

**COUNCIL MEETING AGENDA**

**Tuesday, February 16<sup>th</sup>, 2016 at 7:30pm**

**Municipal Administration Centre**

- 1) Call to Order – Chairman, Warden Russell Boucher
- 2) Approval of Agenda
- 3) Approval of Municipal Council Minutes of January 19<sup>th</sup>, 2016
- 4) Business Arising from Minutes
- 5) Public Hearings
  - i. Amendments to the Antigonish County Subdivision By-law
  - ii. Alternative Voting By-law
- 6) Presentation
  - i. Antigonish Affordable Housing Society
- 7) Correspondence
- 8) Committee Reports
  - i. Committee of the Whole – February 2<sup>nd</sup>, 2016
  - ii. Committee of the Whole – February 16<sup>th</sup>, 2016 (will be provided at meeting)
- 9) Motion(s)
- 10) Reports from Individual Council Members on Outside Boards, Committees, and Commissions
- 11) Miscellaneous Business
- 12) Adjournment



## **MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

Municipal Council Meeting - Minutes

**Tuesday, January 19, 2016**

**7:30pm**

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Present: Deputy Warden Owen McCarron

Councillors: Bill MacFarlane Rémi Deveau  
Mary MacLellan Vaughan Chisholm  
Donnie MacDonald Hughie Stewart  
Pierre Boucher Angus Bowie

Regrets: Warden Russell Boucher

Also present: Glenn Horne, Municipal Clerk/Treasurer  
Shirlyn Donovan, Interim Deputy Clerk  
Corey LeBlanc, Antigonish Casket  
Matthew Draper, Port Hawkesbury Reporter  
Bill MacCuish, 98.9 XFM  
Adam Rodger, Solicitor – Boudrot & Rodgers Law Firm

The meeting was called to order at 7:45pm by the Chair, Deputy Warden Owen McCarron.

On behalf of Municipal Council, Deputy Warden McCarron requested that moment of silence be observed in memory of Warden Boucher's brother and Councillor Boucher's uncle.

### **APPROVAL OF AGENDA**

Deputy Warden McCarron called for any additions or deletions to the agenda. The following item was added to the agenda:

- Municipal Mural Competition

**Min #2016-001 (Approval of Agenda)**

*MOVED by Councillor MacDonald, SECONDED by Councillor Deveau, that the agenda be approved as amended. Motion carried.*

### **APPROVAL OF MINUTES**

Deputy Warden McCarron called for the approval of the Municipal Council Minutes of December 17<sup>th</sup>, 2015.

**Min #2016-002 (Approval of December 17<sup>th</sup> Council Minutes)**

*MOVED by Councillor MacLellan and SECONDED by Councillor Bowie, that the Municipal Council Minutes of December 17<sup>th</sup>, 2015 be approved. Motion carried.*

### **BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

## **COMMITTEE REPORTS**

### **Committee of the Whole – January 19<sup>th</sup>, 2016**

#### **Min #2016-003 (Letter of Support for Provincial AT Policy Framework)**

*MOVED by Councillor MacDonald, SECONDED by Councillor Deveau that Municipal Council send a letter of support for the draft Active Transportation Policy Framework to the Minister of the Department of Health and Wellness. Motion carried.*

#### **Min #2016-004 (Street Improvements for Mount Cameron and Appleseed)**

*MOVED by Councillor Chisholm, SECONDED by Councillor MacDonald that Municipal Council approve the street improvements for Mount Cameron and Appleseed Drive. Motion Carried.*

#### **Min #2016-005 (Letter of Support)**

*MOVED by Councillor MacLellan, SECONDED by Councillor Bowie that Municipal Council send a letter of support for a walking trail in Bayfield. Motion carried.*

#### **Min #2016-006 (Appointment of Returning Officer)**

*MOVED by Councillor Deveau, SECONDED by Councillor Boucher that Municipal Council approve the appointment of Linda Arsenault as Returning Officer for the 2016 Municipal Election. Motion carried.*

### **Planning Advisory Committee – January 19<sup>th</sup>, 2016**

#### **Min #2016-007 (Amendments to Antigonish County Subdivision By-Law)**

*MOVED by Councillor MacLellan, SECONDED by Councillor Deveau that Municipal Council approve the amendments to the Antigonish County Subdivision By-Law as presented with a change to section 21A-1B to 950 square metres (10,225.7 sq ft.) and to section 21A-2 to 950 square metres (10,225.7 sq ft.). Motion carried.*

## **MOTIONS**

Mr. Horne reviewed the Alternative Voting By-Law, which represents the option to have e-Voting in the upcoming Municipal Election. E-Voting is increasingly becoming the method of choice for elections at the municipal, provincial and federal levels throughout Canada with benefits such as easy access, fewer spoiled ballots and almost immediate results.

We were part of an RFP put forward by the City of Halifax back in the fall to obtain a firm to coordinate and administer all e-voting services. That RFP has been awarded and we are determining the approximate cost for us to engage with that firm.

E-Voting is the option to vote online from home, at a kiosk at a polling station or by phone from home. Residents would be given a unique PIN which they would use to vote.

Staff recommended Municipal Council give first reading to the Alternative Voting By-Law authorizing voters to vote electronically in the 2016 Municipal election and that there be concurrent use of paper ballots.

**Min #2016-008 (Alternative Voting By-Law)**

*MOVED by Councillor Stewart, SECONDED by Councillor MacLellan that Municipal Council approve the first reading of the Alternative Voting By-law. Motion carried.*

**UPDATES/REPORTS FROM INDIVIDUAL COUNCIL MEMBERS**

Councillor MacLellan reported that she attended:

- Planning Meeting
- Library Meeting in Halifax
- Library Board Meeting
- Meeting with RK CEO
- Northumberland Quarry Community Liaison Committee Meeting

Councillor Boucher reported that he attended:

- Eastern District Planning Commission Meeting

Councillor MacDonald reported that he attended:

- Antigonish Affordable Housing
- Municipal Mural Unveiling
- Town and County Joint Council

Deputy Warden McCarron reported that he attended:

- New Years' Levee
- Early Childhood Intervention Meeting
- Planning Meeting
- Town and County Joint Council

Councillor MacFarlane reported that he attended:

- Town and County Joint Council

Councillor Deveau reported that he attended:

- Town and County Joint Council

Councillor Chisholm reported that he attended:

- RK Board Meeting

**MISCELLANEOUS BUSINESS**

**Municipal Mural Competition**

The first mural developed through the Municipal Mural Competition was unveiled on Tuesday, January 12. This project came about with the goal of developing public spaces and highlighting our local arts community. We challenged both emerging and professional artists to design an image that would reflect the ideals, values and essence of our community. We hoped to receive a design that would inspire and celebrate who we are and who we strive to be as well as reflect our community today. This project has been widely seen as a significant success.

Mr. Horne is looking for feedback from Council on whether another mural competition should be initiated. Mr. Horne would also like feedback on the recently completed project.

Based on feedback gathered throughout this process, if Municipal Council would like to initiate a new competition for a mural at another location, it ought to be done through the winter.

Mr. Horne suggested requesting expressions of interest from community groups. Staff will set parameters and send them out to Council and the public. Any communities which identify themselves as interested will go into a hat and then one community will be drawn.

#### **MOTION TO ADJOURN**

**Min #2016-009 (Motion to Adjourn)**

*MOVED by Councillor MacLellan, SECONDED by Councillor Deveau that the Council meeting adjourns at 8:17pm. Motion carried.*

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**Warden Russell Boucher**

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**Glenn Horne, Municipal Clerk/Treasurer**



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## MUNICIPALITY OF THE COUNTY OF ANTIGONISH

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**SUBJECT:** PUBLIC HEARING PROTOCOL

**PURPOSE:** PUBLIC HEARINGS TO PROVIDE RESIDENTS AN OPPORTUNITY TO COMMENT ON THE CONSIDERATION OF AN AMENDMENTS TO THE ANTIGONISH COUNTY SUBDIVISION BYLAW

**DATE:** FEBRUARY 16, 2016 @ 7:30PM

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In accordance with the requirements of the *Municipal Government Act*, and as outlined in the *Municipality of the County of Antigonish Policy Regarding Rules of Order, Council Proceedings and Committees*, the proceedings of the above referenced Public Hearings will be conducted as follows:

- Upon approval of this protocol, the presiding member will request Planning Staff to:
  - present the staff report,
  - outline the Planning Advisory Committee's Recommendation, and
  - confirm the Public Hearing was advertised in accordance with the requirements of the Municipal Government Act.
- Members of Municipal Council will then be provided an opportunity to ask questions of staff.
- Once all questions from Municipal Council are addressed, the presiding member will ask that any resident in the gallery wishing to speak against the proposed amendment identify themselves. He will then ask that anyone wishing to speak in favour of the amendment identify themselves. Only those listed will be called upon to speak.
- Each resident called upon to speak shall be provided one opportunity to comment on the amendment being considered for a maximum of five (5) minutes.
- All comments shall be directed to the presiding member.
- Any questions shall be viewed as a matter for Municipal Council to consider in making a decision.
- The presiding member may place limits on any speaker to conduct an orderly meeting.
- When all residents seeking to provide comment on the amendment at hand have had an opportunity, the presiding member shall entertain a motion to proceed to second reading or to close the public hearing and table a decision.

To: **Glenn Horne, Municipal Clerk Treasurer**  
From: **Planning Staff (EDPC)**  
Date: **January 19, 2016**  
Reference: **Antigonish County Subdivision By-law Review**

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**Background:**

In partial response to the Planning Services Audit completed by AtlanPLAN, District Planning commenced a series of meetings with stakeholders in the development of land within Antigonish County. Our first meetings invited Surveyors and Engineering firms working in the County to meet for an open-ended discussion on the Municipality's *Subdivision By-law*. Three of these meetings were convened. The topics discussed included:

1. Private Lanes and Private Roads;
  - “Functionally Equivalent” definition;
  - Section 31 Construction Waivers – Design Standards
  - Private Road/Lane Maintenance User Agreements.
  - “Certificates of Feasibility” to replace a design requirement for non-constructed exemptions.
2. Parkland Transfers in Non-serviced Areas;
  - Usable Land Parkland Definition – Section 76(2) Waiver
3. Servicing Standards;
4. TIR Approval Times;
5. Lots for purposes which do not Require an On-site System;
6. Landlocked parcels; and
7. Concept, Preliminary and Tentative Approvals.

For the most part these meetings served as a positive arena for discussion and clarification of the *Subdivision By-law* and allowed staff and stakeholders to consider possible amendments which would serve the dual purpose of protecting the public interest while at the same time not unduly hindering development in the County.

The proposed amendments with respect to private roads and private lanes serve two primary functions. First they explicitly clarify the manner in which the *Subdivision By-law* should be interpreted with respect to “Private Lanes”. While staff were interpreting the by-law such that all exemptions and requirements apply equally to a private lane in the same manner as it would to a private road the amendments make this explicit. Secondly they waive the “design” requirement for private lanes and private roads serving six or fewer lots so long as the access to the lots being created is a “bona fide access”. This would replace the design requirement presently in place for six lot private roads or private lanes even if they are not constructed.

The amending pages also add standard lot provisions from the Provincial Subdivision regulations with respect to the creation of lots which do not require an on-site sewage system. Examples include lots created for cell phone towers, fishing sheds, monuments and cairns, etc. Most of the Subdivision By-laws administered by District Planning allow for the creation of lots less than 5,000 square feet where the lot is identified as being proposed for a use which, *"...will not require the construction of an on-site sewage disposal system..."* The Provincial Subdivision Regulations allow such lots to be created where they are to be *"...9000 square metres (96,878.4 square feet) or less in area or with a width of less than 76 metres (249.3 feet) that is being created for a purpose that will not require the construction of an on-site sewage disposal system..."*

The amending pages also add provisions allowing for the subdivision of a landlocked parcel into two lots only where it would not be possible now because it would be necessary for the right of way to cross a railway right-of-way and as well add the provision for a private road or lane to cross an unmaintained provincial road.



*Appendix 'A': Amending Pages*

A BY-LAW TO AMEND THE SUBDIVISION BY-LAW

FOR THE MUNICIPALITY OF THE COUNTY OF ANTIGONISH

The *Subdivision By-law* for the Municipality of the County of Antigonish is hereby amended as follows:

**1) In Part 3 deleting the following text with strikethrough and adding the text in bold:**

**6A “Bona Fide Access” means a private road or private lane which, while it is neither designed nor constructed, is intended to be used as the actual access to lots being created.**

31. “Private road or Private Lane” means any road which is not public shown on a plan of subdivision which extends to and has access to a public street and where not totally located within the area of land being subdivided, the ~~private~~ road shall have an easement for right-of-way and access which is assignable and perpetual and which has been clearly granted by deed, will, Crown grant or other registerable instrument, registered in the Registry of Deeds for the Municipality;

**2) In Part 4B deleting the following text with strikethrough and adding the text in bold:**

16. LOTS SHALL ABUT STREETS

**(1)** All lots to be approved on a plan of subdivision shall abut and will access directly to:

- (a) a public street; or
- (b) a private lane which meets the requirements of Section 28A, 30 and 31 of this By-law; or
- (c) a private road which meets the requirements of Section 29, 30 and 31 of this By-law; or
- (d) an existing private road which was approved prior to the effective date of this By-law and subject to Section 33 of this By-law; or
- (e) an existing constructed private lane which an Engineer licensed to practise in the Province of Nova Scotia certifies as functionally equivalent to the construction and design standards set out in Section 28A.

**(2) Despite the definition of “private road or private lane”, a private lane or private road that must cross an unmaintained public street to extend to and have access to a public street may be treated as continuous for the purposes of subsection (1) if the owner has a permit to cross the unmaintained public street that is issued by the Department of Transportation or the municipality and is assignable and has no fixed duration.**

17. LAND USE BY-LAW

Where a Land Use By-law is in effect:

- (a) all lots for which approval is requested including a remainder lot, if any, for which no approval is requested, shall meet the applicable requirements for lot frontage and area contained in such Land Use By-law.
- (b) Subsections 16**(1)**(b), (c), **(d)** and ~~(d)~~ **(e)**, and Sections 18, 19, 21, 22 and 23 do not apply

*unless the Land Use By-law permits development on any lot created pursuant to these sections and the municipal planning strategy provides for both the subdivision and development of such lots.*

21. LOTS WITHOUT FRONTAGE AND ACCESS BY RIGHT-OF-WAY

- (1) *For purposes of this Section, “area of land” means any lot or parcel as described by its boundaries as they existed on April 16, 1987, notwithstanding that the area of land has been subdivided subsequent to April 16, 1987 resulting in the creation of additional lots meeting the requirements of Section 16 and the lot frontage requirements of Subsection 17(a).*
- (2) *One lot that does not meet the requirements of Section 16 and the lot frontage requirements of Subsection 17(a) may be created within an area of land, provided the lot is served by a right-of-way easement as defined in Subsection 3(41), and provided no such lot has already been subdivided within the area of land.*
- (3) *Notwithstanding the limitation to one lot contained in Subsection (2), two lots may be created, including any remainder lot, where:*
  - (a) *the area of land does not abut a public street or private road, provided that each lot is served by a right-of-way easement as defined in Subsection 3(41); or*
  - (b) *the area of land has less than 6.1 meters (20ft.) of frontage on a public street or a private road.*
- (4) *Where an area of land cannot be subdivided in accordance with the provisions of this section because the access to it is required to cross a railway right-of-way and no easement for the right-of-way and access can be obtained, if all other requirements of this section have been met, subdivision approval maybe granted, provided that the lot(s) created have access by a right-of-way easement as defined in Subsection 3(41), except that with regard to that portion of the right-of-way easement which crosses the railway right-of way, a license for right-of-way and access shall be sufficient.*

21A. LOTS FOR PURPOSES THAT WILL NOT REQUIRE AN ON-SITE SEWAGE DISPOSAL SYSTEM

- (1) *Notwithstanding the lot area and/or lot frontage requirements of this By-law, the Development Officer may approve a single lot on a plan of subdivision which*
  - (a) *does not contain an on-site sewage disposal system or any part thereof; and*
  - (b) *which has a maximum area of 950 square metres (10,225.7 square feet).*
- (2) *For a proposed lot 950 square metres (10,225.7 square feet) or less in area that is being created for a purpose that will not require the construction of an on-site sewage disposal system, the certification section of the application form must be completed.*

3) In Part 5 deleting the following text with strikethrough and adding the text in bold:

31 DESIGN AND CONSTRUCTION REQUIREMENTS WAIVED

*Subsections **28A(1)(b) and (c)** or 29(1)(b) and (c) shall be waived where a private **lane or private** road provides **a bona fide** access to six or fewer lots.*

32. RECONSTRUCTION

*Notwithstanding Section 31 of this section, where the road **design and** construction requirement*

- is waived under Section 31, and the ~~private~~ road to which the waiver relates at any time services more than six lots, or is extended or prolonged to provide access to more than six lots, whether or not these lots or any of them is owned by the first subdivider, the entire ~~private~~ roadway, including the roadway to the first six lots, shall be reconstructed, and constructed, as the case may be, in accordance with **Section 28A(1) (b) and (c) or Section 29(1) (b) and (c)**, and no final approval to any subdivision plan shall be given without this requirement being met.*
33. **MAXIMUM OF 6 LOTS ON AN EXISTING PRIVATE *LANE* and/or PRIVATE ROAD**
- A maximum of six lots abutting an existing private **lane or private** road which does not satisfy **Section 28A(1) (b) and (c) or Section 29 (1) (b) and (c)** may be approved after December 1, 2005.*
- 33A. **INTERNAL BRANCH ROADS IN A PRIVATE ROAD SUBDIVISION**
- A maximum of six lots abutting an existing internal private **lane or private** road which does not satisfy **Section 28A(1) (b) and (c) or Section 29 (1) (b) and (c)** may be approved after December 1, 2005.*
34. **PROFESSIONAL ENGINEER'S CERTIFICATE OF COMPLIANCE**
- Prior to approval of a final plan of subdivision proposing a private **lane or private** road, the subdivider shall provide the Development Officer with a certificate stamped by a professional engineer which shows compliance with the design and construction requirements of **Section 28A(1) (b) and (c) or Section 29 (1) (b) and (c)**.*
35. **VARIANCE**
- The requirements referred to in **Section 28A(1) (b) (c) and (3) or Section 29 (1) (b) (c) and (3)** may be varied by the Engineer and approved by the DES in accordance with accepted engineering practice.*
36. **PRIVATE ROAD and/or PRIVATE LANE APPROVED AS A SEPARATE LOT**
- A private road and/or a private lane may be approved as a separate lot on a plan of subdivision and is deemed to meet minimum lot area and lot frontage requirements of Subsection 17(a).*
37. **PRIVATE *LANE* and/or PRIVATE ROAD BOUNDARY NOT LOT BOUNDARY**
- (1) *Where the boundary of a private **lane or private** road shown on a plan of subdivision is not intended to be a lot boundary, it shall be shown as a lighter solid line or a dashed line.*
- (2) *No part of a private **lane or private** road shall be included in the calculation of lot area for the purposes of meeting the lot area requirements.*
- 37A. **PUBLIC STREET STANDARDS REQUIREMENT**
- All private **lanes or private** roads approved in areas that have access to the Municipal water system will not be entitled to an extension of the Municipal sewer system unless they are brought up to public street standards in accordance with Parts 5, 6, 7, and 8 of this By-law.*
- 3) **In the By-law Schedules deleting *Schedule "A" – Application for Subdivision Approval* in its entirety and replacing it with the following:**

## SCHEDULE "A" – APPLICATION FOR SUBDIVISION APPROVAL


**MUNICIPALITY OF THE  
COUNTY OF ANTIGONISH**

285 BEECH HILL ROAD  
RR 6 STN MAIN  
ANTIGONISH NS B2G 0B4  
1-888-625-5361

**FOR OFFICE USE ONLY:**

<b>File Number:</b>		
<b>Application Received:</b>	Date:	
	Initial:	
<b>Application Complete:</b>	Date:	
	Initial:	
<b>Processing Fee Enclosed:</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Registration Fee Enclosed:</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**SUBDIVIDER RELATED INFORMATION:**

<b>Name of land owner(s):</b>			
<b>Address of land owner(s):</b>			
<b>Postal code:</b>		<b>Phone number:</b>	
<b>Subdivision name (if applicable):</b>			
<b>Documents to be returned to:</b>			
<b>Correspondence to be directed to:</b>			

**LAND TO BE SUBDIVIDED:**

<b>Location:</b>			<b>Antigonish County</b>
<b>Proposed Road Name: (If Applicable)</b>			<b>NB: New Names need Prior Municipal Approval</b>
<b>Type of Application:</b>	Preliminary <input type="checkbox"/>	Concept <input type="checkbox"/>	Tentative <input type="checkbox"/> Final <input type="checkbox"/> Instrument <input type="checkbox"/>
<b>Parcel Identifier:</b>			
<b>For Lots:</b>		<b>Remainder lot?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Is the land migrated?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<b>If land is to be migrated, name of property lawyer:</b>	
<b>Development Proposed:</b>	Single Family <input type="checkbox"/> Other <input type="checkbox"/> (Please specify):		
<b>Plan prepared by:</b>			<b>Date (mm/dd/yy):</b>
<b>Plan certified by:</b>			<b>Date (mm/dd/yy):</b>

**WATER SERVICES:****SEWER SERVICES:****ACCESS:**

<b>Municipal</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>	<b>Municipal</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>	<b>Public Road</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>
<b>Drilled well</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>	<b>On-site</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>	<b>Private Road</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>
<b>Dug well</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>	<b>Assessment required by Nova Scotia Environment:</b> Yes <input type="checkbox"/> No <input type="checkbox"/>		<b>Private Lane</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>
				<b>Right of way</b>	Existing <input type="checkbox"/> Proposed <input type="checkbox"/>
				<b>If accessed by private road, provide total length (km):</b>	
				<b>If new road(s) or new road name(s) proposed, complete page 2 (over)</b>	

**CERTIFICATIONS:**

**CERTIFICATION – ON-SITE SYSTEM NOT REQUIRED (unserved areas)**

I certify that \_\_\_\_\_ (is, are) being subdivided for a purpose (\_\_\_\_\_)  
 (lot(s) being approved and/or remainder lot) (specify purpose)  
 which will not require the installation of an on-site sewage disposal system.

SIGNATURE \_\_\_\_\_

**CERTIFICATION – BONA FIDE ACCESS**

I certify that the private road or private lane shown on this plan is intended to be used as the actual access for lots:

\_\_\_\_\_  
 (lot(s) being approved and/or remainder lot)

SIGNATURE \_\_\_\_\_

I certify that I am the owner or am acting with the owner's written consent:

Signature:

Date (mm/dd/yy):

Signature:

Date (mm/dd/yy):

Signature:

Date (mm/dd/yy):

**APPLICATION TO NAME A ROAD**

Complete the following section if the proposed subdivision involves naming a new road or renaming an existing road.

First choice of road name:

Second choice of road name:

Existing road name (if applicable):

Local, historic, or cultural significance of name(s) (if applicable):

If more than one road is proposed, provide a sketch or plan showing all existing and proposed roads. Label all proposed roads with first and second choice names:

This is to certify that the resolution of which this is a true copy, was duly passed at a duly called meeting of the Municipal Council of the Municipality of the County of Antigonish held on the \_\_\_\_ day of \_\_\_\_\_ 2016

Given under the hand of the Municipal Clerk and under the corporate seal of the said Municipality this \_\_\_\_ day of \_\_\_\_\_ 2016.

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Mr. Glenn Horne, Municipal Clerk



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## MUNICIPALITY OF THE COUNTY OF ANTIGONISH

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**SUBJECT:** PUBLIC HEARING PROTOCOL

**PURPOSE:** PUBLIC HEARINGS TO PROVIDE RESIDENTS AN OPPORTUNITY TO COMMENT ON THE CONSIDERATION OF AN ALTERNATIVE VOTING BYLAW

**DATE:** FEBRUARY 16, 2016 @ 7:45PM

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- Any questions shall be viewed as a matter for Municipal Council to consider in making a decision.
- The presiding member may place limits on any speaker to conduct an orderly meeting.
- When all residents seeking to provide comment on the amendment at hand have had an opportunity, the presiding member shall entertain a motion to proceed to second reading or to close the public hearing and table a decision.



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## MUNICIPALITY OF THE COUNTY OF ANTIGONISH

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**TO:** MUNICIPAL COUNCIL

**FROM:** GLENN HORNE, MUNICIPAL CLERK TREASURER, MUNICIPALITY OF ANTIGONISH

**SUBJECT:** *CONSIDERATION OF ALTERNATIVE E-VOTING FOR THE 2016 MUNICIPAL ELECTION*

**DATE:** JANUARY 19, 2016

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### Summary

October, 2016 is the next municipal election for Nova Scotia and municipalities must decide if they will be implementing electronic voting.

Electronic voting, or e-voting, is increasingly becoming the method of choice for elections at the municipal, provincial and federal government levels throughout Canada with benefits such as easy access, fewer spoiled ballots and almost immediate results. It also has a lot to do with the increased use of technology by the broader population that makes e-voting the choice for elections.

Although there are potential risks and drawbacks for e-voting research and trials in other municipal units show that the benefits outweigh the risks and it is recommended that Council implement e-voting for the 2016 municipal election.

### Considerations

Electronic voting, or e-voting, was introduced in Nova Scotia municipal elections in 2008 and at the time traditional methods, paper, were still required. In 2012, legislation changed to allow e-voting only and mechanisms included telephone, internet and kiosk voting. Below are some stats from e-voting in Nova Scotia in the 2008 and 2012 elections.

- In 2008, 4 municipalities used e-voting.
- In 2012, 15 municipalities used e-voting. (Middleton was not included in the table below).
- Berwick used e-voting in 2008 but did not in 2012 because of cost. They are recommending e-voting for 2016.
- Wolfville voted not to use e-voting in 2012.
- 11 out of 54 municipalities used electronic voting for the first time in 2012.





- On average, there was a 7% (6.58%) increase in voter turnout when compared to 2008.
  - Not all of the municipalities that used e-voting for the first time in 2012 saw an increase in voter turnout.
  - There is a wide range: Truro and Bridgewater saw an increase of over 20%, but Digby and Kentville saw decreases of 11%.
- All 15 municipalities used e-voting only for advance polls.
- When Nova Scotian voters were offered the option of an electronic or paper ballot during 2012 Municipal and School Board elections, the electronic option was the choice of 64% of voters.

The table below shows the voter turnout in 2008 and 2012 for municipal units that used e-voting in 2012 and the method of voting that was used on Election Day.

<b>Municipality</b>	<b>Voter Turn-Out 2008</b>	<b>E- voting 2008</b>	<b>Voter Turn-Out 2012</b>	<b>E- voting 2012</b>	<b>% Change in TO from 2008</b>	<b>Method of voting on election day</b>
<b>HRM</b>	36.19%	y	36.93%	y		Paper only
<b>Stewiacke</b>	70.76%	y	58.54%	y		e-vote/paper
<b>Windsor</b>	37.09%	y	30.18%	y		e-vote only
<b>Argyle</b>	72.74%	n	79.68%	y	6.94%	e-vote only
<b>*Berwick</b>	54.53%	y	54.72%	n		
<b>Bridgewater</b>	23.85%	n	45.90%	y	22.05%	e-vote/paper
<b>CBRM</b>	50.37%	n	55.92%	y	5.55%	Paper only
<b>Chester</b>	45.58%	n	60.12%	y	14.54%	Paper only
<b>Clare</b>	65.36%	n	66.26%	y	0.90%	e-vote/paper
<b>Digby (Town)</b>	64.65%	n	53.58%	y	-11.07%	e-vote only
<b>Digby (Mun)</b>	44.76%	n	47.20%	y	2.44%	e-vote/paper
<b>Truro</b>	19.39%	n	46.59%	y	27.20%	e-vote only
<b>Victoria</b>	60.64%	n	74.92%	y	14.28%	Paper only
<b>Yarmouth (Mun)</b>	41.61%	n	42.07%	y	0.46%	e-vote only
<b>Kentville</b>	46.18%	n	35.22%	y	-10.96%	e-vote/paper

### ***Functions of E-voting***

Each individual on the final list of electors receives a voter information letter containing instructions on how to cast their ballot and their electronic voting credentials (PIN). After receiving the voter instruction letter voters connect to the voting website or call the 800 number. The website offers a step by step process where you enter your personal identification number (PIN) in order to proceed.



The user sees an electronic ballot, one at a time – Councillors, School Board – and the individual clicks on the box for their chosen candidate and submits their choice. Before that vote is cast a confirmation screen shows the candidate(s) that the individual chose. If this is not the correct list the individual can return to the ballot or vote now. An individual can access their vote and make a change up until the close of the polls.

### ***Technology Trends***

Statistics Canada has gathered some data on internet usage. According to the 2012 Canadian Internet Use Survey:

- 80 percent of individuals 16 years and older used the internet for personal use.
- Overall, Canadian's are experienced internet users with almost on half of users (47 percent) having been online for 10 years or more.
- Seniors accounted for about one half (51 percent) of non-users. Nearly four in ten non-users (39 percent) came from households reporting low income.
- Research shows that technology can remove some administrative barriers to the electoral process, especially for some groups of electors, including those with accessibility challenges and potentially youth.

### ***Attitudes and E-Voting in Canada***

Elections Canada has also gathered research on technology trends, Canadian's attitudes and the benefits and drawbacks of e-voting. According to the 2011 Elections Canada Survey of Electors:

- The majority of electors (86 percent) have access to the internet in their home; an increase of 5 percent since 2008 and 22 percent since 2003.
- 57 percent of non-voters, primarily those with internet access at home, said they would have voted had it been possible to do so over the internet.
- The *2011 Canadian Election Study* shows that half of the electors (49.1 percent) agree, somewhat (31.5 percent) or strongly (17.6 percent) that "Canadians should have the option to vote over the internet in federal elections". This compares to 39.4 percent who disagree.
- A majority of electors (58.8 percent) said they would be likely, either somewhat (17.0 percent) or very (41.8 percent), to vote over the Internet if they could do so; 37.5 percent say they would not be likely to do so.
- 50.3 percent of electors think voting over the Internet is "risky" while 29.7 percent think it is not.



- Across the board, positive impact on participation turned out to be negligible. On the other hand, in all cases, electors took advantage of the option, and the Internet voting option has been retained for future elections.
- A policy analyst for Elections Canada suggests that changes in society, especially those that are incited by new technologies and increasing online use are influencing the expectations of Canadians.

### ***Benefits of e-Voting***

- On average, it took 1 minute, 31 seconds to vote by internet during 2012.
- Surveys on non-voters indicate that being too busy, out of the area or ill/disabled is a reason that they did not vote (statistics Canada, 2013). E-voting allows voters to vote from anywhere-anytime.
- E-voting could allow for greater secrecy for special populations of electors with disabilities (including visually or hearing impaired, because they can vote unassisted and are afforded a greater degree of anonymity when casting a ballot.
- E-voting may be a method of engaging those voters who are considered the hardest to reach, particularly young people aged 18 to 30.
- Has the promise to positively impact voter turnout, though not proven at this time.
- The incremental financial cost to a voter casting an electronic ballot is less than that for an individual voting in-person after having taken time off work, travelling to a polling station and obtaining childcare.
- Over the long term, all types of internet voting have the potential to be less expensive to operate and execute than traditional paper ballots.
- Eliminates proxy votes and certificates of eligibility.
- Results are available almost immediately.
- No spoiled ballot issues, positive ballot confirmation.
- Eliminates the need for an interim voters' list to be used at physical polling stations on advance voting day. The voters' list can be continuously updated.

### ***Drawbacks and Risks***

- Those opposed to e-voting prominently cite security, threats of computer viruses or hackers, as the number one risk.
- Problems with access to technology and the digital divide for those who have access and do not have access to a computer and those who have faster connections and those who have slower connections.



- E-voting presents greater opportunity for fraud and coercion or vote-buying – i.e. someone voting on another’s behalf without their permission or pressuring others to vote in a way that he or she would not have otherwise.
- Voter education that ensures public awareness of electronic voting and understanding and use of online systems are a concern.
- Privatization is a concern when electoral administrators cede control to a hired firm and causes negative impact on public confidence.
- The proliferation of electronic election services has the power to alter that nature of electoral participation by causing more electors to vote alone instead of at a polling place with others.
- Although electronic voting may be more popular among committed voters it is not as trusted as traditional in-person voting options.

## Financial Implications

Antigonish County has put their name forward to be included in the Bulk Purchasing Request for Proposals that was prepared by Halifax. Potential benefits of this approach include efficiencies, financial saving and opportunities for smaller municipal units to affordably provide e-voting, which means we could see more municipal units offering e-voting in 2016. The RFP contains language that allows the listed parties to enter into their own agreement with the highest scoring proponent, but **does not require them to**. Any agreement will be solely between the Municipality and the vender.

The above referenced RFP has been awarded and staff are in the process of determining a precise estimate of costs to participate.

In 2012 Election costs were approximately \$13,000 using the traditional methods of voting. An external returning officer was appointed. If Council chooses to use both e-voting and paper ballots the cost would be approximately double.

## Alternatives

- That Council proceeds with a combination of e-voting and paper ballots.
- That Council proceeds with paper ballots only.

## Communications

Staff will include an educational component in the voter engagement plan to ensure that voters are aware that e-voting will be used and know how to use it.



## **Recommendation**

Although there are potential risks for e-voting staff believe that the benefits outweigh the risks. The success of e-voting in 14 other Nova Scotia municipalities – no reported fraud or security risks – and the increasing trends in Canadian's use and attitudes towards technology and e-voting are evidence that moving forward with e-voting for the 2016 municipal election would be beneficial.

Staff recommend that Municipal Council give first reading to the attached by-law authorizing voters to vote electronically in the 2016 municipal election and that there be concurrent use of paper ballots.

# **MUNICIPALITY OF THE COUNTY OF ANTIGONISH**

## **BY-LAW RESPECTING ALTERNATIVE VOTING**

**BE IT ENACTED** by the Council of the Municipality of the County of Antigonish, under the authority of Sect 1 46A of the *Municipal Elections Act*, 1989 R. S.N. S. c. 300, as amended, as follows:

### **Short Title**

1. This By-law shall be known as the “Alternative Voting By-law”.

### **Definitions**

2. In this by-law:

- (a) “Act” means the *Municipal Elections Act*, 1989 R.S.N.S. c. 300, as amended;
- (b) “Advance poll” means the Tuesday immediately preceding ordinary polling day; and either
  - (i) one other day fixed by the Council by resolution that is either Thursday, the ninth day before ordinary polling day or Saturday, the seventh day before ordinary polling day; or
  - (ii) if Council has delegated its authority to fix a day to the Returning Officer, one other day fixed by the Returning Officer that is either Thursday, the ninth day before ordinary polling day, or Saturday the seventh day before ordinary polling day;
- (c) “alternative polling days” means any hours and dates fixed by a resolution of Council for alternative voting;
- (d) “alternative voting” means voting by telephone or via the internet and includes a combination of telephone and internet voting;
- (e) “ballot box” means a computer database in the system where cast internet ballots and telephone ballots are put;

- (f) “candidate” means a person who has been nominated as a candidate pursuant to the *Act*;
- (g) “Council” means the Council of the municipality;
- (h) “Deputy Returning Officer” means a person appointed under the *Act* to preside over a polling station;
- (i) “Education Act” means the *Education Act*, 1995-1996 S.N.S. c. 1, as amended;
- (j) “election” means an election held pursuant to the *Act*, including a school board election, a special election and a plebiscite;
- (k) “Election Officer” means an “election official” under the *Act*;
- (l) “elector” means a person:
  - (i) qualified to vote pursuant to the *Act* and the *Education Act*; and
  - (ii) entitled to vote for an election pursuant to section 7 of this by-law;
- (m) “final list of electors” means the final list of electors completed pursuant to Section 40 of the *Act*;
- (n) “friend voter” means a friend who votes for an elector pursuant to section 9 of this by-law;
- (o) “internet ballot” means an image of a ballot on a computer screen including all the choices available to an elector and the spaces in which an elector marks a vote;
- (p) “municipality” means the Municipality of the County of Antigonish;
- (q) “normal business hours” means the time between 8:30 a.m. and 4:30 p.m. Monday through to and including Friday;
- (r) “ordinary polling day” means the third Saturday in October in a regular election year and in the case of any other election means the Saturday fixed for the election;
- (s) “PIN” means a Personal Identification Number issued to an elector for alternative voting on alternative voting polling days;
- (t) “plebiscite” means a plebiscite directed to be held by the Council pursuant to section 56 of the *Act*;
- (u) “proxy voter” means an elector who votes by a proxy pursuant to the *Act*;

- (v) “regular election year” means 2012 and every fourth year thereafter;
- (w) “rejected ballot” means an internet ballot or telephone ballot that has not been marked for any candidate;
- (x) “Returning Officer” means a Returning Officer and an assistant returning officer who are appointed pursuant to the *Act*;
- (y) “seal” means to secure the ballot box and prevent internet and telephone ballots from being cast;
- (z) “special election” means a special election held pursuant to the including a special election for a vacancy on a school board;
- (aa) “system” means the technology, including software, that:
  - (i) records and counts votes: and
  - (ii) processes and stores the results of alternative voting during alternative polling days;
- (bb) “System Elections Officer” means:
  - (i) a person who maintains, monitors, or audits the system, and
  - (ii) a person who has access to the system beyond the access necessary to vote by alternative voting.
- (cc) “telephone ballot” means:
  - (i) an audio set of instructions which describes the voting choices available to an elector; and
  - (ii) the marking of a selection by an elector by depressing the number on a touch tone keypad.

### **Alternative Voting Permitted**

3. Subject to this by-law, alternative voting shall be permitted on alternative polling days.

### **Notification of Electors**

4. (1) The Returning Officer shall cause notice of alternative polling days to be published in a newspaper circulating in the municipality.
- (2) The notice of alternative polling days shall:
  - (a) identify the alternative polling days for alternative voting; and
  - (b) inform the elector that telephone voting and internet voting is permitted



during alternative polling days.

- (3) The notice may include any other information the Returning Officer deems necessary.

### **Form of Telephone and Internet Ballots**

5. (1) A telephone ballot and internet ballot shall:
- (a) identify by the title “Election for Councillor” or “Election for School Board Member”, as the case may be;
  - (b) identify the names or names by which they are commonly known of the candidates with given names followed by surnames, arranged alphabetically in order of their surnames and, where necessary, their given names; and
  - (c) warn the elector to “vote for one candidate only” or “vote for not more than (the number of candidates to be elected) candidates”, as the case may be.
- (2) No title, honour, decoration or degree shall be included with a candidate’s name on an internet ballot or telephone ballot.

### **Oath**

6. Any oath that is authorized or required shall be made:
- (i) in the form specified by this by-law, or
  - (ii) if the form is not specified by this by-law, in the form required by the Act.

### **Electors**

7. No person shall vote by alternative voting unless:
- (a) the person’s name appears on the final list of electors on the date chosen by Council for the final list of electors to be completed pursuant to Section 40 of the *Act*; or
  - (b) the person’s name does not appear on the final list of electors and:
    - (i) the person appears before the Deputy Returning Officer during normal business hours during alternative polling days; and
    - (ii) the person swears an oath in the prescribed form to this by-law.

### **Proxy Voting**

8. A proxy voter shall not vote for an elector by alternative voting.

## **Friend Voting**

9. (1) A friend voter shall only vote for an elector by alternative voting if:
  - (a) an elector is unable to vote because:
    - (i) the elector is blind
    - (ii) the elector cannot read; or
    - (iii) the elector has a physical disability that prevents him or her from voting by alternative voting.
  - (b) the elector and the friend appear, in person, before the Returning Officer and take the prescribed oaths.
- (2) A candidate shall not act as a friend voter unless the elector is a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate.
- (3) The elector shall take an oath in the prescribed form to this by-law providing that he or she is incapable of voting without assistance.
- (4) The friend of the elector shall take an oath in the prescribed form to this by-law that:
  - (a) the friend has not previously acted as a friend for any other elector in the election other than an elector who is a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend of the elector.
  - (b) the friend will mark the ballot as requested by the elector; and
  - (c) the friend will keep secret the choice of the elector.
- (5) The Returning Officer shall enter in the poll book:
  - (a) the reason why the elector is unable to vote;
  - (b) the name of the friend; and
  - (c) the fact that the oaths were taken.

## **Voting**

10. The system shall put internet ballots and telephone ballots cast by an elector in the ballot box.

## **Seal**

11. (1) Where alternative voting closes before the close of the polls on ordinary polling day, the system shall seal the ballot box until after the close of the poll on ordinary polling day.
- (2) The system shall seal the ballot box even where fewer than ten persons from any

polling district voted for a candidate during alternative polling days.

### **List of persons who voted**

12. Where alternative voting closes before the close of the polls on ordinary polling day, the system shall:

- (a) generate a list of all electors who voted by alternative voting; and
- (b) on the Final List of Electors cause a line to be drawn through the name of all the electors who voted during alternative polling days.

13. A printed and electronic copy of the lists under Section 12 shall be delivered to the Returning Officer within 24 hours of the close of alternative voting.

14. Where alternative voting closes at the close of the polls on ordinary polling day, the system shall generate a list of all electors who voted by alternative voting.

### **Counting**

15.(1) At the close of ordinary polling day, the system shall generate a count of the telephone ballots and internet ballots in the ballot box that were cast for each candidate during the alternative polling days.

- (2) In counting the votes that were cast for each candidate during alternative polling days, the system shall not count rejected ballots.

### **Tallying of Rejected Ballots**

16. At the close of ordinary polling day, the system shall tally the number of rejected ballots that were cast during alternative polling days and the tally shall be delivered to the Returning Officer.

### **Recount by System**

17. In the event of a recount, the system shall regenerate the election count and a printed copy of the regenerated count shall be given to the Returning Officer.

18. If the initial count and the regenerated count match, the regenerated count shall be the final count of the votes cast by alternative voting.

19. (1) If the regenerated count and the initial count do not match, the Returning Officer shall:

- (a) direct one final count be regenerated by the system of the votes cast by alternative voting, and

- (b) attend while the final count is being regenerated.
- (2) The regenerated final count pursuant to Subsection (1) shall be the final count of the votes cast by alternative voting.

### **Recount by Court**

- 20. (1) For a recount, the judge shall only consider the final count by the system, as determined by Section 18 or 19 of the total number of votes that were cast by alternative voting for each candidate.
- (2) The final count by the system, as determined by Section 18 or 19, of the total number of votes that were cast by alternative voting for each candidate shall be added to the judge's count of the number of votes for each candidate cast by non-alternative voting.

### **Secrecy**

- 21. An election officer and system election officer shall maintain and aid in maintaining the secrecy of the voting.
- 22. Every person in attendance at a polling station, or at the counting of the votes, shall maintain and aid in maintaining the secrecy of the voting.

### **Other Methods of Voting**

- 23. If voting via the Internet through the unsupervised use of a personal computing device is permitted during an election, voting shall be permitted by some other means on each advance polling day and on ordinary polling day.

### **Severability**

- 24. If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of the by-law and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.

### **Prohibitions**

- 25. No person shall:
  - (a) use another person's PIN to vote or access the system unless the person is a friend voter;
  - (b) take, seize, or deprive an elector of his or her PIN; or
  - (c) sell, gift, transfer, assign or purchase a PIN.

26. No person shall:

- (a) interfere or attempt to interfere with an elector who is casting an internet ballot or telephone ballot;
- (b) interfere or attempt to interfere with alternative voting; or
- (c) attempt to ascertain the name of the candidate for whom an elector is about to vote or has voted.

27. No person shall, at any time, communicate or attempt to communicate any information relating to the candidate for whom an elector has voted.

### **Offences and Penalty**

28. (1) A person who:

- (a) violates any provision of this by-law; or
- (b) permits anything to be done in violation of any provision of this by-law is guilty of an offence.

(2) A person who contravenes subsection (1) of this section is guilty of an offence and is liable, on summary conviction, to a penalty of not less than five thousand dollars and not more than ten thousand dollars and in default of payment, to imprisonment for a term of two years less a day, or both.

(3) In determining a penalty under subsection (2), a judge shall take into account:

- (a) the number of votes attempted to be interfered with;
- (b) the number of votes interfered with; and
- (c) any potential interference with the outcome of an election.

(4) Pursuant to Section 146A of the Act:

- (a) the limitation period for the prosecution of an offence under this by-law is two years from the later of the date of the commission of the offence and the date on which it was discovered that an offence had been committed; and
- (b) *The Remission of Penalties Act*, 1989 SNS c. 397, as amended, does not apply to pecuniary penalty imposed by this by-law.

**Municipality of the County of Antigonish**

**OATH OR AFFIRMATION OF FRIEND OF ELECTOR REQUIRING ASSISTANCE  
FOR ALTERNATIVE VOTING**

*(For use by a person who is not a candidate and who is not related to the*

*elector)* You swear (or solemnly affirm) that:

- (a) you have not previously acted as a friend for any other elector in the election who is not a child, grandchild, brother, sister, parent, grandparent, or spouse;
- (b) you will carry out the wishes of the elector on whose behalf you act; and
- (c) you will keep secret the name of the candidate or candidates for whom you mark the internet ballot or telephone ballot.

**NOTE: A candidate shall not act as a friend of an elector who is not a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate. A person who is not a candidate may act as a friend for one unrelated elector and any number of electors who are a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend.**

**Municipality of the County of Antigonish**

**OATH OR AFFIRMATION OF ELECTOR REQUIRING ASSISTANCE  
FOR ALTERNATIVE VOTING  
(CANDIDATE/RELATIVE)**

***(For use by a person, including a candidate, who is related to the elector)***

You swear (or solemnly affirm) that:

- (a) the elector on whose behalf you acted is a child, grandchild, brother, sister, parent, grandparent, or spouse.
- (b) You will carry out the wishes of the elector on whose behalf you act; and
- (c) You will keep secret the name of the candidate or candidates for whom you mark the internet ballot or telephone ballot.

**NOTE: A candidate shall not act as a friend of an elector who is not a child, grandchild, brother, sister, parent, grandparent, or spouse of the candidate. A person who is not a candidate may act as a friend for one unrelated elector and any number of electors who are a child, grandchild, brother, sister, parent, grandparent, or spouse of the friend.**

**Municipality of the County of Antigonish**

**OATH OR AFFIRMATION OF ELECTOR  
NOT ON LIST OF ELECTORS**

I swear (or solemnly affirm) that:

1. On this date I actually reside in the Municipality of the County of Antigonish.
2. I have been ordinarily resident in the Municipality of the County of Antigonish for a period of three months immediately preceding ordinary polling day in this election.
3. I have not voted before in this election.
4. I am a Canadian citizen and of the full age of eighteen years, or will be on ordinary polling day.
5. I am not the returning officer, a person serving a sentence in a penal or reform institution, or a person convicted of bribery under the *Municipal Elections Act* in the six years preceding ordinary polling day.

Address of Elector	Elector's Date of Birth	Signature of Elector	Consents to Name being added to Voters List
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
			"Yes" or "No"

Sworn (or affirmed) at \_\_\_\_\_  
In the Municipality of the County of Antigonish  
This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me

\_\_\_\_\_  
Deputy Returning Officer

**The Voters List may be used in future municipal, provincial or federal elections.**  
(Date of Birth will be removed from final list of electors).



Dear Councilors:

Since developing our board structure and policies and procedures, and obtaining charitable status, the AAHS has worked very hard to pull together the necessary funding to move forward with our proposed 14-unit housing development. The first step we took was to engage a fundraising company, RBR Consultants, to help us determine our ability to successfully raise sufficient funds to enable us to develop truly affordable housing. The results of this assessment indicated that we have more work to do. It is evident that there is a lack of understanding of the issue and the need for affordable housing in Antigonish Town and County. It was suggested that our fundraising target of \$1,000,000 would be difficult to achieve without a preliminary educational component.

As a result of this assessment the AAHS decided to take a two-pronged approach to our continued work. We will move forward with our affordable housing development in two phases. Phase One will include a scaled back approach - constructing four units of housing rather than 14 units of housing and coupling it with awareness raising activities to shine a light on the lack of affordable housing in Antigonish Town and County. The lack of affordable housing is a huge issue in Antigonish (see attached). As of January 20, 2016, the Eastern Mainland Housing Authority reported that the Town of Antigonish has 21 applicants waiting for affordable housing and the Municipality of the County of Antigonish has 30 applicants on the waiting list. This is in addition to 52 seniors (18 of these are non-elderly) in the town and 36 seniors (9 are non-elderly) in the county as well as two persons with disabilities, one in the town and one in the county, who are also on the waiting list (see attached). Clearly there is a need in Antigonish for affordable housing (see *Making the Case for Affordable Housing* attached).

The AAHS has sufficient funds to move forward with Phase One - building four units of affordable housing, including two one-bedroom units and two two-bedroom units. Two of the four units will be barrier free. The cost of the Phase One build is estimated at \$602,500 (see budget attached). The AAHS has \$147,000 in the bank, which qualifies us to access \$100,000 from the provincial government's housing program. The Credit Union has confirmed a mortgage rate of 2.99% and the town has contributed \$70,000 in a land grant. With the Municipality of the County's contributions in 2016 and 2017, we are able to move ahead with Phase One in May 2016. Simultaneously, the AAHS will implement an awareness raising strategy to increase the profile of both the need for affordable housing as well as the work of the AAHS with a view to being able to raise sufficient funds to lower our mortgage and support Phase Two of this development, building an additional 10 units of housing.

Your continued support is crucial to the success of this initiative and we look forward to working with you to provide the people of Antigonish Town and County with high quality, energy efficient, affordable homes.

Sincerely yours,

A handwritten signature in cursive script, reading "Colleen Cameron".

Colleen Cameron, Chair  
Antigonish Affordable Housing Society

## *The Situation in Antigonish*

Antigonish is a university town whose population almost doubles during the school year. There are implications for our housing market, adding difficulty to the situation for people who live on low income in the community. Although the university is a major economic driver in our town and brings many benefits, competition for low-cost housing exists between university students and people living on low income.

*“I just don’t know how I’ll be able to afford it. The money will have to come from my food budget.”*

Paying rent, paying for transportation or buying food become dire choices faced on a regular basis by families living on low income in Antigonish Town and County. When you can’t afford a clean and safe place to live, your life becomes that much more difficult.



# *Antigonish Affordable Housing Society*



Families with modest means deserve safe, quality housing that they can afford. The members of the Antigonish Affordable Housing Society (AAHS) have a deep interest in addressing the lack of housing in our community for people living on low income. Our group was founded to create affordable housing opportunities and to foster community support for the people who will live in our housing developments.

Our goal is to help break the cycle of poverty by providing access to affordable and energy efficient housing to residents of Antigonish Town and County who are struggling to make ends meet. In addition to keeping rent below market value, the AAHS is committed to creating environmentally friendly housing. A decrease in energy consumption is not only positive for the environment, but it also reduces costs for the residents, and can serve as an example to the rest of the community.

Having recently achieved charitable status, we are first and foremost working towards the construction of an energy efficient 14-unit building that will include a mix of one and two bedroom apartments, including some barrier-free units for persons with disabilities, and a community garden.

The AAHS has already received generous support from our friends in the community. The Antigonish Town Council passed a unanimous motion agreeing to sell property at 2 Riverside Drive to the Antigonish Affordable Housing Society for \$1 and the Municipality of the County has agreed to provide \$100,000 over five years.

Others who have supported the work of the AAHS include:

- The Antigonish County Adult Learning Association
- The Antigonish Women's Resource Centre
- The Catherine Donnelly Foundation
- The Rural Communities Foundation of Nova Scotia
- The Antigonish Poverty Reduction Coalition

Those who are contributing to our current development include:

- The Canadian Alternative Investment Cooperative
- The Congregation of the Sisters of St. Martha
- The Town of Antigonish
- The Municipality of the County of Antigonish



# *Impacting Lives*

*“I think this community is very proud, and I think that sometimes pride gets in the way of accepting the reality that actually is here.”*

Having access to affordable housing brings a wide array of benefits into the lives of its residents. A house isn't just a physical structure; it is a reflection of the lives of the people who live in it.

Access to good quality affordable housing provides much-needed stability for families who are vulnerable and helps prevent homelessness.

Affordable housing...

...helps families save money to meet important needs or plan for the future.

...improves educational outcomes for vulnerable youth.

...contributes to better health by freeing up resources for food and other basic needs.

...leads to better school performance by reducing asthma symptoms caused by poor air quality, one of the leading causes of school absences.

...has a positive effect on surrounding property values when it is attractively designed and maintained. Also, constructing affordable housing

benefits the local economy directly from the funds spent on materials and labour.

...promotes increased mental and physical health, improved quality of life and independence for seniors living on low income and people living with mental illness.

Most importantly, a good home also gives the people living in it a sense of identity and pride.



ANTIGONISH AFFORDABLE HOUSING SOCIETY		\$200,000 Amor. 20yrs.				3.99%									
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	
Revenue		\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 28,200.00	
		\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 2,350.00	\$ 28,200.00	
Expenses															
Vancancies		\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 1,410.00	
Management		\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 117.50	\$ 1,410.00	
Bank Charges		\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 120.00	
Dues , Fees & Licenses		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Insurance		\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 200.83	\$ 2,409.96	
Prof. Fees		\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 25.00	\$ 300.00	
Office Supplies		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Signage		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Telephone		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Electricity/Heat		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Water & Sewer		\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 900.00	
Property Taxes		\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 502.08	\$ 6,024.96	
Repairs		\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 75.00	\$ 900.00	
Janitorial		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Grounds		\$ -	\$ -	\$ -	\$ -	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ -	\$ -	\$ 600.00	
Snow Removal		\$ 200.00	\$ 200.00	\$ 200.00	\$ 200.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200.00	\$ 200.00	\$ 1,200.00	
Total Expenses		\$ 1,322.91	\$ 1,322.91	\$ 1,322.91	\$ 1,322.91	\$ 1,222.91	\$ 1,222.91	\$ 1,222.91	\$ 1,222.91	\$ 1,222.91	\$ 1,222.91	\$ 1,322.91	\$ 1,322.91	\$ 15,274.92	
Net		\$ 1,027.09	\$ 1,027.09	\$ 1,027.09	\$ 1,027.09	\$ 1,127.09	\$ 1,127.09	\$ 1,127.09	\$ 1,127.09	\$ 1,127.09	\$ 1,127.09	\$ 1,027.09	\$ 1,027.09	\$ 12,925.08	
Less;	Mortgage Interest	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$531.58	\$ 6,378.96	
	Depreciation	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 30,125.04	
Net Income		-\$ 2,014.91	-\$ 2,014.91	-\$ 2,014.91	-\$ 2,014.91	-\$ 1,914.91	-\$ 1,914.91	-\$ 1,914.91	-\$ 1,914.91	-\$ 1,914.91	-\$ 1,914.91	-\$ 2,014.91	-\$ 2,014.91	-\$ 23,578.92	
Principal Payments		\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$440.42	\$ 5,285.04	
Depreciation		\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 2,510.42	\$ 30,125.04	
Net Cash (Overdraft)		\$ 55.09	\$ 55.09	\$ 55.09	\$ 55.09	\$ 155.09	\$ 155.09	\$ 155.09	\$ 155.09	\$ 155.09	\$ 155.09	\$ 55.09	\$ 55.09	\$ 1,261.08	
Financing Cost - Pledges -Sheet 4														\$ 2,400.00	
Confirm Donation														\$ 2,400.00	

Net Cash (Overdraft) Revised						\$		1,261.08
<b><u>Rents</u></b>						Depreciation		5%
\$600.00	2	\$1,200.00		\$28,000.00		\$30,125.00		Total Costs
\$575.00	2	\$1,150.00		\$23,000.00		33% Mortgage		\$602,500.00
								<u>\$200,000.00</u>
						Balance		\$402,500.00
						Province of NS		\$100,000.00
								<u>\$302,500.00</u>
						<b><u>Fund Raising</u></b>		
						Town of Antigonish - Land		\$70,000.00
						County of Antigonish - Grant		\$100,000.00
						Private Fund Raised		<u>\$132,500.00</u>
						100%		\$302,500.00
						0%		
						Shortage		Net
								\$0.00

## ANTIGONISH AFFORDABLE HOUSING SOCIETY

### Source & Application of Funds

#### Sources

Bank Financing	\$200,000.00
Province - Grant	\$100,000.00
Land	\$70,000.00
County	\$100,000.00
Private Fund Raised	<u>\$132,500.00</u>

#### Applications

4 Unit Bldg	\$602,500.00
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Surplus/Shortfall	<u>\$0.00</u>
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Building Value	\$602,500.00
Bank Mortgage	<u>\$200,000.00</u>
Difference	\$402,500.00

#### Deduct

#### Province Grant \$25000/unit

4 units	\$100,000.00
Private Fund Raised	\$132,500.00
County Grant	\$100,000.00
Town - Land	<u>\$70,000.00</u>
	\$402,500.00

Equity Required	\$0.00
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# ANTIGONISH AFFORDABLE HOUSING SOCIETY

Pro Forma Income Statement

13 Units

	Year 1 50%	Year 2 75%	Year 3 100%
Occupany Rate			
Revenue			
Expenses			
Vancancies	\$ -	\$ -	\$ -
Management	\$ -	\$ -	\$ -
Bank Charges	\$ -	\$ -	\$ -
Dues , Fees & Licenses	\$ -	\$ -	\$ -
Insurance	\$ -	\$ -	\$ -
Prof. Fees	\$ -	\$ -	\$ -
Office Supplies	\$ -	\$ -	\$ -
Signage	\$ -	\$ -	\$ -
Telephone	\$ -	\$ -	\$ -
Electricity/Heat	\$ -	\$ -	\$ -
Water & Sewer	\$ -	\$ -	\$ -
Property Taxes	\$ -	\$ -	\$ -
Repairs	\$ -	\$ -	\$ -
Janitorial	\$ -	\$ -	\$ -
Grounds	\$ -	\$ -	\$ -
Snow Removal	\$ -	\$ -	\$ -
Total Expenses			
Net	\$ -	\$ -	\$ -
Less; Mortgage Interest	\$ -	\$ -	\$ -
Depreciation	\$ -	\$ -	\$ -
Net Income	\$ -	\$ -	\$ -
Principal Payments	\$ -	\$ -	\$ -
Depreciation	\$ -	\$ -	\$ -
Net Cash (Overdraft)	\$ -	\$ -	\$ -
Cumultive Cash	\$ -	\$ -	\$ -

Notes: Rent - 4 units  
Taxes \$1 per \$100 Assessment  
Insurance \$ .40 per \$100 Assessment



## ANTIGONISH AFFORDABLE HOUSING SOCIETY

### Construction Budget

Square Footage  
Cost/Sg Ft.  
New Constuction  
Land Improvments  
Paing  
Furniture & Equipment  
Contingency  
Architect  
Property Purchase Cost  
Legal  
HST  
Construction Loan Interest  
  
Total Construction Budget

### Mortgage Information

Principal \$200,000.00  
Amorization 20 years 20  
Interest Rate 3.25%

### Construction Loan Interest

Interest Rate 3.25%

### Loan Interest - Pledges

Pledges	Estimated Total Dollar			
Interest Rate	4%	\$	80,000.00	<u>Interest Cost</u>
Year	1	\$	60,000.00	\$2,400.00
Year	2	\$	40,000.00	\$1,600.00
Year	3	\$	20,000.00	\$800.00
Year	4	\$	-	\$0.00
Year	5	\$	-	\$0.00
				<hr/> \$4,800.00

**PROJECT COSTS****Capital Cost Items****Phase 1  
Cost 4 Units Project**

Land	\$70,000.00
Acquisition	\$0.00
Soil Test	\$0.00
Survey & Misc.	\$0.00
Demolition	\$0.00
Title/Recording	\$1,000.00
Appraisal	\$0.00
Site	\$0.00

**Total Land Costs**

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**\$71,000.00****Building**

Consultants \$100000 Plus \$4000 Energy Audit (Architectural, Mechanical and Electrical) (Construction management costs \$5000 Included)	\$24,000.00
Development charges -Building Permit Fees	\$1,000.00
Planning Approvals	\$0.00
Legal fees	\$0.00
Construction contract (\$150 X3200 sq ft)	\$480,000.00

Appliances (\$3500 X 4)	\$14,000.00
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**Fridge, Stove, Micro Wave, Washer & Dryer**

Laundry equipment	\$0.00
Construction interest	\$0.00
Utilities fees	\$0.00
Insurance during construction	\$1,500.00
Municipal fees (if applicable)	\$1,000.00
Taxes during construction	\$0.00
Landscaping	\$5,000.00
Surface parking	\$5,000.00
Contingency	\$0.00
HST Paid	\$0.00
Less HST Rebate	\$0.00
Net HST Paid	\$0.00

**Total Costs Building**

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**\$531,500.00**

Financing Cost - Pledges	\$0.00
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Professional Fees Fund Raising	\$0.00
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**Total Costs Project**

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**\$602,500.00****Average Unit Cost****\$150,625.00****AAHS EQUITY**

Land	\$70,000.00
Cash Bergengren	\$143,500.00

Total	\$213,500.00
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EQUITY Required Housing Nova Scotia 15%	\$90,375.00
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**Confirmed Donations**

\$ 132,500.00

**Confirmed Grants**

Canadian Alternative Investment Foundation

\$20,000.00

January 20, 2016

Below is the information that the Antigonish office has gathered.

Nadine Frazer-Bates

Director of Eastern Mainland Housing Authority

Family Town Applicants (Total 21)

# of Single Mothers	# of Children	Family Size	Physical Disability
17	1 child = 11	2 people = 7	1 person
	2 children = 5	3 people = 9	
	3 children = 3	4 people = 1	
	4 children = 1	5 people = 3	
	5 children = 1	6 people = 1	
(Total = 21 applicants)	(Total = 21 applicants)		

Family County Applicants (Total 36)

# of Single Mothers	# of Children	Family Size	Physical Disability
30	1 child = 19	2 people = 15	1 person
	2 children = 10	3 people = 13	
	3 children = 4	4 people = 5	
	4 children = 2	5 people = 1	
	5 children = 1	6 people = 2	
(Total = 36 applicants)	(Total = 36 applicants)		

Senior Town = 52 (18 of these are non-elderly)

Senior County = 36 (9 are non-elderly)

Rent Sup (all non-elderly) = 4

Senior Enriched = 45



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## MUNICIPALITY OF THE COUNTY OF ANTIGONISH

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**TO:** MUNICIPAL COUNCIL  
**FROM:** GLENN HORNE, MUNICIPAL CLERK TREASURER  
**SUBJECT:** COMMITTEE OF THE WHOLE REPORT  
**DATE:** February 16<sup>th</sup>, 2016

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Committee of the Whole was convened at 5:30pm on Tuesday, February 2<sup>nd</sup>, 2016. The following Councillors were present:

Warden Russell Boucher  
Deputy Warden McCarron  
Councillor MacLellan  
Councillor Bowie  
Councillor Boucher  
Councillor Chisholm  
Councillor MacDonald  
Councillor Stewart  
Councillor MacFarlane

Regrets: Councillor Deveau

**The following recommendations were made:**

The Committee recommends that Municipal Council proceed with the development of an MOU for renewable energy and in proportional costs.

The Committee recommends to Municipal Council that the Municipality award the proposal for Municipal Vignettes to Leah Johnston and Jeff Babineau for \$13,920.

The Committee recommends to Municipal Council that the Keppoch Lease clause be amended for insurance to be in the name of the Municipality but paid by the Positive Action for Keppoch Society. Motion

The Committee recommends to Municipal Council that the tender for water meters be awarded to Neptune Technology Group (Canada) Inc. for a cost of \$644,950.

The Committee recommends that Municipal Council contract WeUsThem Inc. to design the Municipal Property Identification Signage.

The Committee recommends that Municipal Council approve the continued participation of the County in the Intermunicipal Agreement for another 5 year term.

The Committee recommends that Municipal Council approve the Community Partnership Grants Policy.