Lake). Our proposed approach for the boundary in these areas is outlined here.

Coastal Protection Zone boundaries in Areas with Barrier Beaches

Barrier beaches are typically thin beaches that separate ocean waters from pond or lakes. While barrier beaches often shelter the inland water, they are prone to shifting and are often breached by ocean waters, either gradually or suddenly due to a storm. When breached, the pond or lake becomes connected to the ocean. As a result, the freshwater of the pond turns salty, and the shoreline that was previously protected is now at risk from coastal erosion and sea level rise.

Where part of a pond or lake behind a barrier beach is within the Coastal Protection Zone, the upland boundary will extend further inland to include the land adjacent to it. In these areas, regulations will specify that the upland boundary will be:

- a set distance to the nearest point on the Ordinary high-water mark on the ocean side of the beach (proposed to be within the range of 80 to 100 meters); and
- no closer than a set distance from the ordinary high-water mark of the pond or lake behind a barrier beach (proposed to be within the range of range 80 to 100 meters).

It may be possible to build within this part of the Coastal Protection Zone, if the vertical and horizontal setback requirements are met, except on the barrier beach itself. Barrier beaches are generally too dynamic to safely allow development.

Coastal Protection Zone in Estuaries

Estuaries are areas where rivers meet the sea and freshwater mixes with salt water. The Act includes estuaries as part of the coast. Houses and buildings along the banks of an estuary often face the same risks as properties facing open ocean, including sea level rise, storm surge and erosion. At the same time, many rivers in Nova Scotia extend tens of kilometers inland and well away from what many people would consider to be the coast. While there are several criteria (for example, salinity or tidal influence) that could be used to approximate where an estuary turns into an inland watercourse, none are practical ways of determining exactly where the Coastal Protection Zone should end along a river. Instead, government is proposing that the regulations rely on one of two methods to determine the boundary. Both methods can be consistently determined and displayed with digital mapping tools.

1. Size criteria that combine the width and/or inland extent of a river. The inland extent of the Coastal Protection Zone would be where the banks of an estuary narrow to a specified width, or the river has reached a specified distance inland. These criteria can be determined and displayed on a digital map layer and work for large and small rivers. The province is currently exploring various combinations of river widths and upstream distances to determine a best-fit approach that can be consistently applied across the province.

We expect it will be possible to provide map coordinates to identify precisely where the Coastal Protection Zone ends on major estuaries. This will not be practical for smaller rivers because of their number. In these cases, municipalities may choose to rely on provincial visual mapping aids to determine where the zone ends. Disputes over the precise location of the zone boundaries could be resolved by a professional land surveyor based on the definitions in the regulations.

2. Ending the inland reach of the zone on a river where it meets an area where an existing municipal land-use bylaw applies that includes vertical setbacks that address sea level rise and flooding for the planning horizon of 80 years, and any other restrictions required to be consistent with the Statement of Provincial Interest on Flooding.

Boundary Along Water Control Structures

In areas where the shoreline is formed by human-built structures designed to restrict or prevent the upstream or inland flow of water, such as a dam, roll-over dam, or aboiteau, the seaward side of the structure will be taken as the ordinary high-water mark for setting the upland boundary. The body of water on the upstream side of the structure would not be included in the Coastal Protection Zone because water levels and flow on this side of the water control structure are generally under human control. A possible exception to this rule is the canal lock at St. Peters that connects the ocean to the Bras d'Or Lake, as there are other connections to ocean waters. A causeway would be considered a water control structure if it includes a means to restrict or prevent the inland flow of ocean waters. A bridge that is not designed to restrict the flow of water would not be considered a water control structure.

Coastal Protection Zone in **Map or Graphic Form**

Provincially produced maps to display the approximate boundaries of the zone and related information are for general guidance only. If information on a map differs from the written regulations, the written regulations are correct.

Coastal Protection Regulations and Municipal Building Permits

The proposed regulations will add new requirements for building permits, development permits and development agreements within the zone. It is the responsibility of municipalities to ensure that permits comply with the *Coastal Protection Act*. This will include whether the Act applies to the proposed construction and ensures the site is compliant with the minimum building elevation and horizontal setback certified in the Designated Professional's report.

Structures Covered by the Act

Requirements for building permits within the zone apply to houses, cottages and commercial or industrial buildings, with some exceptions. This will include public infrastructure and commercial or industrial structures that need to be located at the shoreline. Other proposed exemptions being considered include:

- trailers or mobile homes that are designed for frequent transport;
- boathouses, detached garages, or outbuildings that are intended for storage or similar uses and do not have water service, plumbing, living quarters or similar amenities, and
- decks, gazebos or similar structures, regardless of whether it requires a permit.

Approval of a Building Permit in the Coastal Protection Zone

Unless an exemption applies, municipalities are required to do the following before a building permit is approved or issued for construction within the Coastal Protection Zone:

- receive the designated professional's report stating the minimum horizontal setback distance from the high-water mark,
- receive a plot plan or a professional land surveyor's location certificate that identifies:
 - minimum building elevation (includes the structure and its footings)
 - minimum horizontal setback distance, as defined by the designated professional

Permits will not be issued for construction of living spaces in structures built below the high-water mark (such as on wharves or similar structures).

Modification and Repair of Existing Structures

Applications for municipal building permits that increase the footprint of a building or increase its internal living space will need to meet the new requirements. A municipality will not be allowed to issue a building permit that includes creation or conversion of existing space to residential in a structure that is located below the minimum building elevation.

Modifications that do not increase the footprint of its foundation or internal living space are exempted, as is work limited to improving a structure's strength or resistance to damage from flooding (such as increasing the height of the foundation walls to raise the existing living space to reduce the risk of flood damage).

Relocation of Existing Structures

If a landowner proposes to move an existing permanent structure inside the zone, it is considered construction and the Act still applies. If the structure was already located inside the zone, the structure may be moved to a location where the elevation is the same or greater height from the high-water mark. In this case, a municipality may exempt the landowner from supplying a designated professional's report.

Modified Requirements for Developed Downtown Waterfronts

Many waterfront areas along the coast are important economic and public centers for municipalities and communities. To preserve the economic potential and character of an existing developed waterfront that provides public amenities and mixed-use commercial/residential space, it is proposed that some regulations be modified for specific types of structures within these areas.

We are currently exploring definitions for these areas to avoid putting any more structures at risk from flooding due to sea level rise. A possible definition could be, "developed downtown waterfront areas as dominated by mixed-use structures with a public amenity or multi-unit residential component where there are no gaps of greater than 75 meters between existing mixed-use structures, or where the area was zoned for commercial, mixed use or equivalent prior to the Act coming into effect".

Municipal building permits for construction of commercial or mixed-use, or food-service or similar public amenities in the zone could be exempted from a site-specific horizontal setback and the requirement for a designated professional's report. Some elements of the minimum building elevation rules would still apply to reduce the risk from sea level rise and coastal flooding, including that no residential part of:

- a new structure can be below the minimum building elevation, or
- an existing structure being modified can be below the minimum building elevation.

The proposed modified provisions for developed downtown waterfront areas would not apply to construction or a new or expanded single or semi-detached residence. For these, all provisions of the Act and regulations would apply and the entire structure must be located above the minimum building elevation, a designated professional's report must be completed and the horizontal building setback certified by the designated professional will apply.

Permit and Agreement Administration

Existing building permits that have not expired before the date the Act comes into effect will be exempted for the duration of the remainder of the permit. Any extensions or amendments to a building permit initiated after that time are subject to the Act.

The period for which the permit is valid, including any extensions, must not exceed two years from the date on which the original building permit was issued, or two years from the date the Act came into effect.

Municipalities will not be able to issue a development permit or enter into a development agreement that has the effect of exempting a landowner or developer from the Act.

Subdivision of Lots

If a designated professional certifies a horizontal setback for an area that covers several PIDs, or an area was subdivided after the initial report was completed, the report may be accepted by the municipality for the areas included.

When a landowner applies to subdivide lots that include areas inside the zone, a municipality must inform them about the Act and regulations and how it may impact their development plans.

Acceptance of Reports by a Municipality

The following provisions are proposed around the acceptance and administration by municipalities of reports by designated professionals:

- a municipality can accept a designated professional's report that is signed by a qualified designated professional;
- a municipality may accept a designated professional's report that was issued to a landowner other than the current landowner;
- if a landowner or building proponent provides more than one report by from different designated professionals for the same proposed building location, the municipality may accept the one chosen by the landowner provided it meets all requirements;
- municipalities must refuse a designated professional's report if, in the opinion of the municipality:
 - a) the designated professional is not qualified to provide the report;
 - b) the information and/or specified setback in the report is incomplete or inconsistent with the relevant conditions on the site (for example, the height or slope of a bluff appears to be misstated),

- c) the methodology prescribed in the regulations for determining and certifying the site-specific horizontal setback was not followed; or,
- d) Conditions at the proposed building location have changed since the date the field work for the erosion risk assessment was conducted.

A municipality will be required to retain a copy of a designated professional's report for 10 years from the date the report was signed. A municipality will make any or all reports available to the provincial department administering the Act, upon request.

Ensuring Compliance

Once a building permit is issued, a municipality is responsible for ensuring the construction is compliant with the permit, including the new *Coastal Protection Act* and regulations, in the normal manner. This may include building inspectors verifying that a new structure, or one being expanded, is located where the plot plan or location certificate indicates.

Determining Building Setbacks

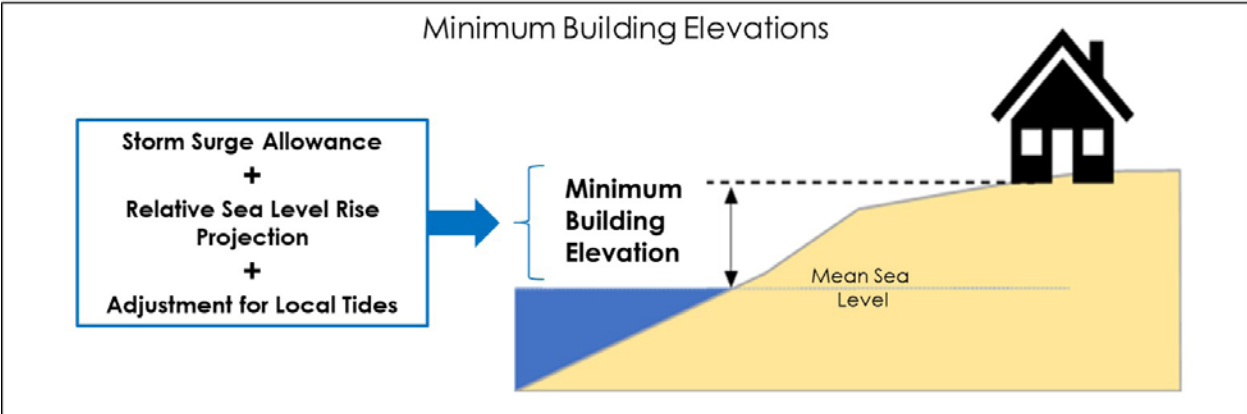
The regulations include two types of setbacks within most areas of the zone to reduce risks for future development. Vertical setbacks, called minimum building elevations, will help reduce risks from coastal flooding and will be determined by the province for different regions of the coast. Site-specific horizontal setbacks are designed to avoid erosion risks and will be determined for a specific property when a landowner wants to build within the zone.

Minimum Building Elevation

Some Nova Scotian municipalities are already preparing for climate change by including vertical building setbacks in their land-use bylaws. The *Coastal Protection Act* will create a province-wide set of vertical building setbacks known as minimum building elevations to cover all areas of the coast.

Regulations will set out minimum building elevations for all areas of the coast as a vertical height above mean sea level in meters to the nearest 20 centimetres. The mean sea level will likely be identified as an established geodetic datum, possibly Canadian Geodetic Vertical Datum 2013 (CGVD2013). Where a municipality uses a different vertical datum in their planning documents, the municipality is responsible for converting elevations to the datum set out in the regulations.

Because the minimum building elevations will be measured from mean sea level, they will be adjusted for local tides, which vary around the coast, especially in the Bay of Fundy and Minas Basin areas. Regulations will divide the coast into sections (using map coordinates, with visual maps for general guidance) and will assign a minimum building elevation for each section. The minimum building elevation for islands will be taken from the minimum building elevation on the nearest section of the coast on the mainland.



We are currently developing a schedule of minimum building elevations that will incorporate the latest relative sea level rise projections released by Natural Resources Canada in early 2021 and a more generalized additional margin of safety for storm surge.

How will municipalities and landowners know if a proposed building location is above the required minimum building elevation? We are developing map resources to help interpret the regulations. These may include contour lines for the minimum building elevations for each coastal section, illustrating what parts of properties are above and below the minimum building elevation for that part of the coast. Mapping resources are intended only to provide general guidance. If there is a difference in the location of the segment boundaries on a map and the coordinates or minimum building elevation set out in regulations, the written form in the regulations will be taken as correct. In some cases, a landowner or municipality may wish to rely on professional land survey (at the landowner's cost) to resolve any uncertainty. If there is a difference in an elevation determined from a map and an elevation determined by a licensed land surveyor, the elevation determined by the surveyor shall be taken as correct.

Determining the Horizontal Building Setback

The Act and regulations will use a system of site-specific horizontal building setbacks to ensure new construction is located where it is safer from coastal erosion throughout an 80-year planning horizon. The risk of erosion can vary significantly, even between neighbouring properties. This makes it impractical to set “blanket” setback distances for large areas of the coast. The proposed regulations will require the designated professional to use a specific analytical tool to determine the horizontal building setback for a given property. The setback determined by the designated professional represents the minimum allowed horizontal distance between the proposed structure and the high-water mark. Although the assessment tool might produce a setback that extends farther upland than the boundary of the zone, the upland boundary of the zone will be the maximum horizontal setback possible under the regulations.

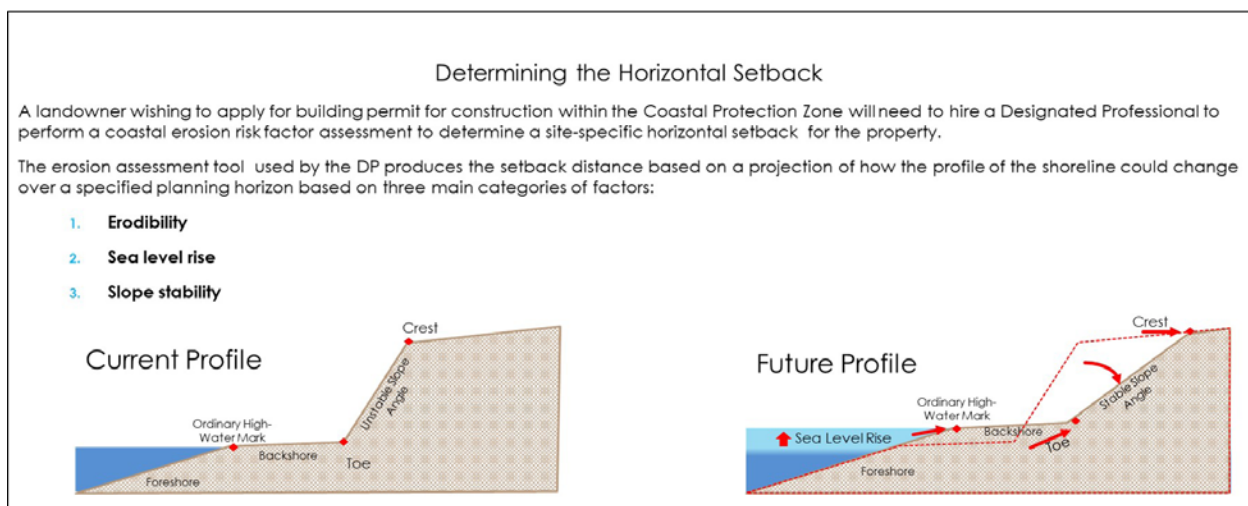
The method a designated professional will use to determine the horizontal building setback for a specific property is being developed to ensure that it is affordable to landowners. It also needs to be readily usable for a range of professionals designated under the Act. The final design of the tool will ensure designated professionals can produce consistent results based on various combinations of erosion risk factors that appear anywhere on Nova Scotia's coast.

We will make resources available online to assist designated professionals in determining horizontal setbacks, including:

- an assessment tool that will calculate the horizontal setback, in spreadsheet format;
- instructions and training resources to guide designated professionals during site assessments, and
- a template for the report.

A designated professional will visit the proposed building lot, measure distances, angles and slopes to capture the shoreline profile; record information about materials within any beach areas; test the hardness of bluffs or rock faces, and record any other information required for the assessment tool. The designated professional will refer to maps to determine the amount of open water in front of a property, which the tool uses to estimate how wave energy impacts the shoreline. The designated professional will also take photographs of the site to include in the report.

Designated Professionals will enter measurements and observations collected at the site and from public maps into the spreadsheet. Formulas built into the spreadsheet will project how far inland the shoreline could shift over the planning horizon, which is proposed to be 80 years. These projections incorporate risks related to sea level rise, the erodibility of the material and the amount of wave energy it could be exposed to, and the height and slope of bluffs and or rock faces along the shoreline. The distance the tool calculates is the horizontal building setback for the property that the designated professional then certifies in their Report.



Designated Professionals

A landowner seeking a building permit to construct a new structure or expand an existing structure in the zone will need to hire a designated professional to assess the coastal erosion risks at the proposed site and determine the site-specific horizontal building setback that will apply to the property. The result will be provided in a report, which landowners must provide to municipalities when applying for a building permit for construction within the zone.

The erosion assessment tool proposed by the province is designed to be a general risk assessment tool that can be used by a variety of professions. We are currently exploring the possibility for designation with specific self-regulating professional bodies that are governed by legislation. The professional bodies qualified to be designated professionals will be set out in the regulations.

Role and Qualifications of the Designated Professional

The designated professionals' role will be to:

- provide independent professional judgement free from bias in completing the report.
- perform an erosion risk assessment at the property, using the specified method and analytical tool;
- determine horizontal setback distance;
- provide the designated professional's report certifying the horizontal setback to the landowner, and
- maintain records, as required by regulations.

A designated professional must be:

- a member in good standing with their professional organization,
- acting within their abilities and experience, skills and/or training to carry out the assessment and complete the report as per the regulations.

The designated professional's responsibility under the Act is specific: to certify that they are qualified, the property has been assessed in accordance with the erosion risk assessment methodology, and that the resulting horizontal building setback has been established in accordance with the regulations. A designated professional's report is meant to reduce risk and is not a guarantee of safety of the building location against coastal erosion.

Designated professionals will be required to self-declare as being qualified and a member in good standing of their professional body. Laws governing their respective professional bodies and scope of practice will apply.

A designated professional (or their employer) will maintain professional liability insurance that is valid at the time of the assessment as well as continues if the insured becomes bankrupt or insolvent, is declared incompetent or dies during the period of insurance. The coverage must continue for two years after the date the person ceases as a designated professional.

A designated professional will be required to produce proof of their qualification and insurance if a municipality or the province requests it.

Responsibilities Regarding Site Assessment

Designated Professionals will sometimes be hired to assess large lots that may exhibit considerable variation in geological and topographical conditions within the property boundaries. Variations in erosion risk factors can significantly change the horizontal setback. The designated professional will be required to check for significant variations in conditions, such as:

- exposure to wave energy;
- geological composition of the foreshore, backshore, bluff, bank, or rock face;
- angle, elevation or width of the foreshore, backshore, buff, bank, or rock face in the area being assessed.

Where these varied conditions are present within the area being assessed, designated professionals must do one of the following:

1. conduct multiple assessments using the prescribed method to determine the appropriate horizontal setback for each area, including diagram in the report that clearly indicates where the setback applies.
2. limit the report to an area smaller than the lot being assessed and provide a diagram attached to the report clearly indicating the area where the site-specific horizontal setback applies.
3. determine what is likely to be the most erosion prone area, perform the assessment with the prescribed tool and certify the setback for the entire property.

Information to be Included in the Report

The designated professional's report may apply to a single lot, a portion of a lot, or multiple lots. It may apply to a portion of a lot if the owner requests it or if the designated professional has determined that conditions are not sufficiently consistent throughout to allow for a single assessment, such as a large lot that includes more than one type of shoreline. If a designated professional's report applies only to a portion of a property associated with a PID, the report must include a diagram indicating the area for which the setback applies.

A report may apply to multiple lots with multiple PIDs if:

1. the lots share common boundaries;
2. the designated professional has determined that erosion risk assessment factors are consistent throughout the area within which the setback applies and do not include material variations in exposure to wave energy; geological composition of the foreshore, backshore, bluff, bank or rock face being assessed; or variations in slope angle or elevation in the area being assessed; and,
3. the common setback applicable to all lots reflects the greatest horizontal setback distance (and therefore the highest erosion risk level) for the properties to which the report applies.

Form and Certification of the Report

The province is currently developing a template for the report that will be accessible online. It will clearly articulate the information presented and certified. By signing the report, the designated professional will be certifying:

1. the horizontal setback, in meters from the high-water mark, that applies to the area covered in the report.
2. they are qualified under the regulations.
3. the assessment was completed in the prescribed manner.

The report will be valid for 10 years from the date it is signed by the designated professional.

It is important for all parties – landowner, municipalities, realtors, developers, and designated professionals – to recognize the horizontal setback is a generalized risk management tool. It is not a guarantee that a structure will be safe from coastal erosion.

Additional Assessment to Override a Report

The *Costal Protection Act's* horizontal setbacks are based on surface observations and measurements of the shoreline profile and geologic material to provide a consistent, risk-managed horizontal setback based on the precautionary principle. We are exploring whether evidence-based adjustments to the setback produced by the erosion assessment tool should be permitted. Any allowable revisions to a designated professional report would be limited to improvements to the accuracy of the inputs for the assessment tool, and not on varying the assumptions, decision rules or calculations that are incorporated into the tool's calculations.

For example, a landowner may wish to hire a professional, such as a geotechnical engineer or geologist, to undertake additional investigation to determine if harder geological material is present beneath a thin layer of loose sediment visible at the surface in order to update that particular input parameter to the erosion assessment tool. This could also apply to more precise measurement of the distances, slopes and angles that are also required as inputs. Consideration is being given to what processes and conditions would need to exist to ensure additional studies that over-ride the original erosion assessment result would not undermine the intention of the regulations or place undue burden on municipal officials.

Protecting Coastal Ecosystems

Coastal ecosystems provide fish and wildlife habitat, filter excess nutrients from run-off before they reach the ocean, absorb flood waters, protect inland areas against wave action and store carbon in this era when reducing CO2 concentrations is particularly important. The proposed approach is designed to balance environmental protection with the need to protect existing legally located structures from erosion risk.

Wharves, boat ramps and structures that stabilize the shoreline (such as breakwaters, seawalls, revetments, rip-rap and armour stone) can disrupt sensitive coastal ecosystems and their ability to adapt to natural processes. Regulations will restrict or limit works and construction that may interfere with the dynamic nature of the coast or disrupt sensitive coastal ecosystems. To do this, requirements will be outlined that apply to permits to build or modify structures or earth works on Crown land below the high-water mark or on designated beaches. The new requirements will be incorporated into existing permitting processes currently administered by the Nova Scotia Department of Lands and Forestry, and additional policies and conditions required by that department will also continue to apply. Landowners will not need to apply for any additional permits.

Regulations will ensure that wharves, boat ramps and other structures are designed, constructed and located to allow natural shoreline movement and protect sensitive coastal ecosystems. Shoreline armouring, which by its nature disrupts movement of the shoreline and in some cases may accelerate erosion, will only be allowed on Crown land seaward of the high-water mark when needed to protect an existing structure from risk. Hard structures that are intended to trap sand to create a beach for recreation. The Act and regulations will help ensure people are less likely to build in areas that will require shoreline armouring over the planning horizon.

For boat ramps, wharves and other similar structures, the regulations will:

- allow for maintenance of existing structures, as long as the work does not use pressurized lumber or other toxic materials;
- permit construction of new structures or expansion of existing structures as long as new section(s) are built using open cribwork to minimize disruption of normal sediment transport and habitat connectivity, and no toxic materials including pressurized lumber are used or come into contact with the water.

For in-filling and shoreline stabilization (including shoreline armouring), the regulations will:

- prohibit in-filling on Crown land or on beaches designated under the *Beaches Act* on the seaward side of the high-water mark, except when used to anchor a footing of a wharf, boat ramp or similar structure;
- prohibit installation of shoreline stabilization on Crown land below the high-water mark, including new or expanded shoreline armouring, unless it is needed to protect an existing home, cottage, business, or similar structure that is at risk from coastal erosion and was located within the Coastal Protection Zone prior to the date the Act came into effect;
- allow for maintenance of existing, legal shoreline stabilization structures, and
- prohibit installation of groynes or breakwaters that disrupt along-shore sediment transport, unless they are required to protect the entrance of a publicly-accessible harbour, dock, or marina, or are needed to protect public infrastructure.

These restrictions do not apply to permitted projects or activities undertaken to conserve or improve ecosystem function.

In some areas, the zone will overlap with dyke lands designated under the *Agricultural Marshlands Conservation Act*. The regulations will place no new restrictions on work to maintain, repair or modify any element of the dyke system in areas undertaken by, or on behalf of, either a marsh body or the province. Also exempted are works within the Coastal Protection Zone required to anchor a designated dyke system to higher ground that may extend outside of the area designated under the *Agricultural Marshlands Conservation Act*. Any proposed activity or construction in the designated marshlands will need to meet the requirements of both the *Coastal Protection Act* and the *Agricultural Marshland Conservation Act*.

Compliance

The proposed approach is for no new application processes on Crown land along the high-water mark or in an area designated as a protected beach. Landowners and contractors working in these areas will apply for permits as they do now. Permits will not be issued if the proposed structure does not comply with the Act. Conservation officers, who are responsible for enforcing the *Crown Lands Act* and the *Beaches Act*, will determine whether work undertaken is consistent with the issued permits and investigate where necessary.

We want to hear from You!

The *Coastal Protection Act* Regulations will be a new and substantial step forward in mitigating risks to our coastal environment and construction in these areas. As we continue to develop these regulations, please share your thoughts so we can ensure the regulations are as effective and practical as possible.

These questions are designed to help you in providing feedback in any form that is convenient for you.

1. The regulations will create a Coastal Protection Zone that will extend inland from the high-water mark by a set distance. Government is proposing this distance be in the range of 80 to 100 meters. This is not a setback but will be the area within which a minimum building elevation would apply and where a landowner would need to hire a designated professional to assess erosion risk. Thinking about sea level rise, coastal flooding and the range of coastal erosion risks facing areas of Nova Scotia's coast, do you think this distance is appropriate to provide the margin of safety we need in future decades? Is it too wide? Too narrow?
2. Are the proposed role and responsibilities of designated professionals appropriate and clear? What changes would you like to see in the role or responsibilities of delegated professionals?
3. Do the types of structures to which the regulations apply seem reasonable? Do the proposed exemptions make sense?
4. Do the proposed regulations for building and maintenance of shoreline structures, such as shoreline armouring, make sense to you? Will they help protect our sensitive coastal ecosystems? Are they too restrictive, and if so, why?
5. What are the most important things government can do to make sure introduction of these regulations is as smooth as possible?
6. Do you have any further thoughts you would like to share to help us as we finalize the regulations?

**Region of Queens Municipality
Staff Report**

8.3

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 28, 2021

Re: COST SHARING OF J-CLASS ROADS - 2022-2023 FISCAL YEAR

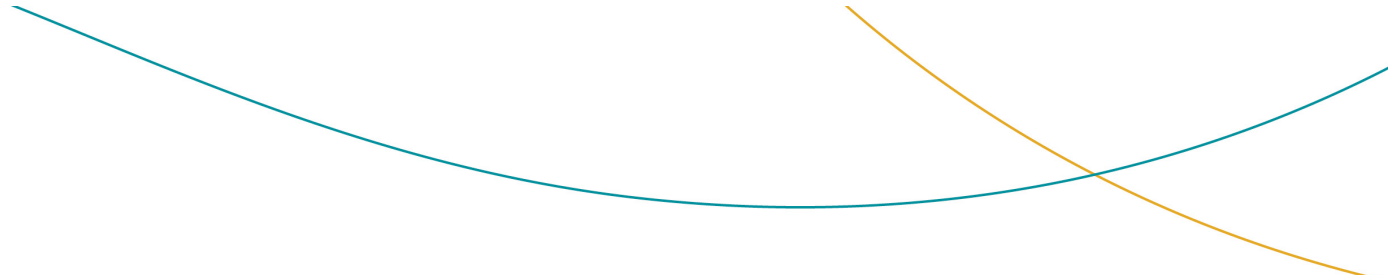
BACKGROUND

Each year, Nova Scotia Public Works (NSPW) asks rural municipalities across the province if they wish to cost-share in capital upgrades to any roads within their municipal jurisdiction that are owned and maintained by the Province that are included on the municipally cost-shared j-class road list. Previously, the Municipality has requested to cost share in two roads adjacent to schools: Pleasant Avenue in Mount Pleasant next to Liverpool Regional High School and Old Port Mouton Road in White Point adjacent to Dr. John C. Wickwire Academy. Each of these road re-paving projects cost the Municipality about \$40,000 which was 50% of the re-pave cost. Ironworks like lifting manhole covers, catch basins, et cetera where they existed were at 100% cost to the Municipality.

We have received a request from NSTIR to determine our interest in cost-sharing on other roads in 2022-2023. A copy of eligible roads is attached. The annual provincial budget is only \$1 million to be matched by the eligible rural and regional municipalities so funding available for Queens County in the past has been minimal.

DETAILS

Roads within Queens County are costed and paid for according to two different methods.



Roads within Liverpool are paid for 75% by all assessment accounts in Liverpool while the remaining 25% is paid for from the general tax rate of all accounts within Queens including Liverpool.

Costs for roads outside Liverpool (specifically J-class roads) that are owned by the Province and billed to the Region are paid for 75% by all assessment accounts outside Liverpool, while the remaining 25% is paid from the general tax rate on all accounts within Queens County.

As residents of Liverpool use rural roads and residents outside Liverpool use Liverpool roads, this funding formula was developed at the formation of Region of Queens Municipality and continues today.

APPLICABLE LEGISLATION

Section 65(aa) of the *Municipal Government Act (MGA)* authorizes a council to expend money required by the municipality for streets, culverts, retaining walls, sidewalks, curbs and gutters;

Section 65(av) of the *Municipal Government Act (MGA)* authorizes a council to expend money on all other expenditures authorized by this Act or another Act of the Legislature, that are required to be made under a contract lawfully made by, or on behalf of, the municipality, or incurred in the due execution of the duties, powers and responsibilities by law vested in, or imposed upon, the municipality, its mayor or warden, council or officers.

BUDGET IMPACTS

If Council was to select a road or roads to cost-share in re-paving the costs are estimated by NSPW at \$300,000 per kilometer which includes ditching, pipes, and asphalt. Our cost would be 50% of the final cost, excluding ironworks which would be 100% municipal cost.

#	ROAD	TYPE	START	END	COMMUNITY			
QU0404	COLLEGE	LOCA	SHORE (0400)	PLEASANT (0468)	MOUNT PLEASANT	PA	GR	0.3 B
QU0404	COLLEGE	LOCA	PLEASANT (0468)	LIVERPOOL TOWN LINE @ MOU	MOUNT PLEASANT	PA	PV	0.26 B
QU0405	OLD PORT MOUTON	LOCA	LIVERPOOL TOWN LINE	WEST CONNECTOR	WHITE POINT	PA	GR	1.71 B
QU0425	WEST	COLL	PONTONAC(0433)	END OF SERVICE	MILTON	CS	GR	0.47 B
QU0426	TUPPER	LOCA	WEST(0425)	END OF PAVEMENT	MILTON	CS	GR	1.26 B
QU0426	TUPPER	LOCA	END OF PAVEMENT @ MILTON SOU	WEST ST (0425)	MILTON	PA	GR	0.17 B
QU0427	SCHOOL	UNMA	WEST ST (0425)	END OF PAVEMENT	MILTON	PA	GR	0.14 B
QU0427	SCHOOL	UNMA	END OF PAVEMENT	END OF CHIP SEAL	MILTON	CS	GR	0.96 B
QU0427	SCHOOL	UNMA	END OF CHIP SEAL	END OF SERVICE	MILTON	GR	GR	0.89 B
QU0428	MORTON	LOCA	TK 8 (0008)	TK 8 (0008)	MILTON	PA	GR	1.15 B
QU0429	MILFORD	LOCA	TK 8 (0008)	END OF PAVEMENT	MILTON	PA	GR	2.01 B
QU0431	GLENWOOD	LOCA	TK 8 (0008)	END OF LISTING	MILTON	PA	GR	0.85 B
QU0432	PLEASANT	LOCA	TK 8 (0008)	GLENWOOD(0431)	MILTON	CS	GR	0.72 B
QU0436	WOLFE	LOCA	LIVERPOOL TOWN LINE	END AT TURNING CIRCLE	MILTON	PA	GR	0.2 B
QU0437	GREAT HILL	LOCA	TK 3 (0003)	NICKERSONS POND (652)	BROOKLYN	CS	GR	0.63 B
QU0437	GREAT HILL	LOCA	NICKERSONS POND (0652)	END OF SERVICE	BROOKLYN	GR	GR	1.2 B
QU0438	ELM	LOCA	TK 3 (0003)	NICKERSONS POND (0652)	BROOKLYN	CS	GR	0.76 B
QU0439	POPLAR	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.143 B
QU0442	DEXTER	LOCA	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	PA	GR	0.17 B
QU0443	GODFREY	LOCA	BROOKLYN SHORE (0440)	END OF LISTING	BROOKLYN	SS	GR	0.25 B
QU0445	HILLSIDE	LOCA	BROOKLYN SHORE (0440)	TK 3 (0003)	BROOKLYN	PA	GR	0.95 B
QU0448	MARKLAND	LOCA	BROOKLYN SHORE (0440)	HILLSIDE (0445)	BROOKLYN	PA	PC	0.19 B
QU0464	ROXBURY	LOCA	PORT MEDWAY (0460)	END OF LISTING	PORT MEDWAY	PA	GR	0.92 B
QU0473	CHURCH	LOCA	TK 3 (0003)	MEDWAY RIVER (0474)	MILL VILLAGE	PA	GR	0.58 B
QU0491	FRENCH	LOCA	RTE 208 (0208)	END OF SERVICE	SOUTH BROOKFIELD	CS	GR	0.17 B
QU0552	LAKEVIEW	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	GR	GR	0.41 B
QU0559	FREEMAN	LOCA	MILFORD (0429)	END OF LISTING	MILTON	PA	GR	0.33 B
QU0562	SPRUCE	LOCA	HEMLOCK(0563)	PINE(0669)	CALEDONIA	CS	GR	0.127 B
QU0563	HEMLOCK	LOCA	TK 8 (0008)	TURNING CIRCLE	CALEDONIA	CS	GR	0.4 B
QU0564	MARIE	LOCA	TK 3 (0003)	END OF SERVICE	MILL VILLAGE	GR	GR	0.122 B
QU0631	LOCUST	LOCA	TK 3 (0003)	END OF CHIP SEAL	BROOKLYN	CS	GR	0.13 B
QU0632	OAK	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.08 B
QU0633	MAPLE	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.12 B
QU0634	HILL CREST	LOCA	TK 3 (0003)	END OF LISTING	BROOKLYN	CS	GR	0.18 B
QU0638	RICHARDSON	LOCA	HILLSIDE (0475)	END OF LISTING	BROOKLYN	CS	GR	0.66 B

QU0647	OLD DAM	LOCA	GLENWOOD (0431)	END OF LISTING	MILTON	GR	GR	0.13 B
QU0648	PLEASANT	LOCA	COLLEGE(0404)	SHORE(0400)	MOUNT PLEASANT	CS	GR	0.25 B
QU0649	HOWARD	LOCA	PLEASANT (0648)	END LISTING	MOUNT PLEASANT	CS	GR	0.07 B
QU0650	ROGERS	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	SS	GR	0.24 B
QU0652	NICKERSON POND	LOCA	GREAT HILL (0437)	NICKERSON POND BR (0704)	BROOKLYN	CS	GR	1.331 B
QU0652	NICKERSON POND	LOCA	NICKERSON POND(0704)	END OF LISTING	BROOKLYN	GR	GR	1.17 B
QU0654	BIRCH	LOCA	LIVERPOOL TOWN LINE	END OF LISTING	MILTON	CS	GR	0.16 B
QU0655	WHYNOT	LOCA	PORT MEDWAY (0460)	FOSTERTOWN (0702)	PORT MEDWAY	PA	GR	0.21 B
QU0660	POND BRIDGE	LOCA	TK 3 (0003)	END OF LISTING	MILL VILLAGE	GR	GR	0.07 B
QU0662	MORLEY	LOCA	TK 8 (0008)	TK 8 (0008)	MILTON	CS	GR	0.24 B
QU0665	EDWARD	LOCA	WEST(0425)	END OF LISTING	MILTON	CS	GR	0.17 B
QU0669	PINE	LOCA	TK 8 (0008)	END @ CUL-DE-SAC	CALEDONIA	CS	GR	0.23 B
QU0670	CO-OP STORE	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	PA	GR	0.15 B
QU0675	OLIVER	LOCA	WEST(0425)	END OF LISTING	MILTON	CS	GR	0.14 B
QU0676	COMMERCIAL	LOCA	PORT MEDWAY (0460)	END @ FISH PLANT	PORT MEDWAY	PA	GR	0.38 B
QU0677	TELFER	LOCA	TK 8 (0008)	END OF LISTING	CALEDONIA	SS	GR	0.19 B
QU0679	ATKINS	LOCA	LONG COVE (0461)	END @ CEMETERY	PORT MEDWAY	GR	GR	0.27 B
QU0684	EMENEAU	LOCA	TK 3 (0003)	RICHARDSON (0638)	BROOKLYN	CS	GR	0.53 B
QU0685	ZWICKER	LOCA	SHORE (0400)	END @ CUL-DE-SAC	MOUNT PLEASANT	SS	GR	0.22 B
QU0686	M. SMITH	LOCA	TK 3 (0003)	END @ CUL-DE-SAC	WHITE POINT	DG	GR	0.25 B
QU0687	BROOKLYN WHARF	LOCA	BROOKLYN SHORE (0440)	END @ GOVERNMENT WHARF	BROOKLYN	PA	GR	0.09 B
QU0688	MEDWAY	LOCA	PORT MEDWAY (0460)	COMMERCIAL (0676)	PORT MEDWAY	PA	GR	0.31 B
QU0689	TOWN LAKE	LOCA	LIVERPOOL TOWN LINE	END @ BARRICADE NEAR HWY	MILTON	CP	GR	0.2 B
QU0689	TOWN LAKE	LOCA	BEGINNING OF CHIP SEAL	END AT BARRICADE @ HWY103	MILTON	CP	GR	0.49 B
QU0690	CRUSHER	LOCA	TK 8 (0008)	END OF LISTING	MILTON	SS	GR	0.26 B
QU0692	WHARF ROCK	LOCA	SHORE (0400)	END AT CUL-DE-SAC	MOUNT PLEASANT	SS	GR	0.7 B
QU0695	EASTWARD	LOCA	EMENEAU (0684)	END @ CUL-DE-SAC	BROOKLYN	GR	GR	0.14 B
QU0696	MEDWAY HARBOUR	LOCA	RTE 331 (0331)	END OF LISTING	MILL VILLAGE	GR	GR	1.69 B
QU0702	FOSTERTOWN	LOCA	ROXBURY (0464)	END OF LISTING	PORT MEDWAY	PA	GR	0.63 B
QU0704	NICKERSON POND	UNMA	NICKERSON POND (0652)	END @ BARRICADE BY HWY 10:	BROOKLYN	CS	GR	0.17 B
QU0712	PEACH	LOCA	OLD PORT MOUTON(0405)	END OF LISTING	WHITE POINT	PA	GR	0.306 B
QU0717	FOREST	LOCA	TK 8 (0008)	PLEASANT (0423)	MILTON	CS	GR	0.336 B

GR - Gravel

PA - Paved Asphalt

CP - Chip Seal

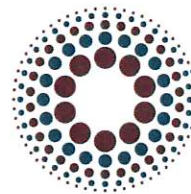
CP - Chip Seal on Paved

SS - Sand Seal



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Reshaping the Future - Together



NOVA SCOTIA
FEDERATION OF
MUNICIPALITIES

NSFM 2021 Virtual Conference
November 3rd – 4th

NSFM 2021 Virtual Conference

 **November 3, 2021 - November 4, 2021**

Welcome to the 2021 Nova Scotia Federation of Municipalities Virtual conference! Participants can enjoy the sights and sounds of this event from the comfort of their own home, office, or local coffee shop within their community. The NSFM Conference is the largest annual gathering of municipal elected

officials and municipal staff in the province. The theme of this year's conference is "**Reshaping the Future - Together**". Attendees will participate in over 15 sessions and 15 hours of presentations, discussions, panels and other educational and networking opportunities focusing on topics such as the Climate Change Crisis; Prioritizing your wellbeing and mental health; Cyber Security; Municipal Success Stories and more. **Jeremiah Brown, Olympic Silver Medalist**, will speak on "**Focus: What can you achieve in the next four years**" and all four party leaders have been invited to share their vision for moving Nova Scotia forward. The interactive PheedLoop platform will allow you to network with your fellow municipal colleagues. This is a prime opportunity to Learn, Network and Exchange Ideas. See you on November 3rd and 4th!

2021 Planning Committee: Chair - Councillor Waye Mason, HRM; Deputy Mayor Meghan Bragg, Town of Westville; Councillor Eldon MacDonald, CBRM; and Deputy Mayor Ty Walsh, Town of Berwick

REGISTRATION FEES:	Before October 15th, 2021	After October 14th, 2021
Member	\$ 350	\$ 400
Non-Member	\$ 400	\$ 450



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**Region of Queens Municipality
Staff Report**

8.5

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 28, 2021

Re: POLICY 84 - FLAGS

BACKGROUND

Council has an Operational Policy respecting the flying of flags which sets out the location and in some instances days when flags may be flown on municipal property. This policy was recently amended in October 2017 and again on September 24, 2021.

DETAILS

The current policy is very restrictive and prescriptive in its approach and is often not possible for staff to follow it according to its terms and conditions. For that reason, it is being proposed to be amended to allow for more flexibility in its application so that staff are then able to meet the spirit and principle of the policy. Additionally, the policy has been updated with more inclusive and supportive language, removes the requirement for an annual application for traditional annual flag flying requests, and adds several additional times when special purposes flags are to be flown, as well as when flags are to be lowered to half-mast.

APPLICABLE LEGISLATION

Section 47(1) of the Municipal Government Act (MGA) authorizes Council to make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.



BUDGET IMPACTS

It is not expected that this recommendation will have any budget impacts. The future reduction in the number of flags flown however; will result in up to \$4,000 in annual cost savings.

COMMUNICATIONS

As this is an internal policy, no external communication is required. Communication will take place according to the policy when required.



POLICY NO. 84

FLAGS

BE IT ENACTED by the Council of Region of Queens Municipality, under the authority of the Municipal Government Act, S.N.S. 1998, Chapter 18, as follows:

This policy shall be known as Policy Number 84 and may be cited as the "Flags Policy".

POLICY PURPOSE

Flags are symbols that represent a government or other corporate body and the flying of flags are meant to show pride in one's heritage. This policy provides opportunities to allow for the flying of flags in municipal locations.

AUTHORITY

Section 47 of the Municipal Government Act provides that

(1) Council shall make decisions in the exercise of its powers and duties by resolution, by policy or by by-law.

(3) In addition to matters specified in this Act or another Act of the Legislature, the council may adopt policies on any matter that the council considers conducive to the effective management of the municipality.

SCOPE

This policy shall only apply to lands owned by, or under the exclusive use of, Region of Queens Municipality.

POLICY INTENT

It shall be the intent of this policy to provide clear and consistent protocols for the flying of flags on municipal property.

ACCOUNTABILITY

Responsibility for the oversight and implementation of this policy shall lie with the Municipality's Deputy Clerk.

It shall be the responsibility of the Deputy Clerk to bring forth recommendations for changes to this policy, when deemed appropriate, to the Chief Administrative Officer for review.

Responsibility for the placement and maintenance of flags shall lie with the Municipality's Director of Engineering and Public Works.

STANDARD FLAGS

The Municipality shall provide and maintain flag poles on certain municipal properties where they are deemed appropriate.

When four flag poles are placed in a location, the Canada, Mi'kmaq Grand Council, Nova Scotia and Region of Queens Municipality flags shall be flown.

When two flags are flown, the Canada and Mi'kmaq Grand Council flags shall be flown.

When one flag is flown, it shall be the Canadian flag.

At no time shall any special purpose flag replace any standard flags, except at the request of the governing flag body.

SPECIAL PURPOSE FLAGS

The flag pole located at the Town Hall Arts and Cultural Centre shall be designated as a special purpose flag pole and the location from which community groups and organizations can request that a non-standard flag be flown to mark special days, weeks, months, or designated federal, provincial, or municipal anniversaries.

Community groups and organizations may apply to have a designated flag flown by submitting an application as attached in Appendix "A" at least four weeks prior to the expected flag posting, with the applicant required to provide the flag. Flags denoting political or religious bodies are not eligible.

Special purpose flags may be flown for a maximum period of two weeks unless otherwise approved by the Deputy Clerk.

HALF-MAST

During certain times of municipal, provincial, national, or international mourning, flags shall be flown at half-mast where possible. Direction of when and how long flags are to be flown at half-mast shall come from the appropriate government body.

In the case of the Municipality, that direction shall come from the Mayor.

COMMUNICATION

Communications and Engagement Coordinator, or designate, shall notify the public when standard flags are lowered to half-mast or special purpose flags are raised, and the reasons therefore.

EFFECTIVE DATE

This policy shall take effect from the date of approval by Council.

REPEAL

Policy 84 - Flag Flying, adopted by the Council of Region of Queens Municipality on the 24th day of September 2021, is hereby repealed.

OFFICIAL CERTIFICATION

THIS IS TO CERTIFY THAT this policy was passed by the Council of Region of Queens Municipality at a duly constituted meeting of said Council held on the 12th day of October, 2021.

SIGNED by the Mayor and Deputy Clerk this 13th day of October, 2021.

Mayor

Deputy Clerk

APPENDIX “A”

Applications for the flying of Special Purpose Flags shall be submitted at least four weeks prior to the requested flag flying date to:

Deputy Clerk

Region of Queens Municipality

P.O. Box 1264, 249 White Point Road

Liverpool, NS B0T 1K0 email: flags@regionofqueens.com

Applicant's Name: _____

Address: _____

Telephone Number: _____

Organization: _____

Name of Special Purpose Flag: _____

Requested Date to be Flown: _____

Alternate Dates: _____

Applicants can apply to have a flag approved for flying for a period of up to five years, without re-applying each year. If you would like to apply for this option, please provide yearly dates below.

Year 1: _____

Year 2: _____

Year 3: _____

Year 4: _____

Year 5: _____

FOR OFFICE USE ONLY

Application Received: _____ Initials _____

Disposition: _____

Action(s) taken:

APPENDIX “B”

List of flags to be flown directly by Region of Queens Municipality with specific dates at the discretion of Deputy Clerk

African Heritage Month	February
National Volunteer Week	April
International Day against Homophobia Transphobia, and Biphobia	May 17
National Aboriginal Day	June 21
Pride	July
Emancipation Day	August 1
National Acadian Day	August 15
National Day for Truth and Reconciliation	September 30
Mi'kmaq History Month	October
Veteran's Week	November

APPENDIX “C”

List of flags to be flown directly by Region of Queens Municipality at half-mast

Portapique Shootings	April 18-19
Day of Mourning for Persons Killed or Injured in the Workplace	April 28
National Day for Truth and Reconciliation	September 30
Remembrance Day	November 11
National Day of Remembrance and Action on Violence Against Women	December 6

**Region of Queens Municipality
Staff Report**

8.6

To: Council

From: Chris McNeill, Chief Administrative Officer

Date: September 28, 2021

Re: Appointment to Audit and Internal Control Committee

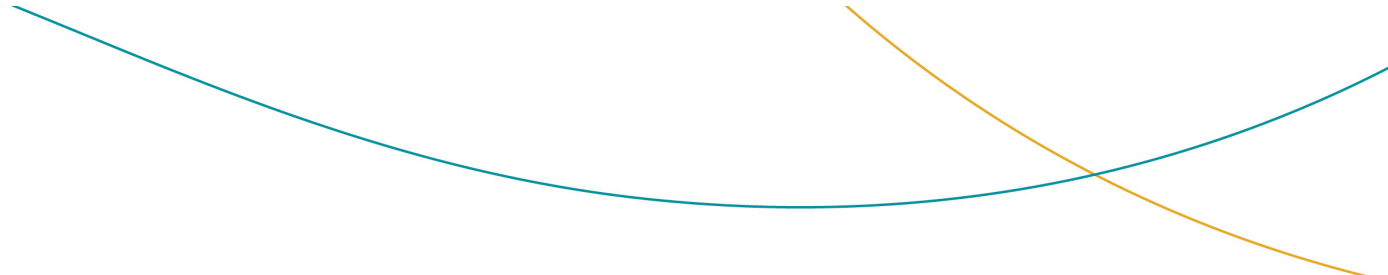
BACKGROUND

On February 9, 2021, Council appointed two public members to the provincially mandated Audit Committee. The Committee is to consist of five members with two being members of Council and three being public members. Initially, the two Council Members and two public members were appointed. Over the past year, the Municipality has publicly advertised in various ways for a third public member of the Committee and staff are now ready to bring forth additional applicants for consideration.

DETAILS

Every municipality in Nova Scotia is required to have an audit committee to carry out various legislated and policy matters respecting the financial affairs of the municipality. Prior to doing so, each Committee Member is required to participate in provincially mandated training, as well as internal municipally provided training.

It is expected that all members of the Committee will have a background in finance or accounting and be comfortable understanding and discussing financial matters in a public context. The Committee will be expected to follow its mandate which was approved on November 24, 2020. The Committee has met several times to date and has established its work plan for 2021-2022.



Recently, two applications were received. One from Patricia Purcell in Hunts Point. Ms. Purcell has recently retired after working 40 years at a trust company, major brokerage firm, and asset management firm. A second from Melissa Thiele from Brooklyn. Ms. Thiele is currently working on her CPA designation, has previously worked 3.5 years in public accounting, and is currently a cost accountant with a private sector company.

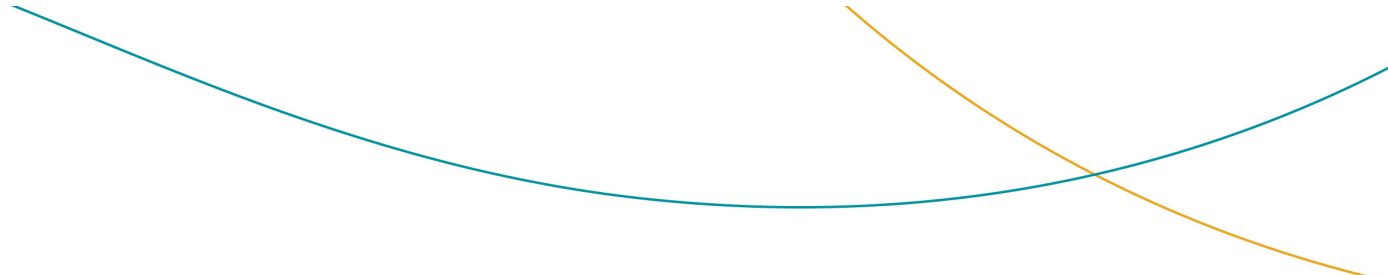
APPLICABLE LEGISLATION

Section 24 of the *Municipal Government Act* states that:

- (1) The council may establish standing, special and advisory committees.
- (2) Each committee shall perform the duties conferred on it by this Act, any other Act of the Legislature or the by-laws or policies of the municipality.
- (3) The council may appoint persons who are not members of the council to a committee and may establish a procedure for doing so.

Section 44 of the *Municipal Government Act* states that the council shall annually appoint an audit committee.

- (2) The responsibilities of the audit committee include
 - (a) a detailed review of the financial statements of the municipality with the auditor;
 - (b) an evaluation of internal control systems and any management letter with the auditor;
 - (c) a review of the conduct and adequacy of the audit;
 - (d) such matters arising out of the audit as may appear to the audit committee to require investigation;
 - (e) such other matters as may be determined by the council to be the duties of an audit committee;
 - (f) any other matters as may be determined by the council.
- (3) An audit committee shall meet at least twice in each fiscal year.
- (4) Subject to subsection (5), an audit committee must include a minimum of one person who is not a member of council or an employee of the municipality.
- (5) Where an audit committee does not include the person referred to in subsection (4),



(a) the audit committee shall continue to meet and perform its duties and may exercise its powers; and

(b) the municipality shall advertise to recruit a person who is not a member of council or an employee of the municipality at least once every six months until the requirement is met.

BUDGET IMPACTS

All members of Committees, including public members, are reimbursed for reasonable out of pocket expenses related to their participation on committees and mileage to attend meetings.

COMMUNICATIONS

Upon approval of a recommendation, a letter informing the successful applicant of their appointment and the unsuccessful applicant will be sent to them and the appointment will be noted on our website.

Region of Queens Municipality Staff Report

8.7

To: Council

From: Elise Johnston, Accessibility Coordinator

Date: 28 September 2021

Re: Queens Accessibility Advisory Committee Application

Background


Nova Scotia's Accessibility Act, Bill 59, of September of 2017 aims to remove and prevent barriers that disable people with respect to participating in the broad community.

The Act mandates all public sector bodies create an Accessibility Advisory Committee made up of people with a range of abilities and life experiences in terms of accessibility issues to guide plans and actions towards an accessible Nova Scotia by 2030. The Act's Regulations prescribe municipalities as public sector bodies as of April 1, 2021. Region of Queens Municipality approved their first committee members at the Regular Council Meeting of 13 October, 2020.

Details

The Act defines Accessibility Advisory Committee: "Every public sector body shall establish an accessibility advisory committee or continue any such committee that was established before the coming into force of this Act. (2) At least one half of the members of an accessibility advisory committee must be persons with disabilities or representatives from organizations representing persons with disabilities. 2017, c. 2, s. 44."

The Terms of Reference for Queens Accessibility Advisory Committee establishes that the Committee be made up of two members of Council and up to five



members of the public. Currently there are two public vacancies. A call-out for more applications was made public in late May and one new application has been received.

Makenzie Colp is a young woman living in Western Head with Charge Syndrome and is completely deaf. She attended NSCC after Liverpool Regional High School and currently works at Penny Lane and offers ASL lessons as well. She writes that having learned how to advocate for herself, she would like to help others with specific accessibility needs and share awareness of the range of impairments that various people live with.

Applicable Legislation

The NS Accessibility Act 2017 c.2 s.1

Budget Impacts

Monthly committee meetings will bear the cost of ASL interpreters, ranging from \$25-\$57.14/hour plus mileage.

Communications

Communications of the appointment will be through publicly posted Regular Meeting of Council Minutes.

COUNCIL IMPLEMENTATION REPORT – January – September 14, 2021

Date	Recommendation	Responsibility	Action Taken
May 25, 2021	Approve Policy 18 respecting Investments and authorize staff to forward the policy to Minister of Municipal Affairs for approval.	CAO	Submitted to Minister May 28, 2021.
August 10, 2021	Apply to the Nova Scotia Utility and Review Board for changes in its rates for water and water service, fire protection to the Region of Queens Municipality and changes to its rules and regulations for customers served by the Region of Queens Municipality Water Utility, as set out in the Water Rate Study prepared by G.A. Isenor Consulting Limited in association with Blaine S. Rooney Consulting Limited dated July 27, 2021.	CAO	Hearing date scheduled for November 29, 2021.

Date	Recommendation	Responsibility	Action Taken
August 10, 2021	Adopt the Audited Financial Statements for the fiscal year ended March 31, 2021.	J. Veinotte	Statements filed with Province. Copy of statements posted on web site.
August 10, 2021	Appoint Tim Clattenburg as a Fire Inspector for Region of Queens Municipality to administer and enforce provisions of the Nova Scotia Fire Safety Act, Regulations and National Fire Code.	M. MacLeod	Complete. NS Fire Marshall's office notified.
August 10, 2021	Notify the Province of Nova Scotia that it has no objection to the geographic naming of a cove on the southern side of Molega Lake as Owl Cove.	M. MacLeod	Complete. Applicant notified.
August 10, 2021	Declare property identified as PID #70029517 as surplus to municipal needs and enter into a purchase and sale agreement with John Lake to convey the municipal lands for a purchase price of \$3,000; AND THAT all costs associated with this transaction be borne by John Lake.	M. MacLeod	Mr. Lake notified. File sent to Municipal solicitor to finalize transaction.
Sept. 14, 2021	Approve the purchase of a 2021, 4x4, 14,000lb Chassis Cab from Mosher Motors at a price of \$58,517.70 + HST.	Adam Grant	Purchase Order issued.
Sept. 14, 2021	Approve the purchase of the 2009 GMC Topkick from Nova Freightliner at a price of \$60,000 + HST.	Adam Grant	Tandem to arrive September 17, 2021.

Date	Recommendation	Responsibility	Action Taken
Sept. 14, 2021	Appoint Sue Beaumont-Rudderham to the Ad Hoc Noise Bylaw Committee to represent Electoral District 1.	CAO	Letter of appointment sent September 15, 2021.
Sept. 14, 2021	Adopt Queens Municipal Accessibility Plan dated August 27, 2021.	E. Johnston	Posted to website and media were advised.
Sept. 14, 2021	<p>Serve Notice of Recommendation upon the owners of property identified as PID #70151147 and located at 25 West Caledonia Road in Caledonia, regarding the registration of the property (known as Milton Douglas House) in the Municipality Registry of Heritage Property;</p> <p>AND THAT a hearing be scheduled for October 26, 2021 at 6:00 p.m. in the Council Chambers of the Municipal Administration Building, 249 White Point Road in Liverpool, to provide opportunity for the property owners to make comment on the proposed designation.</p>	M. MacLeod	Notice of Recommendation sent to property owner on September 14, 2021.

Date	Recommendation	Responsibility	Action Taken
Sept. 14, 2021	<p>Give notice of its intention to amend the Land Use Bylaw to rezone PID #70275185 from Fishing and Marine (M3) to Mixed Use Coastal Residential (R6);</p> <p>AND THAT a Public Hearing be held on October 12, 2021 at 9:00 a.m. in Council Chambers of the Municipal Administration Building, 249 White Point Road in Liverpool.</p>	M. MacLeod	<p>Public Hearing notice sent to Lighthouse Now for publication in September 22 and September 29 editions. Applicant advised of file status.</p> <p>Personal notice to abutting owners sent out on September 22, 2021.</p>
Sept. 14, 2021	Grant a 4% cost of living increase for all non-union employees, excluding Hillview Acres, effective October 1, 2021.	J. Veinotte	Letters notifying staff of increase sent on September 15, 2021.
Sept. 14, 2021	Request for Memorial Bench at Privateer Park - This issue be referred to the next Council meeting for a recommendation.	CAO	Added to Sept. 28, 2021 – Regular Council Agenda.
Sept. 14, 2021	Road Naming – Edith's Point Road - This issue be referred to the next Council meeting for a recommendation.	M. MacLeod	Added to Sept. 28, 2021 – Regular Council Agenda.
Sept. 14, 2021	Cost Sharing of J-Class Roads – 2022-2023 Fiscal Year - This issue be deferred to the next Council meeting for further discussion.	CAO	Added to Sept. 28, 2021 – Regular Council Agenda.
Sept. 14, 2021	Queens Accessibility Advisory Committee Application - This issue be referred to the next Council meeting for a recommendation.	E. Johnston	Added to Sept. 28, 2021 – Regular Council Agenda.

Region of Queens Municipality

COUNCIL IMPLEMENTATION REPORT – January – December 22, 2020

Date	Recommendation	Responsibility	Action Taken
Feb. 25, 2020	Authorize staff to begin the process of finalizing future programming for a new outdoor aquatic facility.	M. Roberts	Further review will be undertaken by staff.

Region of Queens Municipality

COUNCIL IMPLEMENTATION REPORT – JANUARY – DECEMBER 10, 2019

Date	Recommendation	Responsibility	Action Taken
Oct. 22, 2019	Enter into negotiations with Mogan Holdings Limited for the Municipal acquisition of a portion of property identified as PID #70026547 and located adjacent to McLeod Street in Liverpool for the sale price of \$1.00; AND THAT the Region of Queens Municipality will assume the costs associated with subdividing the property.	M. MacLeod	Survey complete. Awaiting preparation of deed for signatures and registration.

Date	Recommendation	Responsibility	Action Taken
Nov. 26, 2019	<p>Apply to a court of competent jurisdiction for a declaration that the property located at 465 Highway 8 in Milton be considered dangerous or unsightly, as defined in the Municipal Government Act, for an order required the following work be carried out by the owner of the property:</p> <ol style="list-style-type: none"> 1. removal of all derelict vehicles (vehicles which are non-roadworthy or without current licensing or safety inspection in force and evidenced on the vehicle, including RV's, and campers and associated vehicle parts), 2. removal or proper storage (inside of building) of all metals, vehicle parts, oil barrels, appliances, furniture, tires, plastics, electronics, and 3. removal of all household garbage, and other miscellaneous items strewn about the property and delivered to Region of Queens Solid Waste Management Facility or other approved locations. 	K. Hurley M. MacLeod	2 inspections of property conducted. Municipal solicitor reviewing for final compliance with court Consent Order.