



The Union
of Nova Scotia
Municipalities

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County of Colchester

VICE-PRESIDENT:

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Halifax Regional Municipality

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TOWN CAUCUS CHAIR:

Mayor Jeff Cantwell
Town of Wolfville

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January 22, 2018

The Honourable Keith Colwell
Minister
Department of Agriculture
P. O. Box 2223
Halifax, NS B3J 3C4

Dear Minister Colwell:

**RE: UNSM STATEMENT OF MUNICIPAL CONCERN –
AGRICULTURE LAND**

In past years the Union of Nova Scotia Municipalities followed a process for developing resolutions to address issues of concern by its members. The process led to numerous resolutions being presented at our annual meeting, the majority of which were supported by our membership to be forwarded to the provincial government. Often UNSM was forwarding 30-40 resolutions touching on many matters and involving numerous departments. In many cases the resolutions identified a matter of concern, usually requesting the province to fix it, without any analysis to suggest an appropriate solution. The process did not lead to many successful resolutions.

Over the last two years, UNSM revised its resolution process and now aims to develop 3-5 resolutions of primary concern to the majority of our members, with some analyses to support an appropriate solution.

This past year, the membership of the Union of Nova Scotia Municipalities worked towards reaching a consensus on our top priorities. In the spring of 2017, our members identified a number of issues which were top-of-mind. Many were identified from conversations with their residents. Through the summer these issues were explored to determine the extent of the issue, the impact on municipalities and the efforts currently underway to address them. The analysis was limited by resources, and in some cases a lack in specific expertise to identify a solution. However, the work did provide further information for municipalities to consider in determining priorities.

At our annual meeting, the membership voted on their top five priorities. There were a number of proposed resolutions, while not one of the five, that remain a concern for our members.

The issue of encouraging active farming on designated farm land is one of those concerns. I am sending this information to you as I believe it is important for you to know this has been identified as a serious issue in many of our municipalities.

I have attached information developed by our members. It identifies the issue, explores the implications on communities and municipalities as best we could determine, and suggests some ways it might be addressed.



The Honourable Keith Cowell
Page 2
January 22, 2018

I trust you will find it useful.

Thank you for your consideration of this issue.

Sincerely,

A handwritten signature in black ink that reads 'Geoff Stewart'. The signature is written in a cursive style with a large initial 'G' and 'S'.

Councillor Geoff Stewart
President, UNSM

cc: The Honourable Derek Mombourquette, Minister, Department of Municipal Affairs



UNSM STATEMENT OF MUNICIPAL CONCERN 2017 AGRICULTURAL LAND

Issue Identification:

Agriculture is a significant economic driver throughout Nova Scotia and there is concern it is not being fully utilized. The province has determined municipal taxation is a policy instrument to encourage agriculture activity. All land in Nova Scotia assessed as agricultural is exempt from municipal property taxation. Instead, municipalities receive a provincial grant-in-lieu. A significant portion of lands which are assessed as agricultural are now abandoned and no longer being used for agricultural purposes. The issue is that in many cases these property owners are still receiving the tax exemption because a change in use has not been formally identified. This has likely resulted in reduced revenues for municipalities. It also creates little or no incentive to return the lands to, or make them available, for active farming since abandoned and/or out of use agricultural lands are receiving the same tax benefit as active agricultural lands. In many situations it appears agricultural properties are being purchased by non-farmers where the new buyer builds a home with no intention of farming. This could result in valuable agricultural lands going out of circulation. If this situation continues, it could impact the amount of food grown in Nova Scotia.

Background Information:

Section 77 of the *MGA* outlines the farm property taxation exemption as follows:

- 1) The Minister shall in each year pay to the municipality in which farm property exempt from taxation is situate a grant equal to \$2.10 per acre in respect of the land.
- 2) For the fiscal year ending March 31, 2001, and for each subsequent fiscal year, the Minister shall pay to the municipality in which the land is situate a grant per acre equal to the grant paid for the immediately preceding fiscal year varied by the same percentage as the variation in the cost of living over the immediately preceding calendar year as measured by the change in the Consumer Price Index for Canada prepared by Statistics Canada.
- 3) Where any land, or part thereof, to which this Section applies ceases to be farm property, a change in use tax, determined by the assessor pursuant to the Assessment Act, equal to twenty per cent of the value of the land, or part thereof, that ceased to be farm property is due and payable to the municipality in which the land is situate by the person determined by the assessor to have been responsible for the change in use, unless the land, or part thereof, becomes forest property bona fide used or intended to be used for forestry purposes, in which case no change in use tax is payable.

The organization responsible for identifying a change of use in agricultural lands is the Property Valuation Services Corporation (PVSC). Rural municipalities have not received many notices with respect to change in use over the last number of years even though anecdotally municipal staff have identified several agricultural lands that have been abandoned (as indicated by the

alders and shrubs sprouting up). It is suggested that the PVSC lead and develop a new comprehensive strategy to better identify a change in use.

The Province has its own Statement of Interest Regarding Agricultural Land where its goal is to protect agricultural land for the development of a viable and sustainable agriculture and food industry. The basis for the statement is as follows:

- The preservation of agricultural land is important to the future of Nova Scotians.
- Agricultural land is being lost to non-agricultural development.
- There are land-use conflicts between agricultural and non-agricultural land uses.

How the issue is currently impacting municipalities and/or any potential impacts

Municipalities could be losing revenues as a result of abandoned agricultural lands being exempt from municipal taxation. Abandoned agricultural land also means there could be fewer people working in the sector which provides much needed employment for rural communities. It could also result in less food grown locally. Taxing abandoned lands at, for example, a 20 per cent rate or at a residential rate where there is a house situated may encourage better economic use of the lands, and in fact, provide incentive to the owners of abandoned lands to reintroduce them to agricultural production or enhance the market of affordable agricultural land for purchaser by new or existing farmers.

Suggested Solution:

UNSM work with the province and others, as appropriate, to increase the amount of land being farmed, and to gather information on the amount of agricultural land being reclassified; the effectiveness of the current assessment process around the classification of agricultural land and the effectiveness of the current agriculture property tax rate in encouraging agricultural activity.

An Agricultural Land Use Policy Committee is already in place that could address this issue. The Committee consists of staff from the Department of Agriculture, Department of Municipal Affairs, NS Federation of Agriculture and UNSM. UNSM will bring this issue forward to the Policy Committee for further review and action.



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January 22, 2018

The Honourable Kelly Regan
Minister
Housing Nova Scotia
P. O. Box 702 Stn Central
Halifax, NS B3J 2T3

Dear Minister Regan:

**RE: UNSM STATEMENT OF MUNICIPAL CONCERN –
AFFORDABLE HOUSING**

In past years the Union of Nova Scotia Municipalities followed a process for developing resolutions to address issues of concern by its members. The process led to numerous resolutions being presented at our annual meeting, the majority of which were supported by our membership to be forwarded to the provincial government. Often UNSM was forwarding 30-40 resolutions touching on many matters and involving numerous departments. In many cases the resolutions identified a matter of concern, usually requesting the province to fix it, without any analysis to suggest an appropriate solution. The process did not lead to many successful resolutions.

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This past year, the membership of the Union of Nova Scotia Municipalities worked towards reaching a consensus on our top priorities. In the spring of 2017, our members identified a number of issues which were top-of-mind. Many were identified from conversations with their residents. Through the summer these issues were explored to determine the extent of the issue, the impact on municipalities and the efforts currently underway to address them. The analysis was limited by resources, and in some cases a lack in specific expertise to identify a solution. However, the work did provide further information for municipalities to consider in determining priorities.

At our annual meeting, the membership voted on their top five priorities. There were a number of proposed resolutions, while not one of the five, that remain a concern for our members.

The issue of affordable housing is one of those concerns. I am sending this information to you as I believe it is important for you to know this has been identified as a serious issue in many of our municipalities.

I have attached information developed by our members. It identifies the issue, explores the implications on communities and municipalities as best we could determine, and suggests some ways it might be addressed.



The Honourable Kelly Regan
Page 2
January 22, 2018

I trust you will find it useful.

Thank you for your consideration of this issue.

Sincerely,

A handwritten signature in black ink that reads 'Geoff Stewart'. The signature is written in a cursive style with a large initial 'G'.

Councillor Geoff Stewart
President, UNSM

cc: The Honourable Derek Mombourquette, Minister, Department of Municipal Affairs



UNSM Statement of Municipal Concern 2017

Affordable Housing

Issue Identification:

Affordable Housing is critical to all communities and includes the following issues:

- Lack of housing of various types
- Poor quality of housing, especially for low income renters
- Ongoing support from other levels of government to those supplying housing to citizens
- Homelessness
- Appropriate, affordable housing for those with disabilities
- Housing options for seniors.

Background Information:

FCM has identified housing as it's next priority, following infrastructure. It has called attention to the federal programs expiring in the next year, and the need to renew them. In Nova Scotia, the federal government provides subsidies for 20,900 households, worth approximately \$50 million per year through federal social housing agreements. If the current programs expire, at least a third of these are at risk. FCM wants to ensure social housing is protected. FCM is also pushing for implementation of the national housing strategy, the building of new social and affordable housing, the support for the non-profit housing sector, financial support for vulnerable households, investment in rental housing, and support to reduce and prevent homelessness.

The Federal Housing Strategy will invest \$11.2 billion across Canada. \$5 billion of this money has been dedicated by CMHC for a National Housing Fund that will support co-investment opportunities with housing partners. As well, financing for affordable housing will be federally designed and delivered. Likely municipalities and non-profit housing organizations will be eligible, along with the private sector. This will present a particular challenge in Nova Scotia, where housing support is delivered by the Province. Housing is not a core responsibility for municipalities and in many municipalities resources may not be available. As well, the non-profit housing sector is not large. This point should be made clear to the federal government.

The provincial government housing initiatives focus on low income residents. They do have programs related to homelessness, shelters and transition housing, social housing, affordable rental housing, home ownership and housing repair programs. The current provincial strategy was established in 2013, and should be reviewed once the federal program details are clear.

With respect to seniors, the province's SHIFT program to support our aging population commits the province to working with the federal and municipal governments to invest in housing that supports people to age in place in their homes and communities. It specifically mentions reviewing the Statement of Provincial Interest on Housing to determine if it adequately directs municipal planning and zoning to support a range of options that bridge the

gap between independent living and long-term care. The SHIFT action plan also supports construction of affordable housing for seniors, additional rent subsidies to reduce the waiting list for public housing, improving the quality of social housing for low-income households, funding to create and upgrade shelter and transitional housing spaces for victims of family violence. While housing is not a core responsibility for municipalities, there are ways municipalities are contributing to housing solutions. These include the use of municipal planning and land use tools, community-based partnerships with other parties, donations of land, reduced taxes to non-profit organizations providing affordable housing, tax reductions to low income home owners, etc. FCM has developed a guide for municipalities which identifies tools available across the country, not all of which may apply in Nova Scotia.

Earlier this year the Shelburne County Housing Coalition along with their housing coalition partners in Digby, Yarmouth and Lunenburg produced a report titled *Supportive and Affordable Housing in Rural Nova Scotia*. This report recommended several changes to Provincial legislation to allow municipalities to contribute resources (e.g., land banks) directly to the private and not-for-profit sector for the purpose of affordable housing development. These proposed changes include the following:

To sell or lease property and land at a price less than market value to the private sector for the purpose of affordable housing development

Currently municipalities are limited to selling or leasing property at less than market value to non-profit organizations. This recommendation would extend Section 51 of the Municipal Government Act to include selling or leasing property at a price less than market value to a private developer strictly for the purpose of affordable housing development. The municipality shall enter into an agreement with the private developer to sell or lease land for an agreed-upon price contingent that the units being built (or renovated) are affordable housing units for a period of no less than 25 years. This recommendation would allow for more municipalities to divest unwanted property or lands to those private developers that have the resources necessary to build affordable housing in the community, thus increasing the affordable housing stock.

Enter into an agreement with the private sector for phasing-in freeze of assessments before renovations (amend and apply Bill 177 to multi-unit residential developments) for the purpose of affordable housing development.

Currently municipalities are limited to the phasing-in freeze of assessments (the cancellation, reduction or refund of taxes) for commercial zones (Bill 177). This recommendation would extend Bill 177 of the Municipal Government Act to include multi-unit residential zones for the purpose of affordable housing development. The municipality shall enter into an agreement with the private residential developer to freeze the assessment value of the property before any renovations or improvements are made if the development is for the purpose of creating affordable housing units.

To extend the definition of individuals for whom municipal housing corporations are meant to support to include all citizens of the municipality

Currently the Municipal Housing Corporations Act (Section 11) states that “the object of the corporation is to construct, hold and manage accommodation for the aged, mentally

handicapped or physically disabled or others requiring nursing or custodial care.” This recommendation would allow municipalities to be able to create housing corporations for any community member, or group of members so long as the housing was deemed affordable. Many municipalities across Canada construct, hold and manage accommodation (create corporations) for their community members, including mixed-income housing. Amending Section 11 of the Nova Scotia Municipal Housing Corporations Act to include community members that do not fit in the prescribed definitions would allow municipalities to create corporations for the purpose of constructing, holding and managing accommodations for all citizens; creating more affordable housing units.

These recommendations have not been explored with all municipalities to fully understand the implications, but support the idea there may be more ways for municipalities to assist in ensuring affordable housing in their communities.

Impact on Municipalities:

As the provincial and federal governments review their strategies and negotiate new arrangements, concerns are emerging, and municipalities are increasingly under pressure to assist in ensuring affordable housing is available.

It is possible the federal and provincial programs are not enough, and municipalities will be asked to invest in housing directly. While partnerships are likely allowed under the MGA, the responsibilities municipalities are currently delivering have led to already high tax burdens on property owners. Adding to these burdens is a challenge, one requiring careful and transparent discussion within the community.

Renewal of the expiring federal Affordable Housing Agreements is essential. The reliance on municipalities and the non-profit housing sector in NS for the delivery of federal programming is of great concern, as the capacity is not there. Municipal involvement with the province in finding housing solutions is essential.

Suggested Solution

Establish a joint municipal – provincial committee to:

- Explore housing needs in communities
- Identify opportunities for municipalities within their jurisdiction to facilitate and support necessary housing and communicate these tools
- Explore opportunities with the private sector and non-profit community organizations including how best to leverage federal funding
- Review provincial statement of Interest with respect to housing
- Identify possible changes in current legislation to assist in meeting citizens’ housing needs.



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January 22, 2018

The Honourable Derek Mombourquette
Minister
Department of Municipal Affairs
P.O. Box 216
Halifax, NS B3J 2M4

Dear Minister Mombourquette:

RE: UNSM STATEMENTS OF MUNICIPAL CONCERN – RENS AND REGIONAL PLANNING

In past years the Union of Nova Scotia Municipalities followed a process for developing resolutions to address issues of concern by its members. The process led to numerous resolutions being presented at our annual meeting, the majority of which were supported by our membership to be forwarded to the provincial government. Often UNSM was forwarding 30-40 resolutions touching on many matters and involving numerous departments. In many cases the resolutions identified a matter of concern, usually requesting the province to fix it, without any analysis to suggest an appropriate solution. The process did not lead to many successful resolutions.

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As you are aware, at our annual meeting, the membership voted on their top five priorities. There were a number of proposed resolutions, while not one of the five, that remain a concern for our members.

The issues of the RENS and Regional Planning were two of those concerns. I am sending this information to you as I believe it is important for you to know these has been identified as serious issues in many of our municipalities.

I have attached information developed by our members. It identifies the issue, explores the implications on communities and municipalities as best we could determine, and suggests some ways it might be addressed.



The Honourable Derek Mombourquette
Page 2
January 22, 2018

I trust you will find it useful.

Thank you for your consideration of this issue.

Sincerely,

A handwritten signature in black ink that reads 'Geoff Stewart'. The signature is written in a cursive style with a large, prominent 'G' and 'S'.

Councillor Geoff Stewart
President, UNSM



UNSM Statement of Municipal Concern 2017 Regional Enterprise Networks

Issue Identification:

Economic development is one of the greatest concerns of all municipalities. Without a strong economy, and economic growth, the ability of communities to be viable and affordable is questionable. There are concerns the REN model is not as effective as they could be, and does not appear to be the answer for all municipalities. There are also concerns the RENS are not appropriately funded, that the province needs to increase its support and funding to the REN model.

Background Information:

Economic development is essential for viable, sustainable communities. Municipalities and the other levels of government share in their responsibilities to support and encourage economic activity. However, municipalities are limited in their share of tax revenues with the other levels of government, and do not share the benefits of economic growth compared to the province and the federal government as they do not have access to income and sales taxes.

The REN model was introduced when the federal government terminated its contributions to the operations of the Regional Development Agencies. The REN model recognized municipalities have a role to play in economic development, particularly as local governments are the most knowledgeable about their communities. The REN model was not accepted by all municipalities but is now expanding in Nova Scotia. The majority of municipalities are onboard to being part of a REN, recognizing businesses view the assets available in a region. The province is working to support the REN model and has recently undertaken a review of the model. Some changes to enhance the REN model may be forthcoming.

The experiences of those with a REN appears to be varied, and lessons are being learned about how to enhance the success of the RENS.

Impact on Municipalities:

Municipalities are cost-sharing with the province to fund the RENS, and as such, need to be accountable for the expenditures. Municipalities need to be clear on the work of the RENS and they need to be comfortable the efforts of the REN results in benefits to all.

Suggested Solution:

- The Province ensure the REN model is part of the provincial economic strategy. RENS should be recognized as a full partner with the province on economic development



- The Province increase funding for RENS to ensure every REN can fulfill its responsibilities in the province's economic strategy.
- Better utilization of economic intelligence tools to encourage the economy and support businesses and entrepreneurs, immigration programs, learning and exporting supports.



UNSM Statement of Municipal Concern 2017

Regional Planning

Issue Identification:

Currently there are no provincial incentive programs to encourage regional planning between or among municipalities. Traditional municipal boundaries which have been in place for many years may serve to stifle the ability of municipalities coming together to provide regional planning services. Encouraging municipalities to work together to provide planning services benefits all residents while reducing duplication of effort.

Background Information:

The Towns Task Force Report adopted by the membership in 2011, and the conclusion of a subsequent committee reviewing the report, outlined recommendations to encourage regional planning. These recommendations were as follows:

- 1) Amend the MGA to require that municipalities developing or reviewing municipal planning strategies consult with adjacent municipalities on land just outside municipal boundaries. Suggested amendments to Section 204(3) of the MGA could read as follows: The content of a public participation program is at the discretion of the council, but shall identify opportunities and establish ways and means of seeking the opinions of the public and adjacent municipalities concerning the proposed planning documents.
- 2) Amend the MGA to outline how intermunicipal planning agreements could be undertaken
- 3) A provincial funding program could be developed to reward municipalities that voluntarily work together on regional planning initiatives. The program would provide funding to municipalities on a cost-shared basis towards regional planning studies

These were never acted upon by the Province.

Not all municipalities undertake planning, and so are not familiar with planning processes. The province does not have minimum planning standards, although there have Statements of Interest which impact on where and how development takes place. The benefits of planning may not be fully understood, for while plans may impede on an individual property owner's rights to do what they might with their properties, the lack of plans means any development can take place, without any ability for a municipality and its citizens to influence. As a result, unpopular and/or inefficient development can occur. The latter is of particular concern because it may mean other property owners will be required to bear a higher burden of property tax due to inefficient service delivery. Work needs to be undertaken to consult with all municipalities about the need for minimal planning standards, the benefits of planning at the individual municipality level as well as regional planning.



Impact on Municipalities:

Strategies to encourage more regional planning among municipalities will benefit residents, reduce duplication and encourage inter-municipal cooperation.

Suggested Solution:

It is difficult to push regional planning with municipalities without planning experience and resources. It is therefore suggested the Province and UNSM develop an initiative to discuss the reasons why and where planning strategies should be developed, to gain an understanding of the challenges and opportunities, and to develop a strategy to introduce minimum planning standards throughout the province. These minimum planning standards should include regional planning where appropriate.



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January 22, 2018

The Honourable Margaret Miller
Minister
Nova Scotia Department of Natural Resources
P.O. Box 698
Halifax, NS B3J 2T9

Dear Minister Miller:

**RE: UNSM STATEMENT OF MUNICIPAL CONCERN – DEER
POPULATION**

In past years the Union of Nova Scotia Municipalities followed a process for developing resolutions to address issues of concern by its members. The process led to numerous resolutions being presented at our annual meeting, the majority of which were supported by our membership to be forwarded to the provincial government. Often UNSM was forwarding 30-40 resolutions touching on many matters and involving numerous departments. In many cases the resolutions identified a matter of concern, usually requesting the province to fix it, without any analysis to suggest an appropriate solution. The process did not lead to many successful resolutions.

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At our annual meeting, the membership voted on their top five priorities. There were a number of proposed resolutions, while not one of the five, that remain a concern for our members.

The issue of controlling the deer population is one of those concerns. I am sending this information to you as I believe it is important for you to know this has been identified as a serious issue in many of our municipalities.

I have attached information developed by our members. It identifies the issue, explores the implications on communities and municipalities as best we could determine, and suggests some ways it might be addressed.



The Honourable Margaret Miller
Page 2
January 22, 2018

I trust you will find it useful.

Thank you for your consideration of this issue.

Sincerely,

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Councillor Geoff Stewart
President, UNSM

cc: The Honourable Derek Mombourquette, Minister, Department of Municipal Affairs



UNSM Statement of Municipal Concern 2017 Deer Populations in Urban Communities

Issue Identification:

Over the past number of years there has been a significant increase in the number and frequency of deer sightings throughout towns and other urban communities in Nova Scotia. Large deer populations are resulting in the increased spread of ticks which can cause various illnesses in humans. Of particular concern is the spread of the black legged tick which can carry lyme disease. Other issues for municipalities related to growing deer populations include property damage, vehicle collisions, damage to ornamental plants, illegal feeding and aggressive behaviour of the animals.

Background Information:

From 2002 to 2015, there was a total of 701 cases of Lyme disease reported in Nova Scotia. In 2015, there were 254 reported cases of Lyme disease, which was an increase from the 115 cases reported in 2014. Municipalities are concerned with growing deer populations but have limited authority to address the problem. Some municipalities have created by-laws that prohibit feeding of wild animals. Population reduction through a controlled hunt within urban borders is difficult and may not be supported by local residents. A contraceptive program may be another option but could prove costly to implement.

Impact on Municipalities:

As deer populations multiply in towns and other urban communities across the province, increase numbers of Lyme Disease are being reported. If more residents contract this or other deer tick illnesses, it may discourage people from locating to those communities where large number of Lyme Disease cases are reported. If deer populations remain unchecked, it could also result in increased vehicle collisions.

Some municipalities are looking at hiring a consultant to conduct a deer population survey and evaluate population control options. This takes precious financial resources away from areas of municipal jurisdiction such as infrastructure and roads.

Suggested Solution:

UNSM work with the Province through the Department of Natural Resources and impacted municipalities on potential solutions to reduce deer populations in urban areas. This may include, but not limited to, promotion and stronger enforcement of current no-feeding bylaws, a contraception program to reduce the deer population over several years, and a potential cull. The UNSM would note the Province needs to provide support for these initiatives – either monetarily or through DNR staff.