AGENDA

Town of Lunenburg Council Meeting

Tuesday, May 5, 2020 at 2:00 p.m. – 4:00 p.m.

Zoom Video Conference/YouTube Live Broadcast

1. Agenda - *motion to approve (note: priority items are **bolded**)*.

2. April 28, 2020 Council meeting minutes - *motion to approve*.

3. Public Hearings and Presentations

   a. Public Hearing – public Zoom audio/video conference submissions regarding application of ABCO Industries Inc. to amend the Municipal Planning Strategy Map 2 Future Land Use Map by removing six properties on Tannery Road from the Architectural Control Area

      - Close of public hearing and receipt of public submissions – *motion*
      - Council consideration of public submissions in Unfinished Business portion of agenda

4. Correspondence

Nil.

5. Committee Meeting Minutes and Recommendations

Nil.

~ Recess 10 x minutes ~

6. Unfinished Business

   a. Corporate Services

      i. ABCO Industries Inc. to amend the Municipal Planning Strategy Map 2 Future Land Use Map by removing six properties on Tannery Road from the Architectural Control Area – *discussion and possible motion to approve, defer or deny*;

      ii. Draft Town 2020/21 budget – *May 22 public submission deadline advertised for May 26 Council meeting and notice of Provincial splash pad funding application denial*;

iii. Proposed Provincial amendments to the NS Building Code Regulations regarding public accessible washrooms in restaurants – *additional staff report regarding Lunenburg impact*;

iv. LDFD expense claim Policies amendments to allow variances from pre-set kilometers limits – *Councillor Mosher notice of motion*;

v. Joint Transit Report response – *staff report*;

vi. Municipal Election update – *Returning Officer notice of Polling Divisions as per the Municipal Election Act*; and

vii. Committee meeting minutes supporting documents – *discussion deferred from April 28 Council meeting*.

b. Public Works Department

i. Tannery Road sidewalk project – *deferred at April 28 Council meeting and consideration of an optional design/build request for proposals alternative*.

c. Recreation Department

i. "Share the Road" signage – *staff report deferred at April 28 Council meeting*.

7. New Business

a. Corporate Services

i. Request to declare Lyme Disease Awareness Month, May 2020 - *draft proclamation Canadian Lyme Disease Foundation*.

8. Consideration of any Council in camera meeting recommendations

Nil.

9. Adjournment – *motion to approve*.

Agenda items awaiting staff reports, etc. for further consideration

Agenda Item	**Department**	**Council Meeting Assigned**	**Status**
Proposed amendments to Hack and Trolley Bylaw #56, #65 Street Encroachment for Building Access Bylaw and Parking Meter Bylaw	Council	May 28, 2019 and April 28, 2020	Awaiting additional Bylaw housekeeping amendments, e.g., Solid Waste Bylaw bulky waste definition change before advertising second reading and public submissions with first reading of the Parking Meter Bylaw to be given at the May 12 meeting and then advertised for public submissions
Source Water Protection Plan update	Public Works Engineering Consultant	November 26, 2019	Consultant has completed a draft report which is being reviewed by Public Works staff

Solar initiatives and water meters update	Corporate Services/Public Works	January 7 and 14, 2020	Staff reports will be prepared following Budget 2020/21 approval
Disappearance of bees action plan proposal	Planning and Public Works	February 11, 2020	Staff preparing a report
Climate crisis action motion and plan proposal	Planning and Public Works	February 11, 2020	Staff preparing a report
Blockhouse Hill land development proposal	Planning, Electric and Public Works	February 13, 2020	Staff preparing a report
Proposed review of policing services	Councillor Carnevale	February 25, 2020	Deferred for Councillor Carnevale to address
Amero planning amendment application	Council	February 25, 2020	May 19 Public Hearing and May 26 Council deliberation
Staff recommendations regarding CBCL Engineering Lunenburg Wastewater Treatment Plant upgrades reports	Public Works	March 10, 2020	PW preparing a report regarding a recommended plan pre-engineering study scope of work Provincially funded
PAC Appointment	Corporate Services	April 14, 2020	Advertisement for applications is being placed
Draft revised Policy #66 Interim and Final Tax Billings	Corporate Services	April 28, 2020	Deputy Mayor notice of motion of proposed adoption of amendments at May 12 Council meeting
Draft revised Policy #71 Low Income Property Tax Relief	Corporate Services	April 28, 2020	Councillor Mosher notice of motion of proposed adoption of amendments at the May 12 Council meeting
Council and Committee Meetings Proceedings Policy	Corporate Services	April 28, 2020	Councillor Risser gave notice of motion of the proposed adoption for further consideration at the May 12, 2020 Council meeting.
Work on Private Property Policy	Corporate Services	April 28, 2020	Councillor Bachman gave notice of motion of the proposed revised **Work on Private Property Polic**y at the May 12, 2020 Council meeting.
Parking Meter Bylaw	Corporate Services	April 28, 2020	Deputy Mayor McGee gave notice of motion of the proposed upcoming first reading of a revised at the May 12, 2020 Council meeting.
Public Works street and sidewalk repairs	Public Works	April 28, 2020	Public Works to prepare a report

COUNCIL MEETING MINUTES

TUESDAY, APRIL 28, 2020 AT 2:00 P.M. – 4:00 P.M.

VIA AUDIO/VIDEO CONFERENCE

PRESENT: Mayor Rachel Bailey
Deputy Mayor John McGee
Councillor Joseph Carnevale (2:14 p.m. – joined the meeting)
Councillor Danny Croft
Councillor Ronnie Bachman
Councillor Peter Mosher
Councillor Matt Risser

ALSO PRESENT: Patrick Burke, Q.C., Town Solicitor
Lisa Dagley, CPA, CGA, Finance Director
Arthur MacDonald, Heritage Manager
Heather McCallum, Assistant Municipal Clerk
Kathleen Rafuse, Accountant
Bea Renton, Chief Administrative Officer
Ian Tillard, P.Eng. Town Engineer Consultant

Mayor's welcome and request for observance of a moment of silence in memory of the Nova Scotians killed on April 18 and 19, 2020

The Mayor called the meeting to order at 2:05 p.m. She asked Council to observe a moment of silence in recognition of all those who lost their lives in the mass shooting in Nova Scotia on April 18 and 19, 2020. She further advised that today is the National Day of Mourning for Workers Injured or Killed on the Job, which was observed during a noon time virtual ceremony today.

1. Agenda (priority items **bolded**)

Motion: moved by Councillor Mosher, seconded by Councillor Risser to approve the agenda. Motion carried.

2. April 14, 2020 Council meeting minutes

Motion: moved by Councillor Bachman, seconded by Deputy Mayor McGee to approve the April 14, 2020 minutes as circulated. Motion carried.

3. Public Hearings and Presentations

Nil.

4. Correspondence

Nil.

5. Committee Meeting Minutes and Recommendations

a. Draft Lunenburg County Regional Emergency Management Organization Committee (REMO) meeting m March 16, 2020

The minutes were received for information only.

b. General Government Committee April 16, 2020 (3 x recommendations/notices of motion - Council and Committee Meetings Proceedings Policy notice of motion, revised Work on Private Property Policy/Councillor Bachman notice of motion and revised Parking Meter Bylaw notice of motion) – Deputy Mayor

The three recommendations from this Committee meeting were considered as follows.

Councillor Risser gave notice of motion of the proposed adoption of a Council and Committee Meetings Proceedings Policy (Schedule "A") for further consideration at the May 12, 2020 Council meeting.

Councillor Bachman gave notice of motion of the proposed revised Work on Private Property Policy (Schedule "B") for further consideration at the May 12, 2020 Council meeting.

Deputy Mayor McGee gave notice of motion of the proposed upcoming first reading of a revised Parking Meter Bylaw (Schedule "C") for further consideration at the May 12, 2020 Council meeting.

c. Heritage Advisory Committee April 20, 2020 (3 x recommendations - meeting with Lunenburg Heritage Society Board to discuss draft Heritage Conservation District Plan and Bylaw, Heritage Recognition Award nominations and refusal to amend 112-118 Lincoln Street Heritage Permit – Councillor Mosher)

2:14 p.m. – Councillor Carnevale joined the meeting noting he encountered technical issues connecting to the virtual meeting.

Motion: moved by Councillor Mosher, seconded by Councillor Carnevale that Council approves the Heritage Advisory Committee (HAC) inviting the Lunenburg Heritage Society Board for a discussion on the proposed Heritage Conservation District Plan and By-law and to receive their comments at a future meeting of the HAC prior to Council holding a Public Hearing. As the Draft Heritage Conservation District (HCD) Plan and By-law is currently on hold due to the pending Comprehensive Community Plan (CCP), it is recommended that the invitation to the Lunenburg Heritage Society wait until the HCD Plan and By-law is reviewed in light of the provisions of the CCP, Municipal Planning Strategy and Land Use By-law. Motion carried. Councillor Risser voted in the negative.

Motion: moved by Councillor Mosher, seconded by Councillor Croft that Town Council approve the following nominations for the Town's 2020 Heritage Recognition Award Ceremony.

Civic Address:	Category:
2 Kempt Street	Successfully blending an addition that contributes positively to the design of the original structure.
196 Lawrence Street	Rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure.
80 Creighton Street	Successfully blending an addition that contributes positively to the design of the original structure.
194 Montague Street	Successful adaptive reuse of a building that contributes positively to the design of the original structure.
160 Montague Street	Successfully blending an addition that contributes positively to the design of the original structure.
205 Pelham Street	Rehabilitating a building, including successfully integrating modern elements that contribute positively to the design of the original structure.
12 King Street	Successful adaptive reuse of a building that contributes positively to the design of the original structure.

Motion carried.

Motion: moved by Councillor Mosher, seconded by Councillor Bachman to refuse the 112-118 Lincoln Street, Registered Municipal Heritage Property, request to amend their Heritage Permit issued on October 23, 2019 for a heat pump screen as shown (Schedule "D"). Motion carried.

Council agreed to discuss at an upcoming meeting whether they would still like to receive the supporting documents for this Committee meeting and perhaps other matters which can make the agenda package lengthy although bookmarks are provided in the PDF agenda package.

6. Unfinished Business

   a. Corporate Services

      i. Draft revised Town 2020/21 budget including ~

      - ***Fire Department pre-approved Capital budget request***
      - ***Coastal Action Foundation Tannery Road greenspace plan development budget estimate $1200 and potential Provincial Beautification Funding Application for this project, Bluenose Drive pump station/Harbour and Brook Street stormwater garden plantings***
      - ***Proposed written public budget submissions from April 29 to May 10 (advertised via social media), responses at the May 12 Council meeting***

- ***Proposed May 26 Council meeting budget approval***

The Finance Director summarized the proposed budget revisions contained in the updated budget document (Schedule "E").

Council requested a report from Public Works as to how they accomplish street and sidewalk repairs this year? The Town Engineer advised that he will be asking staff to update the annual priority list of repairs for these infrastructure items that the Department will attend to this year which will be reported to Town Council.

1:55 p.m. – 2:10 p.m. – meeting recess.

The Finance Director resumed the draft budget presentation answering Council questions on various points of clarification.

Motion: moved by Councillor Croft, seconded by Councillor Risser to pre-approve the purchase of a Fire Department commercial washer as set out in the draft budget (Schedule "E"). Motion carried.

Motion: moved by Councillor Mosher, seconded by Councillor Risser that we source matching Provincial funding for the landscaping of entrance ways to the community including the Tannery Road seawall with Town budget pre-approval for Coastal Action Foundation to first prepare a landscaping plan and Brook Street/Victoria Road green space as a first order of priority as set out in the preliminary documents (Schedule "F"). Motion carried.

Council agreed to advertise upcoming budget sessions as noted above with the following modification.

Motion: moved by Councillor Risser, seconded by Councillor Bachman that we receive public submissions until May 22 with Town responses provided at the May 26 meeting at which time the budget may be potentially approved. Motion carried.

ii. Municipal Election 2020 – Returning Officer draft resolution regarding proposed election Tariff of Fees and Expenses

Motion: moved by Deputy Mayor McGee, seconded by Councillor Risser that:

WHEREAS Municipal and French School Board Elections will be held on October 17, 2020.

AND WHEREAS pursuant to Section 139(1) of the Municipal Elections Act, Council shall make a tariff of fees and expenses to be paid to any person for his services and expenses under this Act.

AND WHEREAS DRO's, Poll Clerks and other staff will be engage to assist in the administration of the election, including Advance Polls.

BE IT RESOLVED THAT the following shall be the pay scale for the positions outlined therein for the elections in 2020:

DRO Advance Poll (including training time)	$315.00
Poll Clerk Advance Poll (including training time)	$290.00
Regular Polls (including training) DRO	$220.00
Regular Polls (including training) Poll Clerk	$205.00
Stand-by Service as a substitute (present at poll as second Gretter)	$220.00
Greeter/Facilitator on Election Day	$205.00

Motion carried.

iii. Draft revised Policy #66 Interim and Final Tax Billings - Deputy Mayor notice of motion of proposed adoption of amendments at May 12 Council meeting

Deputy Mayor McGee gave notice of motion of the proposed adoption of amendments to the Interim and Final Tax Billings Policy (Schedule "G") at the May 12, 2020 Council meeting.

iv. Draft revised Policy #71 Low Income Property Tax Relief – Councillor Mosher notice of motion of proposed adoption of amendments at the May 12 Council meeting

Councillor Mosher gave notice of motion of the proposed adoption of amendments to the Low Income Property Tax Relief Policy (Schedule "H") at the May 12, 2020 Council meeting.

The following agenda items were deferred to the May 5 Council meeting due to time constraints.

v. Proposed Provincial amendments to the NS Building Code Regulations regarding public accessible washrooms in restaurants – *additional staff report regarding Lunenburg impact*

vi. LDFD expense claim Policies amendments to allow variances from pre-set kilometers limits – *Councillor Mosher notice of motion*

b. Public Works Department

i. Tannery Road sidewalk project – *deferred from April 14 Council and consideration of an optional design/build request for proposals alternative*

ii. March 2020 Water and Wastewater Test Results - *staff report*

c. Recreation Department

i. "Share the Road" signage – *staff report*

7. New Business

8. Consideration of Council in camera meeting recommendations

- **Nevermore Press lease renewal at the Lunenburg Academy**

Motion: moved by Councillor Mosher, seconded by Councillor Risser that:

WHEREAS:

1. The Town of Lunenburg is the owner of the Lunenburg Academy at 97 Kaulbach Street in Lunenburg.
2. Pursuant to Section 50 (5) of the Municipal Government Act SMS 1998, C.18 as amended, the Municipality may lease a property owned by the Municipality at market value.
3. Nevermore Press Ltd., a Body Corporate has an existing lease of rooms 201a and 201e at the Lunenburg Academy and it is proposed that Nevermore Press Ltd. be granted a new lease on the terms of the lease attached hereto as attachment NPL.

BE IT THEREFORE RESOLVED THAT:

A. The rental contained in the draft lease attached hereto as attachment NPL2 is considered by council to be fair market value.
B. The Town shall enter into the lease attached hereto as attachment NPL2 on the basis that the indemnity agreement referred to as Schedule "D" therein is executed by Ernest Hadley, and the Mayor and Manager/Clerk are authorized to execute the lease and affix the Municipal Seal thereto (Schedule “I”). Motion carried.

- ***Lunenburg Farmers Market interim rental request***

Motion: moved by Councillor Bachman, seconded by Councillor Croft to deny the request of Lunenburg Farmers Market to re-open Town facilities at this time subject to review at a later date when more information is available to reassess the COVID-19 pandemic public health risk. Motion carried. Mayor Bailey and Deputy Mayor McGee voted in the negative.

9. Adjournment

Motion: moved by Councillor Risser, seconded by Councillor Croft to adjourn the meeting. Motion carried.

The meeting was adjourned at 4:06 p.m.

_____
Bea Renton, CAO

PUBLIC HEARING PACKAGE (ABCO Industries Inc. application)

Proposal: A proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area.

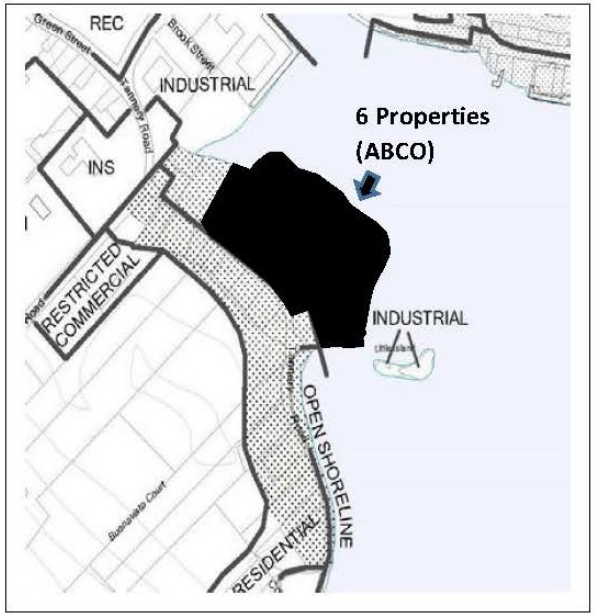
Date: Tuesday, 5 May 2020
Time: 2:00 pm
Via: Zoom webinar

Please click the link below to join the webinar:
https://zoom.us/j/542246698

Or iPhone one-tap :
Canada: +16473744685,,542246698# or +16475580588,,542246698#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
Canada: +1 647 374 4685 or +1 647 558 0588 or +1 778 907 2071 or +1 438 809 7799 or +1 587 328 1099
Webinar ID: 542 246 698

ABCO Industries Inc. application

PUBLIC HEARING
for a proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area, as set out below:



Public Hearing Agenda

1. Opening of the Public Hearing

A public hearing provides members of the public with an opportunity to make their views known to Council prior to Council making its decision. A public hearing is required under the Municipal Government Act.

Please note that only those members of the Council present at the public hearing may vote.

2. Review of General Rules of Conduct

There are a few general rules of conduct that are to be observed so that everyone who wishes to speak can do so in an open and respectful environment.

The general rules of conduct are:

- ***Please state your name and civic address clearly so that it may be recorded in the minutes.***
- ***We ask that you be respectful of others' opinions.***
- ***Speakers will be limited to one presentation unless called upon by the Chair for further comment.***
- ***Speakers are limited so that all may have an opportunity to participate.***
- ***Council members may question each speaker.***
- ***Comments and questions by the public are to be directed to the Chair.***

- ***IT IS IMPORTANT TO NOTE THAT this is the last opportunity for submissions to be received by Council for consideration in making its decision. After the public hearing is closed, Council members can no longer consider submissions.***

Public Hearing Agenda

3. Public Hearing

Proposal: for a proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area.

- **(i) Presentation by Town Planner Dawn Sutherland**
- **(ii) Opportunity for presentation by applicant**
- **(iii) Written submissions**
- **(iv) Oral submissions via Zoom**

4. Closing of the Public Hearing

(The end of the receipt of any public submissions)

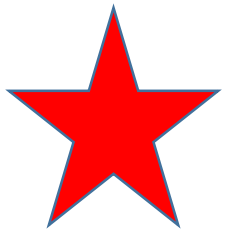
Motion to close the Public Hearing.

PUBLIC HEARING PRESENTATION
Process

	1. Applicant wishes to make a planning application and makes a request to apply.		
	**2. Council hears the request. If willing to consider/learn more, Council will invite the applicant to apply.** **Referral to the Planning Advisory Committee (PAC).**	**-Applicant submits application.** **-PAC schedules a Public Information Meeting (PIM), applicant notified** **-Approved advert sent to paper** **-PIM letter mailed to assessed owners within 30 m, notice posted in Town Hall, -Applicant notified** **-PIM advert published (did this twice as it was advertised in December)**	**Town of Lunenburg Public Participation Program**
	**3. PAC holds Pubic Information Meeting (PIM)** **13 January 2020**	**-PAC learns about application** **-Public learns about application and asks questions** **-no decisions at this time**	**Town of Lunenburg Public Participation Program**
	**4. PAC meeting, recommendation to Council** **10 February 2020**	**-Staff report with analysis** **-PAC makes a recommendation to Council**	**PAC recommendation to go forward for First Reading and then Public Hearing**

NOTE: Council members have been provided with all reports, meeting minutes, and previous submissions in Council agenda packages (e.g., minutes from 13 Jan 20 Public Information Meeting are contained in Council agenda package of 28 Jan 20)

PROCESS

	**5. Council – First Reading and sets a Public Hearing date** **25 February 2020** ***(Public Hearing set and advertised for 24 March 2020 was rescheduled as a result of Covid-19)***	**-Approved advert sent to paper** **-Notice of Intent and PH date to appear 14 days before public hearing, applicant notified, abutting municipality notified** **-PH letter mailed to assessed owners within 30 m** **First advert (20 April 2020), Second advert (27 April 2020) Chronicle Herald**	***Municipal Government Act***
	**6. Council - Public Hearing** **5 May 2020** **Public Hearing likely will be closed by motion of Council at this time.**	**Public input – Presentation via Zoom Webinar,** **Written submission: email, letter** **Oral submission: Zoom webinar** **Option to defer consideration of decision on Second Reading/Approval – additional staff report (conditions).**	***Municipal Government Act***
	7. Council – Decision made on giving Second Reading (approval) or not. **12 May 2020**	**-Negative: refuse - no appeal - ends** **-Positive: approve, then 4 certified copies to Province along with all supporting documentation** **Option to defer consideration, as above.**	***Municipal Government Act***
	8. If positive (Approved by Council), **Province reviews**	**30 days**	***Municipal Government Act***

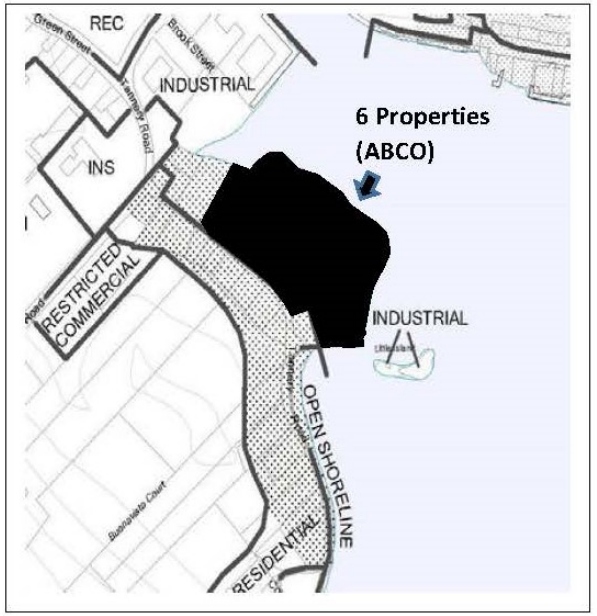
PROCESS

	9. Province **Approval required – 60 days, approve with or without amendments or refuse** **OR** **Approval not required**		***Municipal Government Act***
	10. Notice in newspaper setting out that MPS amendment is in effect	**Effective date of amendment is upon publication in paper.** **(NO APPEAL TO UARB)** **END**	***Municipal Government Act***

As this application process has met the requirements of the Town of Lunenburg Public Participation Program and the *Municipal Government Act,* the proposed Municipal Planning Strategy amendment is properly before Council for Public Hearing.

ABCO Industries Inc. application

PUBLIC HEARING
for a proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area, as set out below:



ABCO Industries Inc. application

This application is NOT about:

-infilling the harbour

-allowing new residential development in the Marine Industrial (MI) Zone

-allowing grouped residential with ground floor commercial buildings as part of a comprehensive development (concept plan)

-being the first step in allowing for new residential development on the subject properties that are in the Marine Industrial (MI) Zone (Would require a policy change through a complete planning process with pubic engagement)

-changing the uses that are permitted in the Marine Industrial (MI) Zone.

IT'S NOT ABOUT

Reason for Request

- **ABCO wishes to have the flexibility to expand their operation as needed**
  -in excess of the 25% of the ground floor area found in LUB Part 26.G.3, and
  -be subject only to the standards of the Marine Industrial (MI) Zone.

  They would like the ability to use more modern cladding as well (similar vertical steel cladding to what is currently on the rear additions).

  Flexibility and timely permitting are concerns.

Reason for Request

- **The applicant wishes to enlarge the current industrial space by adding to the current metal clad manufacturing area, which is located behind the barracks portion of the ABCO building at 81 Tannery Road.**

- **Also wishes to have the ability for future expansion to the west, behind their houses (# 3&4)**

Where the properties are located in the Architectural Control Area on Map 2 Future Land Use Map, Part 26 G of the Land Use By-law applies.

Part 26 G places restrictions on design and cladding as well as limits the size of additions.



Marine Industrial (MI) Zoning

The MI Zone is where industrial uses are encouraged to go and to expand.

There is <u>no issue with the zoning</u> for any proposed expansion.

A subdivision would be necessary to consolidate and reconfigure the boundaries of certain lands, which is not an issue.



Intent of Policies

- **The intent of the policy is for new main buildings and additions to be similar to those pre-1940 buildings within 300 ft.**

  Part 10 Architectural Heritage in the Municipal Planning Strategy contains the policies that enable the architectural control areas. Regulation is through the Land Use By-law.

  There are restrictions on size of additions and such things as cladding, roof shape, style. ABCO Industries Inc. wishes to be removed from these restrictions.

PROPERTY INFORMATION

Applicant	ABCO Industrial Holdings Limited, Jason Huskilson
Land Owner	ABCO Industrial Holdings Limited
Proposal	Application for MPS map amendments to remove 6 properties from the architectural control area along Tannery Road
Lot Area	Combined: ≈7.3748 acres/321 247 sq ft./ 29 844.8229 sq. metres
Designation	Industrial, Residential
Zone	Marine Industrial (MI), Residential (R)
Surrounding uses	residential, marine industrial, institutional
Architectural Control Area	Yes
Heritage	-NOT within the Heritage Conservation District -NOT a designated heritage property (municipal, provincial, federal) -NOT within the designated UNESCO World Heritage Site or buffer zone -Location of Camp Norway Monument





Properties # 1- 5
Industrial designation and
Marine Industrial (MI) Zone

Property # 6
Residential Designation
Residential (R) Zone.



Property # 2



First proposed expansion

3D Rendering



Property # 5



Lightship Brewery
LOGAN AMOS ARCHITECTURE & DESIGN

Land Uses

- **In the past, the lands had been used for traditional fishing industries.**

- **Post card at right shows a fish shack and fish curing.**



- **The Camp Norway barracks were constructed and opened in November of 1940,with the first sailors arriving in 1941. Commemoration is by way of a monument.**

- *Photo by CKBW news, 6 April 2020*



Land Uses

- **#1 has a driveway and the Camp Norway monument**
- **#2 ABCO Industries with Camp Norway barracks**
- **#3 house -residential (listed permitted use in MI). Now used for storage.**
- **#4 house – residential - rental (listed permitted use in MI)**
- **#5 Lightship Brewery to be constructed on this lot**
- **#6 vacant but in the Residential (R) zone, as it was severed from the parent lot at 97 Tannery Road in 2009.**



Land Uses

- **The building at 81 Tannery Road has undergone a number of additions and internal modifications since ABCO was first founded in 1947.**

- **The current uses are considered marine industrial and industrial in nature as design and fabrication work occurs on site including purpose built aluminum boats.**

- **The new Lightship Brewery is considered a general commercial use, which is permitted in Marine Industrial (MI) Zone**

- **The two homes (57 & 61 Tannery Road) are listed as permitted uses in the MI Zone.**





ISSUES AND OPTIONS ANALYSIS

A. Land Use Designation and Zone

- **The preservation and protection of Lunenburg's working waterfront is an important component of Lunenburg's planning documents as evidenced in Part 8 Industrial Development and Land Use of the Municipal Planning Strategy.**

- **It is noted that much industrial activity occurs on front harbour waterfront**

- **It notes that there is very limited additional development potential on the waterfront.**

- **Continued use of the waterfront for industrial activity is to be accommodated and encouraged.**



ISSUES AND OPTIONS ANALYSIS

A. Land Use Designation and Zone

- **MI Zone allows for marine industrial and industrial uses as well as general commercial uses.**
- **All but one of the properties are in the Industrial Designation and Marine Industrial (MI) Zone.**
- **Any proposed expansion of the ABCO facility would occur in the MI Zone. There is no issue with MI zoning.**
- **There are specific residential properties that are listed as existing residential uses in the MI Zone. This gives them certain property rights (can be added on to, expand the use)**
- **There is an area of friction between the intent of policy to allow for industrial uses to be sited and expanded and the overlay of architectural control provisions, which limit the size of an addition and does not allow for typical industrial cladding such as metal or concrete.**

ISSUES AND OPTIONS ANALYSIS

B. Architectural Control

- **The preamble in Part 10 Architectural Heritage of the Municipal Planning Strategy sets out that Council recognizes the potential social and economic benefits of preserving the heritage of Lunenburg and is committed to its protection.**

- **It acknowledges that Council recognizes that the Town is a living community, not a museum, and that architectural change must be accommodated.**

- **The architectural control areas regulate the appearance of buildings through special provisions in the Land Use By-law.**

- **Architectural controls are a way of ensuring the protection of Lunenburg's built heritage.**

ISSUES AND OPTIONS ANALYSIS

B. Architectural Control

- **Part 26G Architectural Control Area of the Land Use By-law regulates heritage design.**
- **Simply, if the design meets the criteria set out in Part 26G, then Development Officer issues a Development Permit.**
- **There are requirements for new main buildings and additions to be similar to those pre-1940 buildings within 300 ft.**
- **There are restrictions on size of additions and such things as cladding, roof shape, style. ABCO Industries Inc. wishes to be removed from these restrictions.**
- **A quick survey of similar areas in the Town of Yarmouth and CBRM indicate that there are no architectural controls or heritage regulations with similar zones and uses in their planning documents.**

ISSUES AND OPTIONS ANALYSIS

B. Architectural Control

- **If removed from the Architectural Control Area:**
  - **They would still be subject to the MI Zone provisions and any other applicable provisions (e.g. parking, signage).**
  - **Any new buildings or additions could have modern design and cladding.**
  - **There would be no limit on the size of additions.**
  - **There would not be a requirement for these addition to be sensitive to the existing architecture of the area.**
  - **This could have a negative impact on the existing streetscape.**

- **The view from the wharves along Bluenose Drive across the harbour would be of an addition to the ABCO manufacturing facility.**
  - **Impact on tourism?**
    - **authentic industrial experience of a working waterfront *versus***
    - **aesthetics of an industrial manufacturing facility.**



ISSUES AND OPTIONS ANALYSIS

C. Heritage Conservation District linkage

- **Policy 10.6 in the Municipal Planning Strategy sets out that Council can consider the future expansion of the Heritage Conservation District to include areas of architectural control.**

- **The Heritage Conservation District Plan and By-law have been reviewed by the Heritage Advisory Committee but has not begun the Council approval process. The draft includes the Tannery Road Architectural Control Area as well as Burns Island becoming part of an expanded Heritage Conservation District along with the Dufferin Street architectural control area.**

- **After this application was received, the revised Heritage Conservation District By-law had been amended to allow for metal cladding. Note: Revised HCD By-law has not been approved/not in effect.**

- **ABCO Industries Inc. wishes to be removed from the Tannery Road Architectural Control Area and does not wish to be included in a new Heritage Conservation District.**

- **They wish to have the same regulations to operate under as the Lunenburg Foundry does, which is the MI Zoning only.**

ISSUES AND OPTIONS ANALYSIS

D. Provincial Statements of Interest

- **1. Statement of Provincial Interest Regarding Drinking Water**

- **2. Statement of Provincial Interest Regarding Flood Risk Areas**

Comment: The properties are not within the identified Flood Risk Areas. There is a risk of impact from storm surge and tidal inundation. There are uses on the property that are marine related, which make location on the shoreline beneficial.

- **3. Statement of Provincial Interest Regarding Agricultural Land**

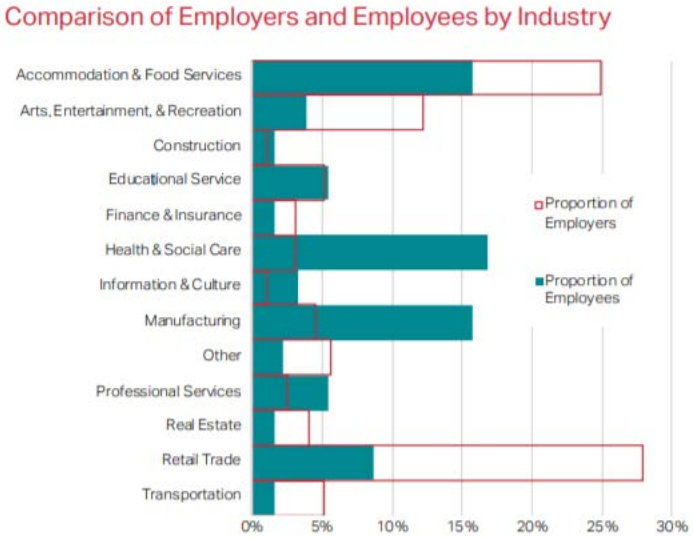
- **4. Statement of Provincial Interest Regarding Infrastructure**

- **5. Statement of Provincial Interest Regarding Housing**

ISSUES AND OPTIONS ANALYSIS

E. Economic Development

- **Having a diverse economy adds resiliency to a community. Both tourism and manufacturing play important roles in our economy.**
- **Lunenburg's built heritage and harbour represent two of the Town's strongest assets to attract visitors and new residents.**
- **The two greatest proportion of employers are in the retail trade and accommodations & food services industries.**
- **The highest proportion of employees are in the health & social care, manufacturing, and accommodation & food services industries.**
- **Manufacturing, health & social care, information & culture, and professional services are associated with a high level of jobs per employer.**



Source: Project Lunenburg's Economic Development Discussion Paper, January 2020.

ISSUES AND OPTIONS ANALYSIS

E. Economic Development (discussed at PAC)

- **Trends highlight a potential shift for Lunenburg from a small-town central employer to increasingly a bedroom community.**

- **The town experienced a 39% increase in residents commuting outside of the town for work and a 15% decrease in incoming workers from outside of the town boundary.**

- **Decreased rates of mobility within the town itself compared to external communities suggest that the town's population decrease can be partially attributed to residents seeking work, and subsequently residency, elsewhere.**
- *Source: Project Lunenburg's Economic Development Discussion Paper, January 2020*.

- **Demographics**

	2006	2016	% Change
Total	553,285	523,643	-5.4%
Young (0–19)	125,555	102,015	-18.7%
Working Age (20–64)	335,203	302,057	-9.9%
Retired (65–79)	66,700	90,975	36.4%
Elderly (80+)	25,827	28,596	10.7%

(Statistics Canada Census of Population 2016 & 2006)

Table 1: Provincial Population and Aging.

	2006	2016	% Change
Total	2,317	2,263	-2.3%
Young (0–19)	405	340	-16.0%
Working Age (20–64)	1,235	1,120	-9.3%
Retired (65–79)	370	500	35.1%
Elderly (80+)	305	295	-3.3%

(Statistics Canada Census of Population 2016 & 2006)

Table 3: Town of Lunenburg Population and Aging.

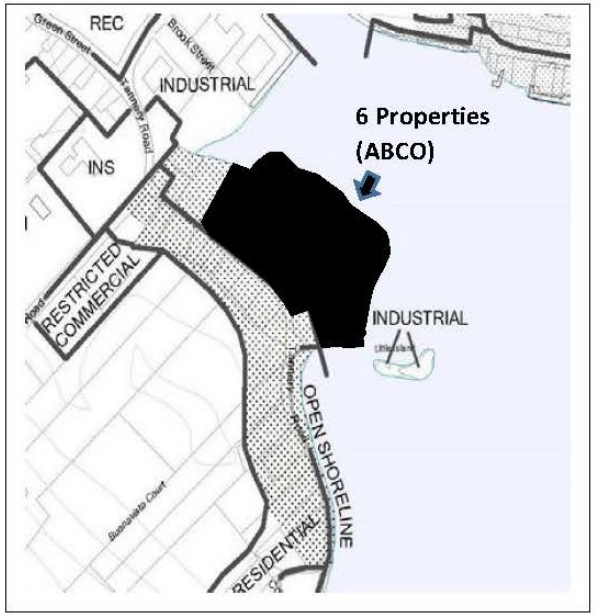
- *Source: Project Lunenburg's Lunenburg Community Profile, June 2019*.

Public Information Meeting held 13 January 2020

- Expansion needed - competitive, grow business, immediate & future, metal cladding for welding
- 2 ABCO houses need architectural control protection
- Concern over protection of Camp Norway
- Exemption for MI Zone from architectural control
- Architectural control not appropriate for industrial
- Manufacturing needs ability to respond immediately
- Increased traffic and impact of industrial activities on residential neighbours
- Authenticity, industrial use and evolution of ….waterfront is relevant to our history
- Keep architectural control but allow metal cladding
- Public would like to see the plans
- Community needs jobs for survival; youth, families retention
- Industry needs to expand and change to remain competitive
- Concern for climate change impact on expansions
- Negative impact on view, streetscape, tourism
- Negative impact on heritage character of neighbourhood
- Important to keep a working waterfront

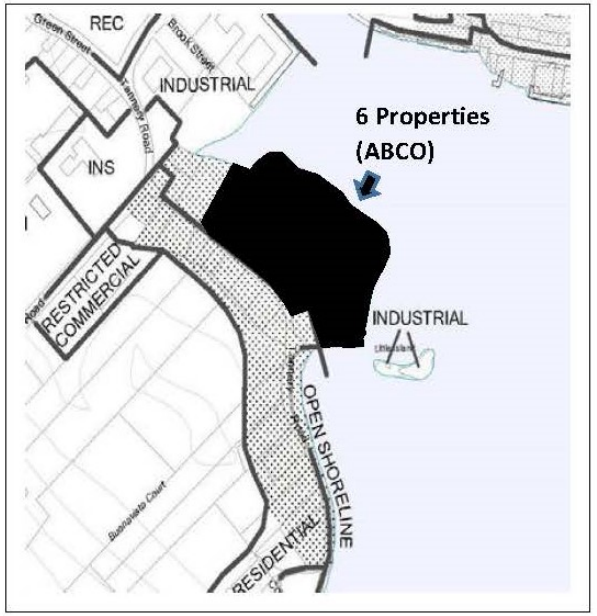
Planning Advisory Committee held 10 February 2020

- **To <u>recommend</u> to Town Council that Council hold a public hearing to consider a proposed amendment and first reading of removal from the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area (Schedule "A").**



First Reading by Town Council on 25 February 2020

- **Motion: moved by Councillor Risser, seconded by Councillor Mosher first reading and sets a public hearing date of March 24, 2020* for a proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area (Schedule "A"). Motion carried.**



** Public Hearing postponed and rescheduled, delivered via an online format as a result of Covid-19 – no in person meetings*

End of PH Presentation

Public Hearing Agenda

3. Public Hearing

Proposal: for a proposed amendment to the Municipal Planning Strategy's Map 2 Future Land Use Map by eliminating six Tannery Road properties owned by ABCO (PIDs 60053188, 60053196, 60053204, 60053212, 60386018 and 60672839) from the Architectural Control Area.

- ✓ **(i) Presentation by Town Planner Dawn Sutherland**
- ★ **(ii) Opportunity for presentation by applicant**
- **(iii) Written submissions**
- **(iv) Oral submissions via Zoom**

4. Closing of the Public Hearing (if ready)

(The end of the receipt of any public submissions)

Motion to close the Public Hearing.

From: Rachel Bailey
To: Bea Renton; Dawn Sutherland
Subject: Fwd: Public Meeting May 5, 2020
Date: May-02-20 1:26:35 PM

FYI

Rachel Bailey
Mayor
Town of Lunenburg

Begin forwarded message:

> **From:** John Patriarche <crown@eastlink.ca>
> **Date:** May 2, 2020 at 10:55:50 AM ADT
> **To:** Rachel Bailey <RBailey@explorelunenburg.ca>, Arthur MacDonald <AMacDonald@explorelunenburg.ca>
> **Cc:** "saveourlunenburg@gmail.com" <saveourlunenburg@gmail.com>
> **Subject: Public Meeting May 5, 2020**
>
> Hello Rachel and Arthur,
>
> I understand that there will be a Public Meeting at the request of ABCO in regard to their application to have 6 of their properties
> on Tannery Rd. removed from the Architectural Control Area.
>
> Since I can not be at the meeting, I wish to comment here. It was my suggestion back on Oct. 21st, and stated in my
> letter to you Arthur at that time, that it was a mistake to remove properties designated within the Architectural Control Area
> thereby defeating the purpose of the Designation. I stated further at that time, that your current plan for the New Architectural
> Control Area for some reason excluded those properties on Linden, Medway, Young and Falkland Streets.
> I feel these should be included as well.
>
> By excluding them you invite property owners to apply to be excused from the Plan, thereby defeating your purpose.
> That is exactly what is happening now....with ABCO requesting that their properties be removed.
>
> I hope you will give this the serious consideration that it deserves, AND DENY THEIR REQUEST.
>
> Yours sincerely
>
> John & Gail Patriarche

Tannery Rd.

BY HAND

P. O. Box 9,
Lunenburg, N.S.
B0J 2C0
April 28, 2020

Mayor Rachel Bailey and
Members of the Town Council,
Town of Lunenburg,
120 Townsend Street,
Lunenburg, N.S.
B0J 2C0

Your Worship and Councillors,

This letter is with regard to the advertisement entitled "Town of Lunenburg Public Hearing (Online)" which was placed by the Town in *The Chronicle Herald* newspaper, of Halifax, Nova Scotia, on Monday, 20 April, 2020. It is indeed interesting that Town Council decided to publicize the within advertisement in a Halifax newspaper. To date I have not seen this ad in the local *Progress Bulletin* newspaper.

On Monday, 10 February, 2020, the Planning Advisory Committee of the Town met. Many interested citizens, including yours truly, attended that Meeting, which included input from the Heritage Advisory Committee of the Town on the "ABCO and Amero planning applications", together with presentations by the two applicants and concerned citizens.This was followed by the vote of the Planning Advisory Committee on whether to recommend to Town Council that it send the two applications to a Public Hearing. Notably, before that vote, Councillor Matt Risser made the point that the Planning Advisory Committee in its recommendation to Town Council was voting only on whether to send these two applications to a Public Hearing and not to indicate that this Committee had decided to amend the Municipal Strategy's Map 2 Future Land Use Map. Hence, the vote was in favour of recommending to Town Council that it allow the two applications to go to a Public Hearing.

The above-mentioned advertisement states that Town Council has decided to conduct a Public Hearing of its "intention to remove 6 properties" from the subject Land Use Map, in accord with the application of ABCO. Further, Town Council has decided to conduct this Public Hearing online via Zoom Webinar and YouTube (viewing only) technologies. I humbly suggest that this manner of proceeding is an unjustified circumvention of and suppression of the democratic rights of citizens.

A Public Hearing is meant to provide a forum at which all members of the public have full opportunity to express their thoughts on the matter under consideration to their elected representatives. We need to acknowledge that these technologies are not available nor used by all citizens. I am disappointed and disturbed that Town Council would proceed in this manner. Thus, on behalf of all citizens who will be unable to participate in this Public Hearing, and the limited notice of it to the public I ask Council to cancel this Public Hearing (Online). All Nova Scotians are functioning under the COVID-19 restrictions, and therefore, I recommend that Town Council await the easing of those restrictions thereby enabling ALL citizens the opportunity to participate in the conventional Public Hearing process.

In the event that Town Council proceeds with the Public Hearing (Online), I wish to record my opposition to the intention of Town Council to amend the subject Land Use Map by removing all 6 properties pursuant to the application of ABCO. However, I am in support of removing from the subject Land Use Map only those Properties required by ABCO to construct the addition to its present building in accord with its presentation to Town Council and the public.

Thank you for your time and consideration of these important matters.

Yours truly,

Wilfred P. Moore

Honourable Wilfred P. Moore, Q.C., LL.D.

RECEIVED
APR 29 2020
W&M

BY HAND

TUESDAY,
28 APRIL
2020,
2:30 pm
(ADT)

MAYOR RACHEL BAILEY and
MEMBERS OF THE TOWN COUNCIL,
TOWN OF LUNENBURG,
120 TOWNSEND ST,
LUNENBURG, N.S.
B0J 2C0

93 Buena Vista Court
P.O. Box 211
Lunenburg, NS B0J 2C0

The Mayor and Councillors
Members of the Planning Advisory Committee
Town of Lunenburg

3 February 2020

I am writing to you in a double capacity, as a member of the Town's Heritage Advisory Committee and as a local resident, the entry to whose property is just a few metres from that of ABCO on Tannery Road. And I write because, unfortunately, I shall be away from Lunenburg when the Planning Advisory Committee meets next week and, very possibly, when the matter is placed before Council.

The requests of Mr Amero and of ABCO to have their properties removed from the Architectural Control Area regrettably involve a direct clash of two important principles. The difficulty the PAC and Council face in arriving at a decision on these applications stems from this clash.

The first principle is that the removal of individual properties from controlled or zoned areas should only be permitted in most exceptional circumstances. This is true anywhere, but especially true in a very special and historic town whose livelihood depends to a substantial degree on its unique history and character. Once a few properties are allowed to be removed from a controlled area, pressure will surely mount for others to be allowed to do so and pretty soon rather than having a coherent and logical controlled area one will have, as one contributor at the PAC's public information evening pointed out, something more like a "gerrymandered" Congressional District to the south of us.

The second principle is that Lunenburg needs to continue to be much more than a tourist destination and a retirement community. It is essential that it have a strong economic life of its own. Many have heard me say that Lunenburg must not become Venice, also an UNESCO World Heritage Site. That city, which I love and have visited many times, no longer has a genuine economic life aside from catering to huge numbers of visitors. When I first visited it sixty years ago, the historic city had more than three times the resident population that it has now. That sort of decline must not be allowed to happen here. To prevent it, local businesses must be encouraged to thrive.

ABCO has applied for removal of its six properties along Tannery Road from the ACA because it has good reason to believe that it can gain new contracts and expand its current business if it can construct additional facilities in which to do so. The HAC has devoted considerable time to a careful discussion of both these applications before passing motions that recommend to the PAC that the applications should be denied. But that does not mean that the members of the HAC are insensitive to ABCO's future needs. The irony is that ABCO's problem is its timing. As members of Council and the PAC will be aware, the HAC has spent an immense amount of time developing a proposed substantial

revision of the Town's Heritage By-Law. One of the very significant elements of this revision is that it is proposed that the existing Heritage Conservation District and the Architectural Control Area should in future be subject to identical controls and permits. At the present time additions to existing buildings in the ACA are limited to an expansion of 25% of the existing building footprint. If and when the proposed new Heritage By-Law comes into effect there would no longer be such a restriction in the marine industrial zone, as is also the case with waterfront buildings in the Heritage Conservation District. If ABCO could wait until the new By-Law is in effect (which I am assured they cannot) their problem would be solved.

Because the HAC is anxious to preserve the basic principle of the integrity of the ACA while being sensitive to ABCO's need for significant expansion, the motion to recommend the denial of their application included "the proviso that the use of metal cladding be permitted under the revised Heritage Conservation District Plan and Bylaw for industrial buildings in New Town Waterfront Buildings Area, where it is fitting with surrounding buildings." At its January 20th meeting the HAC agreed to the following additions to the proposed new Heritage By-Law, specifically designed to meet ABCO's present and possible future needs:

"4.13 Metal Cladding in the Tannery Road Waterfront Buildings Area
Notwithstanding anything contained in Schedule "D" Design Guidelines of this By-law, metal cladding may be used on industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on the Waterfront Buildings Area Map provided the metal cladding materials have a matte dark or medium-toned colour. Exposed bare metal cladding, bright reflective shiny metal, and light coloured metal cladding materials shall be prohibited. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on the Waterfront Buildings Area Map."

"4.14 New Industrial Buildings in the Tannery Road Waterfront Buildings Area : *(New Provision)*
Notwithstanding anything contained in Part 4.3 of this By-law new industrial buildings located in the Tannery Road Waterfront Buildings Area located in New Town as shown on the Waterfront Buildings Area Map may receive a Certificate of Appropriateness by the Heritage Officer without a Public Hearing process provided the development conforms with all other provisions of this By-law. For the sake of clarity, this provision does not apply to those buildings located in the Bluenose Drive Waterfront Buildings Area located in Old Town as shown on the Waterfront Buildings Area Map."

ABCO has asked that all six of its adjoining properties should be removed from the ACA. There is no possible justification for this request; retaining several of them within the ACA does not inhibit in any way the company's intended expansion of its manufacturing facility. The two houses, 57 and 61 Tannery Road, should remain within the ACA. The purpose of the HCD and ACA is as much about total streetscape as it is about the character and preservation of the defining features of individual buildings. Tannery Road has some of the oldest houses and barns within the town and it is important that all the properties directly abutting this road should be retained within the ACA.

ABCO has revealed recently that it has plans for the construction of a craft brewery and pub on the point of land, lot 5 on the map at schedule B of the PAC's agenda package for the January 13th meeting, PID no. 60386018. The drawings and plans for this

development were on display at ABCO's recent open day and have been printed, in part, in the local paper. It is very evident (confirmed in a conversation with the architect) that the design is intended to conform to the Heritage By-Law guidelines. This one of ABCO's properties is the most prominent in the view across the harbour from the Old Town waterfront and in the view (enjoyed by many visitors, often by the coach load) from further along Tannery Road. It is important that this particular property remain within the ACA and the very fact that the proposed development of it is intended to conform to the Heritage guidelines reinforces this point. The adjoining property between this and Tannery Road (lot 1, PID no. 60053188) should also remain within the ACA. It is almost as prominent in the view as the one on which the brewery is planned. ABCO's current desire to enlarge its existing manufacturing building does not involve this property. And there will be nothing to prevent ABCO making a new use of this entirely vacant property once the new By-Law is in effect; they just have to conform to the usual application process. Similarly I do not believe there is a case for removing the very small lot 6, PID no. 60672839) from the ACA.

This leaves the much more difficult question of the remaining larger property, lot 2, PID no. 60053196. Here some suitable compromise needs to be found. Ideally the proposed new Heritage By-Law should now be approved and put into effect as quickly as possible, and that would solve ABCO's difficulty. But I am aware that the company wants the freedom to expand its manufacturing facility more quickly than that. I have wondered about the possibility of allowing the *temporary* removal of this property from the ACA, bringing it back into the controlled area when the new By-Law becomes effective, but I am advised that there are legal barriers to this possibility. It was also suggested, when this was being discussed at the HAC, that a new separate building could be constructed very close to the existing facility (more square feet could be permitted in a stand-alone building than in an addition), with the intention that this and the existing manufacturing facility could be joined together once the new By-Law is in effect. There is a stronger case for allowing this one property to be removed from the ACA than there is for any of the others. But this property does also include Camp Norway, which has considerable historical significance, and is an important part of the Tannery Road streetscape. A suggestion has been made that only the portion of this property nearest to the harbour should be removed from the ACA, while keeping Camp Norway within it. Is this a possible compromise?

Some way needs to be found of enabling ABCO to expand its current facility that stops well short of allowing all six properties to be removed from the ACA. ABCO's problem is a purely temporary one; they cannot wait for the new Heritage By-law to come into effect. But if even one of their six properties is removed from the ACA, this will be for all time. It makes little sense to try to solve a temporary problem with a solution that will stand for ever. To remove well over seven acres of land adjoining the harbour from the ACA would be to undermine the whole concept of the ACA and HCD.

Oliver R. Osmond

TOWN OF LUNENBURG NOTICE

Draft 2020/21 Budgets

As part of Town Council's annual budget review process, Council is seeking public input. The draft budget has been posted on the Town of Lunenburg's website here: www.explorelunenburg.ca/finances-and-tax-rates.

Written submissions can be forwarded by May 22, 2020 to the attention of Lisa Dagley, Finance Director.

By email: ldagley@explorelunenburg.ca
By mail: PO Box 119 , Lunenburg, NS, B0J 2C0
By hand: Town Hall exterior drop box

Council will review submissions at the May 26, 2020 Council Meeting.

NOVA SCOTIA
NOUVELLE-ÉCOSSE

1741 Brunswick Street, PO Box 456
STN Central, Halifax, Nova Scotia
Canada B3J 2R5

902 424-2170 T
902 424-0710 F
cch.novascotia.ca

Our File Number
5015541

April 24, 2020

Ms. Kelly Cunningham
Town of Lunenburg
119 Cumberland St., PO Box 129
Lunenburg NS B0J 2C0

Dear Ms. Cunningham:

I am writing in response to your application for capital assistance through the Government of Nova Scotia's Recreation Facility Development Grant program.

This year requests for capital assistance have greatly exceeded our budget and as a result, a number of applications will not be funded. I regret that funding for the Town of Lunenburg community splash pad is not being considered at this time.

Please feel free to contact your Communities, Sport and Recreation Regional Manager if you wish to discuss your application further or for any other information you may require.

Debby Smith, South Shore Regional Manager
(902) 634-7503
Debby.Smith@novascotia.ca

On behalf of the Department of Communities, Culture and Heritage, I wish you well with your project. Thank you for the work you do in your community to support an active lifestyle and I encourage you to submit future applications.

Sincerely,



Dawn Stegen, Director
Communities, Sport and Recreation Division\

cc: Debby Smith, South Shore Regional Manager

Document No: 6 (a) (v)
Meeting: Apr 28, 2020 Council
Circulate
File:

M E M O R A N D U M

TO: **TOWN COUNCIL**

FROM: **HERITAGE MANAGER**

DATE: **APRIL 24, 2020**

RE: **AMENDMENTS TO BUILDING CODE - RESTAURANTS**

---

1. FACTS

On April 14, 2020 Council passed the following motion:

> Motion: moved by Councillor Bachman, seconded by Councillor Mosher that staff provide a report to Council outlining the impact proposed amendments to the NS Building Code Regulations (Schedule "F") will have on the Town of Lunenburg and where the Town stands in this process. Motion carried.

The Town received a letter (Attachment A) from Joe Rogers, Building Code Coordinator, outlining proposed amendments to the Building Code regarding accessibility requirements for restaurants.

2. ISSUES AND OPTIONS ANALYSIS

- Legislation:

As outlined in Attachment A, these amendments are with regard to the Nova Scotia Building Code Regulations. MODL, by contract, administers the Building Code on behalf of the Town. As with any amendments to the Building Code, these amendments, once implement (proposed date of September 30th, 2020), will be administered by MODL's Building Officials throughout the Town.

The amendments are in response to a Human Rights Tribunal Decision as documented in Attachment B presented to Council on February 11, 2020. A letter from the Mayor to Richard Derible, Director, Restorative Initiatives, Nova Scotia Department of Justice is attached in Attachment C. A letter from the Nova Scotia Federation of Municipalities dated December 16th, 2019 is also attached in Attachment C for your review.

• Accessibility Implications:

The proposed amendments are considered the first steps in addressing the Human Rights Tribunal's decision. It clarifies when any new restaurant or when there is a change in use classification (Building Code Classification) that the provisions of the Nova Scotia Building Code Regulations kick-in, including but not limited to, accessibility standards related to barrier-free design. Many Municipal Building Officials have been administering the Code in this fashion and those that have, would not see any changes in this regard.

However, the amendments also require where there is a change within the A-2 Use Classifications to any restaurant use (which is also part of the A-2 use classification) the accessibility standards related to barrier free design also kick-in. The A-2 classification is very broad. Examples include schools, museums, art galleries, restaurants, bars, yoga studios, churches, libraries, courtrooms, bowling alleys and funeral homes. Therefore going from an "art gallery" to a "restaurant" use would not trigger a change of occupancy classification. However, after these amendments are implemented, the accessibility standards related to barrier-free design would kick-in. This represents a change in the administration of the Building Code Regulations.

Another change would occur if, for example, a two storey building has a building area of less than 600 m2, the second storey would not be required to be barrier-free. As such a restaurant could occupy that space currently without meeting the barrier-free requirements. After the amendments that could not happen unless they provided a barrier-free path to the second floor and meet the barrier-free design standards, including an accessible path of entry from street level into and throughout the restaurant, and accessible washroom facilities.

This amendment was designed to do one thing, going forward not allow any new restaurants to be constructed without being in compliance with the Human Rights Ruling. However, as noted in Joe Rogers' letter (Attachment A),

> "These Building Code changes apply to the design, construction, and occupancy of new buildings, and the alteration, reconstruction, removal, relocation, occupancy and change of occupancy classification of existing buildings. As explained above, where a space within an existing building is converted for use as a restaurant, the new requirements within the Building Code would be applicable to the construction of that restaurant.
>
> A process is currently underway to develop a plan to help existing restaurants comply with the Human Rights Tribunal decision - more information on that process will be shared in the next few months."

As noted in Attachment B,

> "Currently, the Building Code is not enforced retroactively. An existing restaurant may continue to operate without being brought up to the current standards of the Building Code if there is no development. New development, such as a new use (occupancy) or a new expansion, triggers a building permit, which then requires the building to be brought up to code. The change being considered would require all eating establishment retroactively to be brought up to code in order to obtain their annual food establishment permit." *(Note: "the change being considered" noted in the quote above was to impose these provisions retroactively on existing restaurants which is not under consideration at this time).*

These Building Code Regulations amendments are considered the first step. The application to apply barrier-free design standards on existing restaurants is not included in this round of amendments. However, it is suggested that these provisions will be brought forward at a later date.

The implications on existing restaurants to meet the barrier-free design standards would be severe for a Town such as Lunenburg, an historic Town located on steep inclines where it is difficult to ensure barrier-free access from the street. Depending on the proposed legislation, the level of impacts could result in many existing restaurants not being approved for their annual food license. The Town's response to these concerns has been submitted as shown in Attachment C.

3. FINANCIAL IMPACT

There are no direct financial impacts to the Municipality. For developers contemplating the development of new restaurants and/or new spaces converted to a restaurant use, will be required to meet the accessibility standards of the Building Code, particular the barrier-free design standards, and may incur additional expense in order to comply. However, the development of a more barrier-free environment is considered a positive step forward.

The Human Rights Tribunal Decision which has not been appealed does not, in itself, change any rules or regulations respecting the accessibility of restaurants. Amendments to regulations are required in order to implement the Tribunal's decision. The Province has, with these proposed amendments to the Building Code Regulations, initiated Step 1 – dealing with new restaurants as well as converted spaces to new restaurant uses. Step 2 – not covered by these proposed amendments, will deal with the accessibility issues of existing restaurants.

We will have to wait until the Province releases there intent with regards to ensuring that existing restaurants meet the Human Rights Tribunal decision. Hopefully, there will be an exemption, that could apply in designated heritage districts/areas or sites that due to their geographical location cannot comply with the barrier-free standards. If not, many restaurants will be required to relocate to

other suitable locations or otherwise close down, and this would have a devastating impact on the commercial fabric of our Town, particularly as a major tourist destination.

4. STRATEGIC PLAN RELEVANCE

The review of provincial statutes is in keeping with:

Strategic Plan Goal #5C E: To develop and update Town By-laws, Policies, Procedures and plans we will encourage the Provincial Government to conduct a full review/update of the MGA with UNSM and Municipal Council's input.

5. RECOMMENDATION AND DRAFT MOTION

The above is for Council's information in regards to their motion of April 14th, 2020. No action is required at this time.

Attachments –

- **A.** Joe Rogers, Building Code Coordinator's Letter dated March 9, 2020;
- **B.** Staff's memo presented to Council on February 11, 2020;
- **C.** Mayor's Letter to Richard Derible, Director, Restorative Initiatives, dated February 20th, 2020.

Acknowledged only by:

Bea Renton
Town Manager/Clerk

Attachment A

NOVA SCOTIA
Department of Municipal Affairs
and Housing
Office of the Fire Marshal

Building & Fire Division
PO Box 231, Halifax Central
Halifax, Nova Scotia
B3J 2M4

Joe Rogers, Building Code Coordinator
Bus: 902-424-8046
Fax: 902-424-3239
e-mail: joe.rogers@novascotia.ca

Rec'd March 9/20

Attention: Chief Administrative Officers

March 9, 2020

Re: Proposed Amendments to the *Nova Scotia Building Code Regulations*

I am writing to give you formal notice of proposed amendments to the *Nova Scotia Building Code Regulations* pursuant to the *Building Code Act*, R.S. N.S. 1989, Chapter 46.

The proposed amendments will require all new restaurants and spaces within existing buildings that are converted to restaurants (as defined within the Food Safety Regulations made under Section 105 of the *Health Protection* Act) to be constructed completely barrier-free in accordance with the *Nova Scotia Building Code Regulations*, including an accessible path of entry from the street level into and throughout the restaurant, and accessible washroom facilities. This change would align the *Nova Scotia Building Code Regulations* with the September 6, 2018 decision by the Nova Scotia Human Rights Tribunal requiring washrooms located within restaurants to be accessible to persons in wheelchairs.

The Office of the Fire Marshal is engaging in a 46-day public notice period beginning March 9, 2020 and finishing on April 24, 2020.

Please find enclosed three copies of the proposed amendments to the Regulations, a questions and answers information document, and a copy of the notice to be published in newspapers within Nova Scotia.

The *Building Code Act* requires that the proposed amendments be circulated to each municipality and be made available to the public. You are being asked to make a copy of the attached documents available at your offices during the public notice period.

Written comments on the proposed amendments to the regulations are welcome and should be forwarded on or before April 24, 2020 to:

Joe Rogers
Building Code Coordinator
Office of the Fire Marshal
P.O. Box 231
Halifax Central,
Halifax, Nova Scotia B3J 2M4

Questions or comments may also be sent via e-mail to ofm@novascotia.ca or by phone at 902 424 5721.

Sincerely,

Joe Rogers
Building Code Coordinator

Schedule "A"

Amendment to the *Nova Scotia Building Code Regulations*
made by the Minister of Municipal Affairs and Housing under Section 4
of Chapter 46 of the Revised Statutes of Nova Scotia, 1989, the *Building Code Act*

1 The *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made by the Minister of Municipal Affairs and Housing by Order dated February 28, 2017, is amended by adding immediately after Sentence 1.2.1.1.(10) the following sentences:

(11) Except as provided in Sentences (8), (9), and (10), if a *building* or part thereof has a change of the *occupancy* classification in Sentence (1) or under Sentence 1.2.1.4.(2), the accessibility requirements in Section 3.8. of Schedule "C" of the regulations, including for *barrier-free* entrances, apply to the construction of the *building* or part thereof undergoing the change.

(12) Where a Group A Division 2 *assembly occupancy building* or part thereof is constructed or altered for use as a restaurant, as defined in Sentence 1.2.1.4.(1), the exemptions in Sentences 3.8.2.3.(1), 3.8.2.7.(2) and 3.8.2.7.(3) under Schedule "C" of the regulations do not apply to the construction of the restaurant part of the *building*.

2 The regulations are amended by adding immediately after Article 1.2.1.3. the following article:

1.2.1.4. Restaurants

(1) For the purposes of this Article and Sentence 1.2.1.1.(12), a restaurant means a restaurant as defined in the *Food Safety Regulations* made under Section 105 of the *Health Protection Act*.

(2) If a Group A Division 2 *assembly occupancy building* or part thereof changes from a non-restaurant use to a restaurant use, the change shall be considered equivalent to a change of *occupancy* classification for the purpose of Sentences (3), or 1.2.1.1.(11).

(3) The exemptions set out in Sentences 3.8.2.3.(1), 3.8.2.7.(2), and 3.8.2.7.(3) under Schedule "C" of the regulations, do not apply to a *building* or part thereof with a change of *occupancy* classification under Sentence (2).

Restaurants and proposed changes to the Building Code

Questions and Answers Guide

Why is the Building Code changing?

The Building Code is changing to align with the Human Rights Tribunal decision that interpreted Section 20 of the Food Safety Regulations to include that washrooms within restaurants are to be accessible to persons in wheelchairs. As the Building Code deals with construction of buildings, including spaces used as restaurants, it is important that all newly constructed spaces that include restaurants comply with this decision.

What is considered a restaurant?

In this context, a restaurant is not currently defined within either the Food Safety Regulations or the Building Code. Amendments to the Food Safety Regulations are required to define restaurant. The Building Code Regulations will use that definition as well. The definition will reference any establishment that serves food to customers and offers space (i.e. seating and tables/counters) for the food to be eaten onsite.

The definition will apply to any traditional restaurants, fast food restaurants, cafe, deli, lunch counter, grocery store, sports facility (such as hockey rinks and bowling alleys), that serve food and seating on site to eat. Establishments that do not offer space for food to be eaten on the premises will not be captured by the definition. Using the same definition is important to ensure that a restaurant under the Food Safety Regulations, and subject to the Human Rights Tribunal decision, is captured in the Building Code.

What about take-out restaurants?

If there is no seating on the premises to eat and the expectation is to pay, pick up your food and take it with you to eat at another location, it would not be considered a restaurant under the proposed definition.

If I want to build a new restaurant what would I need to do?

The new restaurant would be required to comply with the current Nova Scotia Building Code. This would include providing a barrier-free path of travel from the exterior of the building, into the building and through the public portion of the restaurant to a washroom facility. This would apply to new construction or a renovated portion of an existing building where the use is a restaurant.

When do these requirements start?

The expected in-effect date for these requirements is on or after September 30, 2020.

What about existing restaurants?

These Building Code changes apply to the design, construction, and occupancy of new buildings, and the alteration, reconstruction, removal, relocation, occupancy and change of occupancy classification of existing buildings. As explained above, where a space within an existing building is converted for use as a restaurant, the new requirements within the Building Code would be applicable to the construction of that restaurant.

A process is currently underway to develop a plan to help existing restaurants comply with the Human Rights Tribunal decision – more information on that process will be shared in the next few months.

Office of the Fire Marshal March 9, 2020

Building Code Regulations

NOTICE is hereby given that amendments to the *Nova Scotia Building Code Regulations* (the Building Code) made pursuant to the *Building Code Act*, Chapter 46, of the Acts of 1989 are anticipated to be prescribed by the Minister of Municipal Affairs and Housing to come into effect throughout the Province of Nova Scotia on or after September 30, 2020.

The proposed amendments will require any new restaurants (as defined within the *Food Safety Regulations* made under Section 105 of the *Heath Protection Act*), including spaces within existing buildings, to be completely constructed in accordance with the barrier-free requirements contained in the *Nova Scotia Building Code*, including an accessible path of entry into the restaurant from the exterior of the building and access to barrier-free washroom facilities. This will align the *Nova Scotia Building Code Regulations* with the decision by the Nova Scotia Human Rights Tribunal regarding accessibility within restaurants.

Written comments on the proposed amendments to the Regulations are welcome on or before April 24, 2020 and should be forwarded to:

Joe Rogers,
Building Code Coordinator
Office of the Fire Marshal
P.O. Box 231
Halifax Central
Halifax, Nova Scotia B3J 2M4

Copies of the proposed amendments to the *regulations* are available for inspection at offices of Municipal Clerks or Building Officials. Copies are available from the Department of Municipal Affairs and Housing by writing to the above address, emailing OFM@novascotia.ca or by phoning (902) 424-5721.

Honourable Chuck Porter
Minister of Municipal Affairs
and Housing

Document No: 7
Meeting: February 11, 2020
Circulate: Council, BR, HM
File:

M E M O R A N D U M

TO: **TOWN COUNCIL**

FROM: **ARTHUR MACDONALD, HERITAGE MANAGER**

DATE: **FEBRUARY 5, 2020**

RE: **PROVINCIAL HUMAN RIGHTS TRIBUNAL DECISION REGARDING PROPOSED ACCESSIBLE WASHROOM REQUIREMENTS FOR ALL RESTAURANTS**

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1. FACTS

Jeff Merrill of MODL advised TofL staff of a message from AMANS President regarding accessible washrooms in restaurants as shown in **Attachment "A".** The discussions could have far reaching consequences for restaurant owners and municipalities throughout Nova Scotia.

2. ISSUES AND OPTIONS ANALYSIS

- **Legislation**

The discussions regarding Reed et al. verses Province of Nova Scotia could result in amendments to the Food and Safety Regulations under the Health Protection Act and the Nova Scotia Building Code Act and Regulations. These amendments could require Municipal Building Officials to undertake annual inspections of all eating establishments within their jurisdiction to confirm whether they meet the 2019 Building Code Standards, particularly with regards to accessibility.

Currently, the Building Code is not enforced retroactively. An existing restaurant may continue to operate without being brought up to the current standards of the Building Code if there is no development. New development, such as a new use (occupancy) or a new expansion, triggers a building permit, which then requires the building to be brought up to code. The change being considered would require all eating establishment retroactively to be brought up to code in order to obtain their annual food establishment permit.

- **Recommendations Analysis:**

  I believe it is very important for all municipalities to have the opportunity to express their comments/concerns to the Province before any changes are made in this regard. The potential impacts on historic downtowns throughout the Province is tremendous let alone the potential financial stain it may pose on small local municipalities and restaurant owners. If restaurants are not afforded the economic means to ensure compliance with the 2019 Building Code, they may have to close down completely, move to a new location, or alternatively, be issued an exemption for undue hardship under the Food and Safety Regulations. As this is still being discussed at the Provincial level, the rules and procedures have not been fully developed. However, it has been suggested that the exemption for undue hardship will be for financial hardship only and not factor in historical significance, structural issues or delays from planning or heritage reviews.

  When drafting the new legislation it should be specified that if the modifications are so prohibitively expensive for the eating establishment owner with regards to any heritage legislation or any structural issue, that an avenue for consideration as to whether this meets the threshold of a financial hardship sufficiently enough for an exemption under the Food and Safety Regulations can be considered. For example many of our commercial eating establishments are right on the front lot line with small sidewalks. There is no room on the exterior to accommodate a ramp access. An interior ramp would make the business not-profitable due to the lack of remaining interior floor space. The only solution is to move or close – with limited spaces to move, the only viable solution, in some cases will be to close – not only impacting the business owner but also the limited tax base of the municipality.

  As the Department of the Environment is responsible for administering the Food and Safety Regulations under the Heath Protection Act, they are the body responsible for the issuance of the annual food establishment licenses. Small municipalities do not have the resources nor are they prepared or capable to handle such an assignment. If the concept is to require local Building Officials to undertake annual inspections of all eating establishments under their municipal jurisdiction, additional funding, personnel and training will be required.

  If the Province require these facilities to have an annual provincial license, then the licensing authority, in this case the Department of the Environment, should do the inspections or alternatively, require eating establishments to hire their own Building Code Specialist to provide an Accessibility Report to the License Authority. This arrangement will be similar to QP1's and QP2's with regarding to inspecting and designing on-site disposal systems. The financial burden should not be placed solely on municipalities to administer annual Building Code Accessibility Standards inspections on eating establishments without some form of on-going provincial funding.

There are two (2) options for Council's consideration:

(1) To approve a motion supporting a correspondence to Richard Derible **Attachment "B"** who is leading the working group with Restorative Justice with a copy to Janice Wentzell at AMANS; or

(2) To not approve a motion supporting a correspondence to Richard Derible who is leading the working group with Restorative Justice.

3. FINANCIAL IMPACT

No direct financial implications are associated directly with sending the correspondence. However, the costs associated with the Town administering their Building Officials to undertake these annual inspections could be significant.

In addition, there could be a significant impact on the Municipality's commercial tax income. If eating establishments are required to relocate or close, property assessments on these historic commercial storefront properties could diminish.

There would also be cultural implications. For example, the tourism food sector could also have an impact on the volume of tourism dollars due to the loss of eating establishments. The accommodation sector could also be harmed due to the lack of restaurants. The cultural and streetscape atmosphere may also change due to vacancies along historic commercial storefronts that could no longer accommodate eating establishment uses. All of these would have a dramatic impact on the Town's ability to showcase their UNESCO World Heritage Site.

4. STRATEGIC PLAN RELEVANCE

The review of provincial statutes is in keeping with:

Strategic Plan Goal #5C (e): To develop and update Town By-laws, Policies, Procedures and plans we will encourage the Provincial Government to conduct a full review/update of the MGA with UNSM and Municipal Council's input.

5. RECOMMENDATION AND DRAFT MOTION

To approve a motion supporting a correspondence to Richard Derible **Attachment "B"** who is leading the working group with Restorative Justice with a copy to Janice Wentzell at AMANS.

(Draft letter attached as Attachment "B" to be amended and approved by the Mayor)

Attachments:

- **A.** Message from AMANS President regarding Accessible Washrooms in Restaurants
- **B.** Draft Correspondence to Richard Derible
- **C.** Reed et al. verses Province of Nova Scotia Decision

Acknowledged only by:

Bea Renton
Town Manager/Clerk

ATTACHMENT "A"

Message from AMANS President regarding Accessible Washrooms in Restaurants

A **2018 Nova Scotia Human Right Commission** (HRC) ruling could have far-reaching implications to small businesses and municipalities.

The HRC ruled against the Province in the *Reed et al. v. Province of Nova Scotia, 2018*, and stated that the Province's "administration and enforcement of the *Food Safety Regulations* is in respect of 'the provision of or access to services" in s.5(l)(a) of the *Nova Scotia Human Rights Act*.

The bottom line? The Respondent discriminated against individuals who use wheelchairs for mobility.

As part of the process, a Provincially-led restorative process has been on-going since the fall, with various stakeholder groups working out the implications and details of the ruling, including a new licensing, inspection and enforcement process. While AMANS recognizes that barriers to accessibility are a reality for many Nova Scotians with disabilities, we are concerned that there are many connecting pieces and unanswered questions with respect to this issue which may have far-reaching implications to small businesses and municipalities.

To ensure our voices are heard and our concerns recognized, AMANS and NSFM sent a joint letter on December 13 to Premier Stephen McNeil, with copies to Ministers Chuck Porter, Mark Furey and Gordon Wilson outlining our concerns. The letter, which was jointly authored by NSFM President Pam Mood and myself, asked for the process to be slowed until there is clarity on several issues.

While we are not certain of the direction Government will take, here is what is being discussed:

- That the ruling will apply to all existing and new restaurants;
- That all restaurants are required to have accessible entranceways, pathways and washrooms;
- That approximately 3500 restaurants in the province would fall under this requirement;
- The Standards for Accessible washrooms will be aligned with the 2019 Building Code;
- Restaurants will be asked for proof that they meet the 2019 Building Code for accessibility when they apply to the Department of Environment for their annual food establishment permit renewal;
- Restaurants not meeting the 2019 Building Code will be given a time (three years is being discussed) to comply. At the end of that period, if the restaurant does not comply, it will not be issued its Food Establishment Permit.

Some unanswered questions and concerns we have:

- An exemption for undue hardship is bring considered; however, our understanding is that this will be for financial hardship only and not consider issues such as: historical significance, structural issues that prevent retrofit, or delays from planning commission or heritage advisory committee review.
- The line of accountability for inspection and compliance is also still unclear. Municipalities struggle to find Building Officials, particularly in rural areas, and capacity is a very real issue. There was some discussion that the Province may hire resources for first inspections to determine initial code compliance, but we cannot confirm that. If this is the case, who will be responsible to reinspect to ensure follow-up compliance? The building official will become involved if any required renovations trigger a building permit, however, we are still unsure how small adjustments such as moving a paper towel dispenser would be re-inspected.
- We are unsure what impact this will have on historic downtowns in the Province. Downtowns are vital to many municipalities and modifying some of these structures will be architecturally impossible or prohibitively expensive. The cost to retrofit current spaces could very well outweigh the cost to relocate or close completely.

While there are still many unanswered questions, the AMANS Board felt it was important to inform members of what is being discussed. While AMANS was brought into the restorative process late in the game, we made it a point to raise our concerns, and ask the questions noted above. We want to ensure that there is a balance between what is readily achievable and what is an undue burden. We will keep you apprised of any new information we receive.

Regards,
Mike
Mike Dolter CD, MBA, CPA, CMA
President
Association of Municipal Administrators, NS

ATTACHMENT "B"
Draft Correspondence to Richard Derible
(To be amended and approved by the Mayor)

Richard Derible
Restorative Justice

Dear Mr, Derible,

Re: Reed et al. verses Province of Nova Scotia - Comments for Discussion

I believe it is very important for all municipalities to have the opportunity to express their comments/concerns to the Province before any changes are made in this regard. The potential impacts on historic downtowns throughout the Province is tremendous let alone the potential financial stain it may pose on small local municipalities and restaurant owners. If restaurants are not afforded the economic means to ensure compliance with the 2019 Building Code, they may have to close down completely, move to a new location, or alternatively, be issued an exemption for undue hardship under the Food and Safety Regulations. As this is still being discussed at the Provincial level, the rules and procedures have not been fully developed. However, it has been suggested that the exemption for undue hardship will be for financial hardship only and not factor in historical significance, structural issues or delays from planning or heritage reviews.

When drafting the new legislation it should be specified that if the modifications are so prohibitively expensive for the eating establishment owner with regards to any heritage legislation or any structural issue, that an avenue for consideration as to whether this meets the threshold of a financial hardship sufficiently enough for an exemption under the Food and Safety Regulations can be considered. For example many of our commercial eating establishments are right on the front lot line with small sidewalks. There is no room on the exterior to accommodate a ramp access. An interior ramp would make the business not-profitable due to the lack of remaining interior floor space. The only solution is to move or close – with limited spaces to move, the only viable solution, in some cases will be to close – not only impacting the business owner but also the limited tax base of the municipality.

As the Department of the Environment is responsible for administering the Food and Safety Regulations under the Heath Protection Act, they are the body responsible for the issuance of the annual food establishment licenses. Small municipalities do not have the resources nor are they prepared or capable to handle such an assignment. If the concept is to require local Building Officials to undertake annual inspections of all eating establishments under their municipal jurisdiction, additional funding, personnel and training will be required.

If the Province require these facilities to have an annual provincial license, then the licensing authority, in this case the Department of the Environment, should do the inspections or alternatively, require eating establishments to hire their own Building Code Specialist to provide an Accessibility Report to the License Authority. This arrangement will be similar to QP1's and QP2's with regarding to inspecting and designing on-site disposal systems. The financial burden should not be placed solely on municipalities to administer annual Building Code Accessibility Standards inspections on eating establishments without some form of on-going provincial funding.

In addition, there could be a significant impact on the Municipality's commercial tax income. If eating establishments are required to relocate or close, property assessments on our historic commercial storefront properties could diminish.

There would also be cultural implications. For example, the tourism food sector could also have an impact on the volume of tourism dollars due to the loss of eating establishments. The tourism accommodation sector could also be harmed due to the lack of restaurants. The cultural and streetscape atmosphere may also change due to vacancies along historic commercial storefronts that could no longer accommodate eating establishment uses. All of these would have a dramatic impact on the Town's ability to showcase their UNESCO World Heritage Site.

I wish to thank you for your time in considering this discussion. We look forward to working with you to resolve this important issue as we strive to ensure our built environments are more accessible to all. As you can see, there are many issues associated with this discussion and the sooner we bring in all municipal units to have an open and respectful dialog the better it will be for all. Looking forward to finding an admirable solution to this important topic.

Respectfully Submitted,

IN THE MATTER OF: A complaint under the Nova Scotia *Human Rights Act*, R.S.N.S. 1989, c. 214

AND

IN THE MATTER OF: Board File No. 51000-30-H16-1629

BETWEEN:

WARREN REED, BEN MARSTON, PAUL VIENNEAU, JEREMY MACDONALD AND KELLY MCKENNA

Complainants

AND

PROVINCE OF NOVA SCOTIA (DEPARTMENT OF ENVIRONMENT), AND/OR PROVINCE OF NOVA SCOTIA OR CAPITAL DISTRICT HEALTH AUTHORITY

Respondent

AND

NOVA SCOTIA HUMAN RIGHTS COMMISSION

Commission

AND

RESTAURANT ASSOCIATION OF NOVA SCOTIA

Intervenor

DECISION

Nova Scotia Board of Inquiry Chair:	Gail L. Gatchalian, Q.C.
Counsel for the Complainants:	David Fraser
Counsel for the Respondents:	Kevin Kindred
Counsel for the Commission:	Kendrick Douglas
Date of Hearing:	July 5 and 6, 2018
Date of Award:	September 6, 2018

2018 CanLII 89418 (NS HRC)

The Complaint

1. The Complainants, Warren Reed, Ben Marston, Jeremy MacDonald, Kelly McKenna and Paul Vienneau, are people with disabilities who use wheelchairs for mobility. On July 4, 2017, they filed a complaint under the Nova Scotia *Human Rights Act*, R.S.N.S. 1989, c.214, alleging that the Respondent, the Province of Nova Scotia, had discriminated against them in respect of the provision of or access to services or facilities on the basis of physical disability in violation of ss.5(1)(a) and (o) of the *Act*.

2. The issue in this case is the manner in which the Respondent interprets and applies s.20(1) of the *Food Safety Regulations*, N.S. Reg 206/2005, as amended, made under the *Health Protection Act*, S.N.S. 2004, c.4. Subsection 20(1) of the *Food Safety Regulations* provides as follows:

> **Washroom facilities**
>
> 20 (1) A food establishment must have washroom facilities for staff and washroom facilities for the public available in a convenient location, unless exempted by the Administrator.
>
> …

3. There are many food establishments in Nova Scotia that do not have washroom facilities for the public that are accessible to wheelchair users. These are food establishments that are "grandfathered" under the *Nova Scotia Building Code Regulations*, N.S. Reg. 26/2017, made under the *Building Code Act*, R.S.N.S. 1989, c.46. The *Building Code Regulations* apply to new construction and to alterations, reconstruction, occupancy and change of occupancy classifications of existing buildings. The *Building Code Regulations* do not require retrofits of existing buildings.

4. The Respondent does not interpret or apply s.20(1) of the *Food Safety Regulations* as requiring food establishments to have washroom facilities for the public that are accessible to wheelchair users. The Respondent therefore issues permits under the *Health Protection Act* and the *Food Safety Regulations* allowing food establishments to operate without washrooms that are accessible to members of the public who use wheelchairs.

5. The question to be determined is whether the Respondent's interpretation and application of s.20(1) as not requiring food establishments to have washroom facilities for the public that are accessible to wheelchair users constitutes discrimination in respect of the provision of or access to services or facilities on the basis of physical disability in violation of ss.5(1)(a) and (o) of the *Act*.

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The *Human Rights Act*

6. The following provisions of the *Human Rights Act* are relevant to this complaint:

> **Meaning of discrimination**
>
> 4 For the purpose of this Act, a person discriminates where the person makes a distinction, whether intentional or not, based on a characteristic, or perceived characteristic, referred to in clauses (h) to (v) of subsection (1) of Section 5 that has the effect of imposing burdens, obligations or disadvantages on an individual or a class of individuals not imposed upon others or which withholds or limits access to opportunities, benefits and advantages available to other individuals or classes of individuals in society.
>
> **Prohibition of discrimination**
>
> 5 (1) No person shall in respect of
>
> (a) the provision of or access to services or facilities;
>
> …
>
> discriminate against an individual or class of individuals on account of
>
> …
>
> (o) physical disability or mental disability;
>
> …
>
> **Exceptions**
>
> 6 Subsection (1) of Section 5 does not apply
>
> …
>
> (f) where a denial, refusal or other form of alleged discrimination is
>
> (i) based upon a *bona fide* qualification,
>
> (ia) based upon a *bona fide* occupational requirement; or

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(ii) a reasonable limit prescribed by law as can be demonstrably justified in a free and democratic society;

…

Procedural Background

7. In July and August of 2016, one of the Complainants, Mr. Reed, attempted to file a complaint about the Province's alleged discriminatory enforcement of s.20(1) of the *Food Safety Regulations* with the Nova Scotia Human Rights Commission: *Reed et al. v. Nova Scotia (Human Rights Commission)*, 2017 NSSC 85, at para.2.

8. On August 3, 2015, a Human Rights Officer advised Mr. Reed that she would not accept the complaint. On September 14, 2016, in a reconsideration decision, a second Human Rights Officer advised Mr. Reed that the Commission would not accept the complaint: *Reed, supra*, at paras.3 and 4.

9. The Complainants were successful in their application for judicial review of the decisions of the Human Rights Officers. Justice Edwards held that the *Human Rights Act* does not allow a Human Rights Officer to refuse to accept a complaint. The *Act* requires the Commission to inquire into the complaint. While the Commission may ultimately decide to dismiss the complaint, the dismissal must be on the basis of one of the reasons set out in s.29(4) of the *Act*: *Reed, supra*, at para.8. Justice Edwards ordered the Commission to process the complaint: *Reed, supra* at para.19.

10. The Complainants filed the July 4, 2017 complaint, and I was appointed as a Board of Inquiry to inquire into and render a decision regarding the complaint.

11. The Commission decided to participate in the proceeding by way of "watching brief" only. The Commission did not take a position for or against the complaint.

12. On June 25, 2018, on consent of the parties, I granted the request of the Restaurant Association of Nova Scotia to be added as an intervenor in this matter.

13. The hearing took place on July 5 and 6, 2018 in Halifax, Nova Scotia.

Evidence

14. The Complainants relied on an affidavit of Mr. Reed and on a letter from Ellsworth Campbell, a computational biologist employed with the Centers for Disease Control and Prevention in the United States. The Complainants called one witness, Paul Vienneau, one of the Complainants.

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15. The Respondent called one witness, Karen Wong-Petrie, Director, Environmental Health and Food Safety Branch, Sustainability and Applied Sciences Division, with the Nova Scotia Department of Environment, which is responsible for administering the *Food Safety Regulations*.

The Facts

Hand-Washing and Public Health

16. Hand-washing is an important measure for the protection of public health and the prevention of disease.

17. The Province of Nova Scotia has published a Norovirus Fact Sheet which states in part that "[t]he most important measure to prevent any communicable disease is proper hand hygiene," and that hand hygiene must be performed before preparing food, before eating, after contact with ill individuals, after using the toilet and after changing diapers. The Fact Sheet also states that "[u]sing most commercially available alcohol-based rubs should not be considered a replacement for proper hand hygiene, using liquid soap and water, against norovirus."

18. Ms. Wong-Petrie believes that she is the one who wrote the Province's Norovirus Fact Sheet, and she obviously agrees with its contents.

19. The Nova Scotia Department of Health has published a poster entitled "Hand Washing!" that provides instructions on proper hand-washing and that states that "[w]ashing your hands with soap and water is the best way to reduce the spread of germs."

20. The Department of Environment distributes the "Hand Washing!" poster published by the Department of Health, and suggests to food establishments that the poster be posted in staff and public washrooms and in the food preparation area above the hand-washing sink.

21. Ms. Wong-Petrie testified that the ability of a member of the public to wash their hands before eating is a food safety issue for that individual, and that hand washing is "the number one greatest infection control procedure that's around." Ms. Wong-Petrie also testified that when a member of the public is not able to wash their hands in a restaurant, the person could be impacting what eventually moves into the kitchen, or what staff eventually come into contact with.

22. Ms. Wong-Petrie agreed with the following description of the concept of "herd immunity" by Mr. Campbell:

> … Herd immunity is a theoretical concept which holds that susceptible persons receive some benefit when those around them are immune to an infectious threat. That is to say: If we can just protect ***enough*** people, we can effectively protect the rest. However, this theory rests on a single but woefully inaccurate

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> assumption about human populations: that susceptibility is randomly distributed. The moment that we begin to see groups or communities of susceptible persons, the theoretical basis of herd immunity crumbles and its benefits cease to exist. These groups of susceptible persons act as the kindling necessary to start an outbreak that can spread through a community like wildfire.
>
> To learn that persons who use wheelchairs, or who otherwise cannot readily traverse stairs, are often unable to access washrooms at public restaurants is alarming, not only because it places an undue risk on one demographic, but because the risk of infectious disease is rarely isolated to any single demographic. We cannot assume that because a community constitutes a numerical minority that the effects of their unequal disease burden will have on the community-at-large will also be minor. While members of this demographic constitute an integral part of most every family they also constitute cohesive groups that form resilient social communities. Denying access to handwashing – the most effective means of preventing the transmission of foodborne illnesses – is akin to denying access to other tools of preventive medicine like vaccination.
>
> …
>
> [Emphasis in original]

Hand-Washing and Individuals who use Wheelchairs for Mobility

23. The ability to wash one's hands is especially important for individuals who use wheelchairs for mobility. Their hands are in almost constant contact with dirt and germs because the palms of their hands rub against the rims of the wheels on their chairs, which are in contact with rain water, mud, grime, dog excrement and other unpalatable substances.

24. There are many restaurants in Halifax and in Nova Scotia that do not have washroom facilities that are accessible to individuals who use wheelchairs for mobility.

25. When an individual who uses a wheelchair for mobility is at a restaurant that does not have an accessible washroom, they are unable to properly wash their hands before eating. This poses a health risk for the individual, and a potential health risk for others.

Renovations Required to Make Washrooms Accessible

26. The Restaurant Association is supportive of the idea that restaurants should be accessible. By way of example, the Association is currently rebuilding its website, which will list accessible restaurants, something that it has done for the past 10 years. According to the Association, there are over 100 accessible food establishments within a five-kilometre radius of downtown Halifax.

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27. The Restaurant Association is concerned, however, of the possible financial impact on restaurants if s.20(1) of the *Food Safety Regulations* is interpreted to require restaurants to have washroom facilities for the public that are accessible to individuals who use wheelchairs for mobility.

28. The Restaurant Association provided some general and anecdotal information about the potential cost of requiring older buildings to be accessible:

> … There are many operations that are in older buildings and will incur considerable costs if required to address and resolve certain accessibility issues. Most of these types of buildings are in Halifax but there are some spread throughout the province. Added to this is that most restaurants rent and do not own their premises. Many of the landlords of older buildings don't want major structural changes, which is what most of the changes would be for compliance.
>
> Some examples of recent quotes for accessible access to restaurants:
>
> (Halifax Restaurant) to install a ramping system – the quote was $41,000 and involved some major structure items. The other part of this ramp system was that it had to be built inside the restaurant utilizing approximate 100sq.ft. That meant there was a loss of revenue for that space and a monthly carrying cost of approximately $2,500.
>
> Another recent quote for a renovation to a restaurant (Halifax) for complete accessibly [sic] with washrooms & ramping access was $135,000. The challenge with this is that the average profit for a restaurant in NS is 3.2-3.5 % (that is they make $3.20-$3.50 for every $100 in sales). It takes a lot of sales to pay for even modest renovations; still a lot of operators have committed to make more accessible improvements.

29. The example of the $135,000 quote given by the Restaurant Association related to a proposed new food establishment that was not grandfathered under the *Building Code Regulations* and therefore would be required to meet the accessibility standards under those *Regulations*.

30. Mr. Vienneau gave an example of a restaurant on Spring Garden Road that has washrooms for the public, one for men and one for women with stalls, neither of which are accessible to wheelchair users. Fairly minor modifications would be required to make one of the washrooms accessible: removal of a raised "lip" on the floor, removal of the stalls in the women's washroom to make it barrier-free, and conversion of both of the washrooms into gender-neutral washrooms.

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Respondent's Interpretation and Administration of the Food Safety Regulations

31. The Nova Scotia Department of Environment is responsible for the licensing of food establishments under the *Health Protection Act* and the *Food Safety Regulations*.

32. A "food establishment" is defined in s.75(c) of the *Health Protection Act* as follows:

> 75 In this Part,
>
> …
>
> (c) "food establishment" means any premises, including a mobile, stationary, temporary or permanent facility or location and the surroundings under control of the same person, in which food is processed, manufactured, prepared, labelled, served, sold, offered for sale or distributed free of charge, dispensed, displayed, stored or distributed, but does not include a dwelling except a dwelling used for commercial food preparation; …
>
> …

33. Section 81 of the *Health Protection Act* provides as follows:

> **Establishment or operation of food establishment**
>
> 81 No person shall establish or operate a food establishment except in accordance with this Part and the regulations.

34. Under s.82 of the *Health Protection Act*, a person requires a permit to operate a food establishment, unless exempted by the Administrator under the *Act*, and applications and fees for permits are to be set out in the regulations:

> **Permit required**
>
> 82 (1) No person shall operate a food establishment, unless exempted by the Administrator, without first having obtained a permit from the Administrator.
>
> (2) An application for a permit in respect of a food establishment shall be made to the Administrator in accordance with the regulations.
>
> (3) Subject to this Part and the regulations, the Administrator shall issue a permit in respect of a food establishment to an applicant upon payment of the prescribed fee.

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35. The Administrator appointed under the *Act* is the Director of the Regional Integration Compliance Operations Division with the Department of Environment.

36. Section 83 of the *Health Protection Act* describes the circumstances in which the Administrator shall not issue or renew a permit, or may suspend or revoke a permit:

> **Where permit is not to be issued or may be revoked**
>
> 83 (1) The Administrator shall not issue or renew a permit, or may suspend or revoke a permit, in respect of a food establishment to an applicant where the Administrator is of the opinion that
>
> (a) the past conduct of the applicant or, where the applicant is a corporation, of any of its officers or directors, affords reasonable grounds to believe that the operation of the food establishment would not be carried on in accordance with this Part and the regulations;
>
> (b) the applicant does not have or will not have available all premises, facilities and equipment necessary to operate a food establishment in accordance with this Part and the regulations;
>
> (c) the applicant is not complying or will not be able to comply with this Part and the regulations; or
>
> (d) the operation of the food establishment represents or would represent a risk to human health.
>
> (2) Any condition that is injurious to human health or, in the opinion of the Administrator, is potentially injurious to human health is deemed a risk under this Part.

37. Under s.86 of the *Health Protection Act*, "[t]he Administrator may designate types or classes of food establishments for which permits are issued under Section 82."

38. Under s.87 of the *Act*, "[t]he Administrator may amend, add or impose terms and conditions on a permit."

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39. Section 89 of the *Act* requires a food establishment to be constructed and maintained in a manner that is not injurious to human health:

> **Construction and maintenance of food establishment**
>
> 89 A food establishment must be constructed and maintained in such a manner that no condition exists that is injurious to human health or that, in the opinion of the Administrator, is potentially injurious to human health.

40. Section 93 of the *Act* allows the Administrator or an inspector to enter premises for the purpose of carrying out their duties under the *Act* or the regulations:

> **Entry and inspection without warrant**
>
> 93 (1) The Administrator or an inspector may, at any reasonable time, for the purpose of carrying out the Administrator's duties or inspector's duties, as the case may be, under this Part or the regulations,
>
> (a) enter without a warrant any premises where there are reasonable and probable grounds to believe that the premises are a food establishment and that records relating to the food establishment are to be found in the premises; and
>
> (b) inspect the premises and any food or records relating to food.
>
> …

41. Section 105(1) of the *Act* authorizes the Governor in Council to make regulations:

> 105 (1) …
>
> …
>
> (c) providing for the exemption from this Part or the regulations, or any part thereof, of any person or class of persons or of any food product and prescribing the terms and conditions of the exemption;
>
> …

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(e) prescribing the facilities and equipment to be provided and maintained at food establishments and the operation of food establishments;

…

(f) respecting cleanliness and sanitation of food establishments;

…

(j) providing for the issue, renewal, suspension, reinstatement or revocation of or refusal to issue or renew permits and prescribing the fees payable for permits or the renewal of permits;

…

(p) providing for the inspection of premises before the issue of permits;

…

(r) prescribing conditions to which permits may be subject;

…

42. Section 5 of the *Food Safety Regulations* sets out the classes of food establishment permits (e.g. “temporary event,” “eating establishment” or “foodshop”), the expiry dates for permits and the fees prescribed for permits.

43. Section 6 of the *Food Safety Regulations* requires an application for a permit to be in a form prescribed by the Administrator and requires the application to include the fee, any reasonable information required by the Administrator, and the plans and specifications of the food establishment.

44. Section 9 of the *Food Safety Regulations* sets out the requirements for the renewal of a permit.

45. Section 11 of the *Food Safety Regulations* deals with the suspension or cancellation of a permit.

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46. The Environmental Health and Food Safety Branch of the Sustainability and Applied Sciences Division of the Department of Environment develops the government's food safety program, ensures compliance with and enforcement of the *Food Safety Regulations*, and provides education, outreach, training and food-borne illness outbreak management. The Environmental Health and Food Safety Branch considers its mandate, as it pertains to food safety, to be the reduction of food-borne illness in populations by mitigating, controlling or eliminating biological, physical or chemical hazards that might present themselves at permanent food establishments in Nova Scotia.

47. The approach of the Environmental Health and Food Safety Branch to compliance with the *Food Safety Regulations* is "a lightest touch approach," which Ms. Wong-Petrie described as getting to the outcome of reducing food-borne illness by reducing hazards in food establishments in a way that is not overly burdensome to industry or to government and in a way that is responsible in terms of budgetary accountability.

48. As Ms. Wong-Petrie described it, the compliance continuum, at one end, is comprised of methods such as education, training, and informal discussions with inspectors during inspections, and at the other end, involves suspension or revocation of permits.

49. The Inspection Compliance and Enforcement Division of the Department of Environment implements the food safety program developed by the Environmental Health and Food Safety Branch of the Sustainability and Applied Sciences Division. The public health inspectors who deliver the food safety program are part of the Inspection Compliance and Enforcement Division.

50. In 2017, the Department conducted just over 13,000 inspections and issued approximately 6,000 permits under the *Food Safety Regulations*.

51. An application for a permit to establish or operate a food establishment triggers an inspection. The application must be accompanied by a floor plan and a menu. An inspector conducts a pre-inspection to determine compliance with the *Food Safety Regulations*. The inspector considers factors such as design, construction, personnel, hygiene, training, how food is to be stored, refrigeration, freezers, and food flow. The Department may then issue a permit, or schedule another pre-inspection. The Department conducted approximately 2,000 pre-inspections in 2017.

52. Inspectors also conduct what are called "routine inspections" of food establishments based on an assessment of risk. High risk establishments are inspected twice a year. Medium risk establishments are inspected once every 12 months. Low risk establishments are inspected once every 18 months. The Department conducted approximately 11,000 routine inspections in 2017.

53. The Department also conducts ad hoc inspections in response to every complaint lodged against a food establishment.

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54. If a routine inspection raises concerns that must be followed up, the Department will conduct a re-inspection.

55. Finally, the Department conducts what are called “consultation inspections,” which are requested by the operator.

56. If an inspector identifies a deficiency that the Department considers critical to health, such as a broken refrigerator or lack of potable water, the inspector may suspend the operator’s permit until the issue has been resolved.

57. If an inspector identifies a deficiency that the Department considers to be non-critical to health, the operator is typically given a time frame within which to correct the deficiency. According to Ms. Wong-Petrie, if the deficiency continues, even if it is not considered critical to health, the deficiency could, if not addressed, lead to a warning, suspension or revocation of a permit. The Department considers suspensions and revocations to be severe, and there have only been 87 suspensions and 2 revocations in the last 10 years.

58. According to Ms. Wong-Petrie, the cost of compliance does not exempt an operator from complying with the *Food Safety Regulations*. However, the Department might provide an operator with time to correct the deficiency based on the cost of correcting it.

59. The Department interprets the requirement to have washroom facilities for staff and the public available in a convenient location in s.20(1) of the *Food Safety Regulations* as only requiring a washroom to be in a location that does not pose a risk to food safety. For example, if the public can only access the washroom by walking through the kitchen, the Department would consider the food establishment to be in violation of the requirement to have a washroom available to the public in a convenient location because it poses an unacceptable risk to the food that is being prepared. If staff could only access a washroom by walking up stairs or going through another business, the Department would consider the food establishment to be in violation of the requirement to have a washroom available to staff in a convenient location, because staff would be exposing themselves and their hands to potential food-borne illness.

60. In the last 10 years, the Department has only issued eight exemptions under s.20(1) of the *Food Safety Regulations*. None of the exemptions were for restaurants, but rather, establishments such as general stores, convenience stores, or small take-out establishments. The Department considered these food establishments to be low-risk. Of the eight exemptions, only one remains active as the others related to food establishments that are no longer in operation.

61. In five of the above-noted exemptions under s.20(1) of the *Food Safety Regulations*, one of the factors relied on by the Administrator for granting the exemption was that compliance would be “so cost prohibitive as to make the continued operation of the business non viable.”

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62. In two of the exemptions granted under s.20(1) of the *Food Safety Regulations*, the operator was given a time frame within which to comply with the *Regulations*: in one case, prior to the third year of operation, and in the other case, one year.

63. The Department does not interpret s.20(1) of the *Food Safety Regulations* as requiring a washroom for the public that is wheelchair accessible. The Department does not consider the accessibility of washrooms in food establishments to relate to food safety.

64. The Department does not consider hand washing by members of the public to fall within the mandate of its food safety program.

65. The Department therefore issues permits and renews permits under the *Health Protection Act* and the *Food Safety Regulations* allowing food establishments to operate without washrooms that are accessible by members of the public who use wheelchairs for mobility.

Argument

The Complainants

66. The position of the Complainants is that the failure of the Respondent to require food establishments to have washroom facilities for the public that are accessible for individuals who use wheelchairs for mobility under s.20(1) of the *Food Safety Regulations* has a discriminatory impact on those individuals contrary to ss.5(1)(a) and (o) of the *Human Rights Act*.

67. The Complainants argue that Respondent's interpretation and application of s.20(1) of the *Food Safety Regulations* adversely affects the health of individuals who use wheelchairs for mobility and the health of the population generally.

68. The Complainants, anticipating that the Respondent would rely on the Province's promise of full accessibility by 2030 under the new *Accessibility Act*, S.N.S. 2017, c.2, argue that deferring the enforcement of s.20(1) of the *Food Safety Regulations* to require washrooms that are accessible would perpetuate the discrimination and increase the probability of a public health incident.

69. The Complainants characterize the approach of the Respondent to s.20(1) of the *Food Safety Regulations* as systemic discrimination.

70. The Complainants assert that their complaint is not solely about the ability to access a toilet, but that it is also about access to basic hygiene, as individuals in non-motorized wheelchairs spend most of their day with their hands on the hand rims of the wheels in order to move the chair, and the hand rims are in close proximity to the ground and get dirty throughout the day. The dirt is then transferred to the individual's hands. Individuals in

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wheelchairs who do not have access to handwashing facilities have their health placed at risk. The Complainants rely on the letter from Mr. Campbell for their argument that jeopardizing the health of individuals who use wheelchairs jeopardizes the whole population.

71. In addition to relying on ss.5(1)(a) and (o) of the *Human Rights Act*, the Complainants rely on the right to equal protection and equal benefit of the law without discrimination on the basis of physical disability under s.15(1) of the *Canadian Charter of Rights and Freedoms*.

72. The Complainants argue that the purpose of the *Health Protection Act* is to protect the health of all Nova Scotians.

73. The Complainants argue that in order to be licensed as a food establishment under the *Health Protection Act*, a food establishment must have washroom facilities for the public available in a convenient location, pursuant to s.20(1) of the *Food Safety Regulations*. The Complainants argue that "convenient" in s.20(1) of the regulations means a location that is accessible, and that "the public" in s.20(1) includes individuals who use wheelchairs.

74. Until the hearing, the Complainants were not aware of the reason why the Respondent did not require food establishments to have washroom facilities for the public that are accessible to wheelchair users.

75. The Complainants rely on *Waplington v. Maloney Steel Ltd.*, 1983 CarswellAlta 513, 4 C.H.R.R. D/1483 (ABQB) for the proposition that individuals have a right to washroom facilities that are suitable for them, and on *Council of Canadians with Disabilities v. VIA Rail Canada Inc.*, [2007] 1 SCR 650, 2007 SCC 15 for the proposition that individuals have a right to an accessible washroom.

76. The Complainants seek an order requiring the Respondent to enforce s.20 of the *Food Safety Regulations* in a consistent and non-discriminatory manner so that licensed food establishments must have a washroom that is accessible to all members of the public.

77. The Complainants seek an unspecified amount of nominal damages to be used for the purpose of accessible washrooms to protect public health.

The Position of the Respondent

78. The Respondent agrees that accessibility is an important issue, and that all Nova Scotians, including Nova Scotians who use wheelchairs, have a right to participate fully in society and public life, and that barriers that prevent full participation and cause disability must be addressed.

79. However, the Respondent submits that accessibility cannot and should not be addressed in the context of the *Food Safety Regulations* and that accessibility, including the accessibility of washrooms, is not a food safety issue.

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80. Rather, according to the Respondent, the legal requirements with respect to accessibility of buildings, including restaurants, are set out in the *Building Code Regulations* and in the Halifax Regional Municipality *By-Law S-1000 Respecting the Regulation of Sidewalk Cafés*.

81. The Respondent states that it is the *Building Code Regulations* and *By-Law S-1000* that create the situation where a patron who uses a wheelchair may be served at a restaurant, including a patio of a restaurant, that does not have an accessible washroom. However, the complaint does not directly address either the *Building Code Regulations* or *By-Law S-1000.* As a result, the Respondent asserts that the core policy issues with respect to the scope of the *Building Code Regulations*, the grandfathering of existing buildings, and *By-Law S-1000* are not directly dealt with by the complaint.

82. The Respondent also asserts that, because the complaint is not against individual restaurants, a whole set of policy issues involving accommodation and undue hardship that could be presented by the restaurants is bypassed because of the manner in which the Complainants framed the complaint.

83. The Respondent argues that the complaint does not address a "service" within the meaning of s.5(1)(a) of the *Human Rights Act*. The Respondent states that the Complainants are seeking the enforcement of the *Food Safety Regulations* according to their interpretation, and that the enforcement of regulations is not a "service" within the meaning of the *Human Rights Act*. The Respondent points out that neither of the cases relied on by the Complainants involved the enforcement of regulations or policies by a government regulator.

84. The Respondent acknowledges that some aspects of government activities have been recognized as "services" under the *Human Rights Act*. For example, in *O'Quinn v. Nova Scotia Workers' Compensation Board*, [1995] 131 DLR (4th) 318, the Nova Scotia Court of Appeal found that government-administered workers' compensation benefits amount to a "service" under the *Human Rights Act*. A similar conclusion was reached with respect to public pension benefits in *Nova Scotia (Minister of Finance) v. Hodder et al.*, 1998 CanLII 5962 (NSCA).

85. The Respondent relies on *Watkin v. Canada (Attorney General)*, 2008 FCA 170 for the proposition that government's enforcement activities per se are not a "service" within the meaning of human rights legislation. In *Watkin*, *supra*, the allegation was that Health Canada enforced the *Food and Drug Act* unequally based on ethnicity. The Federal Court of Appeal rejected the argument that the enforcement activity of Health Canada involved "services" under the *Canadian Human Rights Act*.

86. The Respondent argues that even if this case involved actions that could somehow be characterized as a "service", then the "service" is not provided to the Complainants. Rather, the enforcement of the *Food Safety Regulations* is between the Department of Environment and the food establishments. Relying on *Watkin, supra*, the Respondent argues that simply because

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government activity is undertaken for the public good does not, in and of itself, transform that activity into a "service."

87. The Respondent relies on the recent decision of the Supreme Court of Canada in *Canada (Canadian Human Rights Commission) v. Canada (Attorney General)*, 2018 SCC 31 for the proposition that the government, in legislating, is not providing a "service" within the meaning of human rights legislation, and that a human rights tribunal does not have the jurisdiction to negotiate with the responsible Minister the manner in which legislative provisions are to be applied.

88. The Respondent argues that the complaint is based on an incorrect interpretation of the *Food Safety Regulations*, and that the *Food Safety Regulations* do not require a restaurant to have a washroom accessible to wheelchair users. The Respondent argues that the food safety regulatory regime is focused on ensuring that food establishments adhere to practices that minimize the risk of food contamination, which in turn protects public health. The Respondent argue that the *Food Safety Regulations* do not regulate food establishments in terms of other public interests, such as Building Code compliance and accommodation of disability. Such matters, according to the Respondent, fall outside the narrow focus of food safety. Therefore, says the Respondent, the location of the washroom under s.20(1) of the *Food Safety Regulations* must be reviewed solely with a narrow focus on food safety, and not with a broader focus on accessibility. The argument of the Respondent is that the Department's mandate is to regulate the hygiene of food establishments and food handlers, not food consumers.

89. The Respondent finds support for its interpretation of s.20(1) of the *Food Safety Regulations* as requiring the least amount of interference or the lightest exercise of power to respond to a health hazard or public health emergency in s.2 of the *Health Protection Act*, which reads as follows:

> **Restrictions on private rights and freedoms limited**
>
> 2 Restrictions on private rights and freedoms arising as a result of the exercise of any power under this Act shall be no greater than are reasonably required, considering all of the circumstances, to respond to a health hazard, notifiable disease or condition, communicable disease or public health emergency.

90. The Respondent argues that, in the alternative, the exceptions under s.6(f) of the *Human Rights Act* apply to this case.

91. The Respondent argues that its approach to s.20(1) of the *Food Safety Regulations* is based upon a "*bona fide* qualification" under s.6(f)(i) of the *Human Rights Act*. The Respondent states that in order for this exemption to apply, one would need to weigh the potential consequences to individual restaurants flowing from the remedy being requested.

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92. The Respondent also argues that the exception in s.6(f)(ii) of the *Human Rights Act* is engaged because the remedy sought in the complaint would be inconsistent with the Province's legislated plans for addressing accessibility issues in the *Accessibility Act*, in which the Province has adopted a goal of achieving accessibility by 2030. The Respondent argues that the remedy sought in the complaint would take the one issue of accessible washrooms in restaurants, and using the food safety inspection process, require immediate change in the industry, at the risk of closing down businesses, and that this would be inconsistent with and ultimately damaging to the progressive realization of accessibility contemplated in the *Accessibility Act*.

93. The Respondent asserts that the Province's decision to address accessibility of the built environment, including restaurants, under the progressive realization process in the *Accessibility Act* is "a reasonable limit prescribed by law as can be demonstrably justified in a free and democratic society" under s.6(f)(ii) of the *Human Rights Act*.

94. The Respondent argues that the exception in s.6(f)(ii) of the *Human Rights Act* indicates a need for a level of deference to government in developing a complex regulatory response to a social problem, relying on *Alberta v. Hutterian Brethren of Wilson Colony*, 2009 SCC 37 at para.37.

Reply of the Complainants

95. In reply, the Complainants state that in the ten years since the Federal Court of Appeal decision in *Watkin*, *supra*, it has not been cited by a non-federal court or tribunal, that the decision is not binding on this Tribunal, that it can be distinguished, and that it is not good law.

96. The Complainants rely on *Johnson v. Halifax Regional Police Service*, 2003 CarswellNS 621, [2003] N.S.H.R.B.I.D. No.2, 48 C.H.R.R. D/307 for the argument that the discriminatory enforcement of regulations constitutes a "service" within the meaning of the *Human Rights Act*.

97. The Complainants point out that, unlike in *Watkin, supra*, this case does not involve a single decision or a series of discrete decisions about whether or not to enforce a particular law or take any particular enforcement action. Rather, we are dealing with a systemic practice that has a widespread discriminatory impact.

98. The Complainants also state that *Watkin, supra* is distinguishable because it did not deal with access to both services and facilities, as is the case here.

99. The Complainants take issue with the Respondent's interpretation of s.20(1) of the *Food Safety Regulations*. The Complainants rely on the decision of the Nova Scotia Court of Appeal in *Halifax (Regional Municipality) v. Nova Scotia (Human Rights Commission)*, 2008 NSCA 21 for the proposition that human rights legislation is quasi-constitutional and therefore that the regulations must be administered in a manner that is non-discriminatory.

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100. The Complainants also assert that the Respondent's interpretation ignores the words "for the public" in s.20(1) of the *Food Safety Regulations*. Relying on the Court's approach to statutory interpretation in *Heritage Capital Corp. v. Equitable Trust Co.*, [2016] 1 SCR 306, 2016 SCC 19, the Complainants assert that the words mean that a restaurant must have a washroom for the public for public health purposes.

101. The Complainants state that the Respondent has provided no evidence to support its reliance on the exceptions in s.6(f) of the *Human Rights Act.* The Complainants argue that the Respondent's discriminatory conduct is not a limit that is "demonstrably justified" or that is "minimally impairing" of the rights of individuals who use wheelchairs.

102. The Complainants assert that the remedy they seek will not necessarily lead to the revocation of permits. The Complainants state that whether or not enforcement of s.20(1) of the *Food Safety Regulations* will cause undue hardship to a food establishment will have to be determined on a case by case basis. The Complainants point out that the Respondent has the authority to grant exemptions from s.20(1), and to grant extensions of the time for compliance with s.20(1).

Position of the Restaurant Association of Nova Scotia

103. The Restaurant Association of Nova Scotia argues that the remedy sought by the Complainants would be catastrophic to the food and beverage sector in Nova Scotia because the impact to small and medium sized family owned restaurants would be immense. The Association argues that, with the low profit margins in this sector, the expenses involved in having washrooms that are accessible to wheelchair users could have major impacts such as business closures, loss of jobs, and loss of tax revenue.

Reply of Complainants to Restaurant Association

104. The Complainants reply to the concerns of the Restaurant Association by stating that the language used is hyperbolic, and that Mr. Vienneau gave examples of where minimal investment was required to provide an accessible washroom. The Complainants state further that the Province has already applied s.20(1) of the *Food Safety Regulations* in a manner that recognizes undue financial hardship.

Reply of Respondent to Restaurant Association

105. The Respondent states that the submissions of the Restaurant Association are relevant in assessing potential undue hardship. The Respondent also argues that it is not entirely clear what standard should be used to determine "accessible," and therefore that accessibility issues should be left to be determined under the *Building Code Regulations*, where actual standards are found.

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Issues

106. The issues that need to be determined in this complaint are:

1. What does s.20(1) of the *Food Safety Regulations* mean?

2. Does the Respondent's interpretation and application of s.20(1) of the *Food Safety Regulations* constitute discrimination on the basis of physical disability within the meaning of s.4 of the *Human Rights Act*?

3. If there is discrimination on the basis of physical disability, is it in respect of the provision of or access to services or facilities within the meaning of s.5(1)(a) of the *Human Rights Act*?

4. If there is discrimination on the basis of physical disability in respect of the provision of or access to services or facilities, do either of the defences to discrimination in s.6(f)(i) or s.6(f)(ii) of the *Human Rights Act* apply?

5. If there is discrimination on the basis of physical disability in respect of the provision of or access to services or facilities, and if neither of the defences to discrimination in s.6(f)(i) or s.6(f)(ii) *Human Rights Act* apply, what is the appropriate remedy?

Decision

Meaning of s.20(1) of the Food Safety Regulations

107. Section 20 of the *Food Safety Regulations* provides in full as follows:

Washroom facilities

20 (1) A food establishment must have washroom facilities for staff and washroom facilities for the public available in a convenient location, unless exempted by the Administrator.

(2) A washroom facility must be constructed, equipped, and designed in accordance with the *Nova Scotia Building Code*.

(3) If an inspector gives written approval, the same washroom facilities may be used for both staff and the public.

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108. The leading cases on statutory interpretation are *Rizzo v. Rizzo Shoes, Ltd*., 1998 CanLII 837 (SCC), [1998] 1 S.C.R. 27 and *Bell ExpressVu Limited Partnership v. Rex*, 2002 SCC 42 (CanLII). In both cases, the Supreme Court of Canada quoted the following passage from *Driedger's Construction of Statutes* (2nd ed. 1983):

> Today there is only one principle or approach, namely, the words of an Act are to be read in their entire context and in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act, and the intention of Parliament.
>
> *Rizzo, supra* at 21; *Bell, supra* at para.26

109. Furthermore, s.9(5) of the *Interpretation Act*, R.S.N.S. 1989, c.235 provides as follows:

> 9(5) Every enactment shall be deemed remedial and interpreted to insure the attainment of its objects by considering among other matters
>
> (a) the occasion and necessity for the enactment;
> (b) the circumstances existing at the time it was passed;
> (c) the mischief to be remedied;
> (d) the object to be attained;
> (e) the former law, including other enactments upon the same or similar subjects;
> (f) the consequences of a particular interpretation; and
> (g) the history of legislation on the subject

110. Reading the words of s.20(1) of the *Food Safety Regulations* in their grammatical and ordinary sense is straightforward: the regulation requires, in part, a food establishment to have washroom facilities for the public available in a convenient location, unless exempted by the Administrator. There must be separate washroom facilities for staff and for the public, unless there is written approval given by an inspector under s.20(3) of the regulations.

111. The provisions of the *Health Protection Act* indicate that the purpose of the *Act*, and the *Food Safety Regulations* made under the *Act*, including s.20(1) of the regulations, is the protection of public health:

- The title of the act refers to health protection.

- Under ss.82(1) and 83(1)(d) of the *Act*, which fall under Part II – Food Safety of the *Act*, no person shall operate a food establishment without first having obtained a permit from the Administrator, and the Administrator shall not issue or renew a permit, or may suspend or revoke a permit, where he or she is of the opinion that ***the operation of the food establishment represents or would represent a risk to human health***.

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- Under s.89 of the *Act*, a food establishment must be constructed and maintained in such a manner that ***no condition exists that is injurious to human health*** or that, in the opinion of the Administrator, ***is potentially injurious to human health***.

112. I have found, and the Respondent agrees, that hand-washing by customers in food establishments is an important measure for the protection of public health and the prevention of disease.

113. I do not accept the Respondent's interpretation of s.20(1) of the *Food Safety Regulations*, which is:

- that the requirement for washroom facilities for the public must be narrowly construed to require only that the location of the washroom for the public not pose a risk to food safety,
- that the regulation eliminates any assessment of whether washroom facilities are accessible to wheelchair users because accessibility is not a food safety issue, and
- that interpreting s.20(1) as requiring an assessment of washroom accessibility would be inconsistent with the scheme and purpose of the legislation, which is food safety.

114. There is nothing in the express terms of the *Health Protection Act* or the *Food Safety Regulations* that supports such a narrow interpretation of s.20(1) of the *Food Safety Regulations*.

115. I do not accept the Respondent's argument that s.2 of the *Health Protection Act* supports its very narrow interpretation and application of s.20(1) of the *Food Safety Regulations*. I find that s.2 of the *Act* concerns the "exercise of any power under this *Act*," such as the power to grant exemptions under s.20(1) of the *Regulations*, but not to the interpretation of substantive requirements of the *Act* or the *Regulations*, such as the requirement to have washroom facilities for the public in 20(1) of the *Regulations*. I find that this interpretation of s.2 of the Act is one that better achieves the broad purpose of the *Act*, which is the protection of public health, than the interpretation offered by the Respondent.

116. An interpretation of s.20(1) of the *Food Safety Regulations* that better ensures the attainment of the purpose of public health protection is an interpretation that assumes that the provision of washroom facilities for the public has a public health protection benefit, and an interpretation that allows a consideration as to whether wheelchair users can, in fact, access and use a public washroom in a food establishment and therefore whether those individuals can access the public health protection benefit of s.20(1).

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117. Subsection 20(1) of the *Food Safety Regulations* does explicitly address wheelchair accessibility of washrooms. However, it certainly does not preclude a consideration of the wheelchair accessibility of washrooms, particularly if such a consideration furthers the purpose of public health protection, which I find that it does.

Discrimination under s.4 of the Human Rights Act

118. The next question is whether the Respondent's interpretation and application of s.20(1) of the *Food Safety Regulations* constitutes *prima facie* discrimination under s.4 of the *Human Rights Act*.

119. For ease of reference, s.4 of the *Human Rights Act* provides as follows:

> 4. For the purpose of this Act, a person discriminates where the person makes a distinction, whether intentional or not, based on a characteristic, or perceived characteristic, referred to in clauses (h) to (v) of subsection (1) of Section 5 that has the effect of imposing burdens, obligations or disadvantages on an individual or a class of individuals not imposed upon others or which withholds or limits access to opportunities, benefits and advantages available to other individuals or classes of individuals in society.

120. The Respondent interprets and applies s.20(1) of the *Food Safety Regulations* as requiring food establishments to have washroom facilities for the public, but not requiring them to have washroom facilities that are accessible to members of the public who use wheelchairs for mobility. What this means in practice is that the Respondent issues permits to food establishments allowing them to operate without washroom facilities that can be used by members of the public who use wheelchairs. The Respondent's interpretation and application of s.20(1) of the *Food Safety Regulations*, which includes the issuing of permits, makes a distinction based on physical disability that has the effect of imposing burdens or disadvantages on individuals based on their physical disability.

121. The Respondent's interpretation and application of s.20(1) of the *Food Safety Regulations*, including the issuing of permits to food establishments, in a manner that requires food establishments to have washroom facilities for the public but not for members of the public who use wheelchairs, meets the definition of discrimination in s.4 of the *Human Rights Act*.

Provision of or access to services or facilities under s.5(1)(a) of the Human Rights Act

122. The next question is whether the discrimination described above is in respect of "the provision of or access to services or facilities" under s.5(1)(a) of the *Human Rights Act*.

123. For ease of reference, s.5(1) provides as follows:

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Prohibition of discrimination

5 (1) ***No person shall in respect of***

(a) ***the provision of or access to services or facilities***;

(b) accommodation;

(c) the purchase or sale of property;

(d) employment;

(e) volunteer public service;

(f) a publication, broadcast or advertisement;

(g) membership in a professional association, business or trade association, employers' organization or employees' organization,

discriminate against an individual or class of individuals on account of

…

(o) ***physical disability or mental disability***

…

[Emphasis added]

124. The Respondent interprets and applies s.20(1) of the *Food Safety Regulations* as requiring a food establishment to have washroom facilities for the public available in a convenient location, but not requiring those washroom facilities to be accessible to individuals who use wheelchairs for mobility. What this means in a practical sense is that the Respondent uses this interpretation:

- in the conversations that take place between inspectors and operators during inspections, whether they be pre-inspections, routine inspections, re-inspections, ad hoc inspections and consultation inspections;
- in deciding whether to issue permits or to renew permits;
- in decisions about whether to provide food establishments with extensions of time to come into compliance, and if so, how much time will be provided;
- in deciding whether to grant exemptions;
- in deciding whether to issue warnings; and

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- in deciding whether to suspend or revoke a permit.

125. I will refer to these activities as "the Respondent's administration and enforcement of the *Food Safety Regulations*."

126. The Respondent asserts that the conduct being complained of is "enforcement" and that the enforcement activities of government are not "services" within the meaning of human rights legislation. The Respondent also argues that, even if the impugned activities of government are a "service," they are a service provided to food establishments and not to the Complainants, and therefore do not fall within s.5(1)(a) of the *Human Rights Act*.

127. A reading of the words of s.5(1)(a), in the context of the *Human Rights Act* as a whole, and in light of the *Act*'s purpose, leads me to conclude that the Respondent's administration and enforcement of the *Food Safety Regulations* are in respect of the provision of or access to services within the meaning of the *Act*.

128. First, there are no words in s.4, s.5(1)(a) or any other section of the *Human Rights Act* that suggest that "services" exclude activities such as the Respondent's administration and enforcement of the *Food Safety Regulations*.

129. In fact, the wording of s.4 is very broad, applying to a "distinction":

> … that has the effect of imposing burdens, obligations or disadvantages on an individual or a class of individuals not imposed upon others or which withholds or limits access to opportunities, benefits and advantages available to other individuals or classes of individuals in society

130. Furthermore, there are no words in s.5(1)(a) that restrict the phrase "in respect of the provision of or access to services."

131. I find that the ordinary meaning of "services" in s.5(1)(a) of the *Human Rights Act* includes the activities of the Respondent here. The Respondent provides inspection, licensing, compliance and enforcement services to food establishments, and public health protection services to the public when it administers and enforces the *Food Safety Regulations*.

132. Second, the purpose section of the *Human Rights Act* is broad and specifically recognizes that government and all public agencies have the responsibility to ensure that every individual in the Province is afforded an equal opportunity to enjoy a full and productive life:

> **Purpose of Act**
>
> 2 The purpose of this Act is to

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(a) recognize the inherent dignity and the equal and inalienable rights of all members of the human family;

(b) proclaim a common standard for the achievement of basic human rights by all Nova Scotians;

(c) recognize that human rights must be protected by the rule of law;

(d) affirm the principle that every person is free and equal in dignity and rights;

(e) ***recognize that the government, all public agencies*** and all persons in the Province ***have the responsibility to ensure that every individual in the Province is afforded an equal opportunity to enjoy a full and productive life and that failure to provide equality of opportunity threatens the status of all persons***; and

(f) extend the statute law relating to human rights and provide for its effective administration.

[emphasis added]

133. An interpretation of "services" in s.5(1)(a) as encompassing the Respondent's administration and enforcement of the *Food Safety Regulations*, all for the purpose of protecting the health of the public, better achieves the purposes in s.2 of the *Human Rights Act*, especially the purpose in s.2(e) of the *Act*, than the interpretation advanced by the Respondent.

134. Third, the context of the *Human Rights Act* suggests that "services" should include the Respondent's administration and enforcement of the *Food Safety Regulations*.

135. Section 21 of the *Human Rights Act* states that the *Act* is binding on the Province.

136. Subsection 10(1) of the *Human Rights Act* provides that regulations that are discriminatory on their face are void and of no legal effect:

Void

10 (1) Where, in a regulation made pursuant to an enactment, there is a reference to a characteristic referred to in clauses (h) to (v) of subsection (1) of Section 5 that appears to restrict the rights or privileges of an individual or class of individuals to whom the reference applies, the reference and all parts of the regulation dependent on the reference are void and of no legal effect.

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137. If s.20(1) of the *Food Safety Regulations* were amended to state that food establishments need not have a washroom that is accessible to wheelchair users, it would have the same effect as the practice of the Province being challenged in this case, and would run afoul of s.10(1) of the *Human Rights Act*.

138. If the Respondent published material for the benefit of food establishments that set out its position that food establishments need not have a washroom that is accessible to wheelchair users under s.20(1) of the *Food Safety Regulations*, it would simply reflect the actual practice of the Respondent at issue in this case, and such a publication would run afoul of s.5(1)(f) and (o) of the *Human Rights Act*.

139. Reading "services" in s.5(1)(a) of the *Human Rights Act* harmoniously with other provisions of the *Act* therefore supports an interpretation of "services" that includes the Respondent's administration and enforcement of s.20(1) of the *Food Safety Regulations*.

140. I do not accept the Respondent's argument that, because other spheres of activity listed in s.5(1) of the *Human Rights Act* are transactional, "services" must be interpreted as only concerning transactional activities between a service provider and the receiver of that service. Subsection 5(1) includes in subsection (f) "a publication, broadcast or advertisement," which are not transactional activities.

141. I find support for an interpretation of "services" as including the Respondent's administration and enforcement of the *Food Safety Regulations* in the decision of the Nova Scotia Court of Appeal in *The Workers' Compensation Board of Nova Scotia v. O'Quinn*, 1995 CanLII 4179, in which the Court dismissed the argument of the Workers' Compensation Board that workers' compensation benefits were not "services" within the meaning of s.5(1)(a) of the *Human Rights Act*.

142. In reaching its decision in *O'Quinn*, *supra*, the Nova Scotia Court of Appeal relied on:

> 1. A broad, liberal and purposive approach to the interpretation of human rights legislation.
>
> 2. The fact that the word "services" in the Nova Scotia *Human Rights Act* is not limited by any phrase similar to the phrase "generally available to the public," as it is in human rights legislation in other provinces.
>
> 3. The fact that the scope of the word "services" was broadened by amendments made by the Nova Scotia legislature to the *Human Rights Act* in 1991 that deleted the limiting phrases "customarily provided members of the public" and "to which members of the public have access."
>
> 4. The broad social goals included in s.2 of the *Human Rights Act*, which had been in the preamble to the previous legislation and then became embodied in

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the amended legislation as its stated purpose, in particular s.2(e) which recognizes the responsibility that the government, all public agencies and all persons in the province have to ensure equal opportunity for all individuals.

143. In *O'Quinn*, the Nova Scotia Court of Appeal adopted the approach to the interpretation of human rights legislation articulated by the Supreme Court of Canada in *University of British Columbia v. Berg*, [1993] 2 S.C.R. 353, per Lamer C.J.:

> In addressing the issue of the interpretation of the British Columbia *Human Rights Act*, Lamer C.J. made reference to the recent decision of the Supreme Court, which set out quite a different approach to interpretation than the approach that was used in *Jenkins*. He said at p.370:
>
> > "In my reasons in *Heerspink*, I commented on the unique nature of human rights legislation (at pp.157-58):
> >
> > > When the subject matter of a law is said to be the comprehensive statement of the 'human rights' of the people living in that jurisdiction, then there is no doubt in my mind that the people of that jurisdiction have through their legislature clearly indicated that they consider that law, and the values it endeavours to buttress and protect, are, save their constitutional laws, more important than all others.
> >
> > > Following *Heerspink*, this Court has had many occasions to comment on the privileged status of human rights legislation. In *Ontario Human Rights Commission v. Simpson-Sears Ltd., supra*, McIntyre J. observed (at p.547) that '[l]egislation of this type is of a special nature, not quite constitutional but certainly more than the ordinary – and it is for the courts to seek out its purpose and give it effect.' This Court has repeatedly stressed that a broad, liberal and purposive approach is appropriate to human rights legislation, and that such legislation, according to La Forest J. in *Robichaud*, at p.89, 'must be so interpreted as to advance the broad policy considerations underlying it.'"

144. In *Nova Scotia v. Hodder*, 1998 CanLII 5962, the Nova Scotia Court of Appeal relied on the Court's reasons in *O'Quinn* to hold that the administration by the Province of Nova Scotia of pension and other benefits falls within the meaning of "the provision of services" under s.5(1)(a) of the *Human Rights Act*.

145. The decision of Edwards J. in *Reed*, *supra*, which allowed the Complainants' application for judicial review of the Human Rights Officers' decision not to accept their complaint, also supports a finding that the Respondent's discriminatory administration and enforcement of

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s.20(1) of the *Food Safety Regulations* falls within the purview of the *Human Rights Act*. Edwards J. found that the complaint fell squarely within the mandate of the Human Rights Commission in s.2(e) of the *Human Rights Act*: *Reed, supra* at para.12. Edwards J. also held that "[t]he *Human Rights Act* trumps the Ombudsman, the *Building Code of Canada*, and the other affected departments of government": *Reed, supra* at praa.14.

146. An interpretation of "services" that encompasses the Respondent's administration and enforcement of s.20(1) of the *Food Safety Regulations* also better achieves the purpose of human rights legislation to address the effects of systemic discrimination: see *British Columbia (Public Service Employee Relations Commission) v. BCGSEU*, [1999] 3 SCR 3, 1999 CanLII 652 ("*Meiorin*") at para.42.

147. McLachlin J., as she then was, writing for the Supreme Court of Canada in *Meiorin*, *supra*, articulated a revised approach to what an employer must show to justify a *prima facie* case of discrimination, given the difficulties with the conventional approach. Under the conventional approach, if an employer could not justify a directly discriminatory standard as a *bona fide* occupational requirement ("BFOR"), the standard would be struck down in its entirety. However, if the standard was found to be a neutral one that adversely affected a certain individual, the employer would have to accommodate the individual claimant to the point of undue hardship, but the discriminatory standard would remain intact: *Meiorin, supra,* at para.30.

148. In explaining the Court's decision to articulate a new approach, McLachlin J. relied in part on the conclusion that the conventional analysis served to legitimize systemic discrimination, or "discrimination that results from the simple operation of established procedures of recruitment, hiring and promotion, no one of which is necessarily designed to promote discrimination": *Meiorin, supra* at para.39, quoting from *Canadian National Railway Co. v. Canada (Canadian Human Rights Commission)*, 1987 CanLII 109 (SCC), [1987] 1 S.C.R. 1114, at p.1139.

149. McLachlin J. explained how the conventional analysis might serve to legitimize systemic discrimination as follows:

> 40 Under the conventional analysis, if a standard is classified as being "neutral" at the threshold stage of the inquiry, its legitimacy is never questioned. The focus shifts to whether the individual claimant can be accommodated, and the formal standard itself always remains intact. The conventional analysis thus shifts attention away from the substantive norms underlying the standard, to how "different" individuals can fit into the "mainstream", represented by the standard.
>
> *Meiorin, supra* at para.40

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150. McLachlin J. wrote that the conventional analysis applicable to adverse effects discrimination "bars the court from assessing the legitimacy of the standard itself": *Meiorin, supra,* at para.41. McLachlin J. relied on the following passage from the article by Shelagh Day and Gwen Brodsky, "The Duty to Accommodate: Who Will Benefit?" (1996), 75 *Can. Bar Rev.* 433, where the authors discuss the conventional approach to neutral standards and the duty to accommodate those who are adversely affected by them:

> 41 …
>
> The difficulty with this paradigm is that it does not challenge the imbalances of power, or the discourse of dominance, such as racism, ablebodyism and sexism, which result in a society being designed well for some and not for others. It allows those who consider themselves "normal" to continue to construct institutions and relations in their image, as long as others, when they challenge this construction are "accommodated."
>
> Accommodation, conceived this way, appears to be rooted in the formal model of equality. … Accommodation does not go to the heart of the equality question, to the goal of transformation, to an examination of the way institutions and relations must be changed in order to make them available, accessible, meaningful and rewarding for the many diverse groups of which our society is composed. Accommodation seems to mean that we do not change procedures or services, we simply "accommodate" those who do not quite fit. We make some concessions to those who are "different" rather than abandoning the idea of "normal" and working for genuine inclusiveness.
>
> …
>
> *Meiorin, supra,* at para.41

151. McLachlin J. explained how the conventional analysis shielded systemic discrimination from scrutiny in the case before the Court:

> 42 … Although the Government may have a duty to accommodate an individual claimant, the practical result of the conventional analysis is that the complex web of seemingly neutral, systemic barriers to traditional male-dominated occupations remains beyond the direct reach of the law. The right to be free from discrimination is reduced to a question of whether the "mainstream" can afford to confer proper treatment on those adversely affected, within the confines of its existing formal standard. If it cannot, the

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edifice of systemic discrimination receives the law's approval. This cannot be right.

Meiorin, supra, at para.42

152. McLachlin J. stated that "the conventional analysis may compromise both the broad purposes and the specific terms of the Code": *Meiorin, supra,* at para.43. She then set out the relevant purposes from the British Columbia *Human Rights Code*:

> 44 In British Columbia, the relevant purposes are stated in s.3 of the Code:
>
> 3 …
>
> (a) to foster a society in British Columbia in which there are no impediments to full and free participation in the economic, social, political and cultural life of British Columbia;
>
> (b) to promote a climate of understanding and mutual respect where all are equal in dignity and rights;
>
> (c) to prevent discrimination prohibited by this Code;
>
> (d) to identify and eliminate persistent patterns of inequality associated with discrimination prohibited by this Code;
>
> (e) to provide a means of redress for those persons who are discriminated against contrary to this Code. …

Meiorin, supra, at para.44

153. In light of the explicit purposes of the Code, and the principle that human rights statutes ought to be interpreted liberally so that they may better fulfill their objectives, McLachlin J. held that the conventional approach did not allow these statutes to accomplish their objectives as well as they might otherwise do:

> 44 …
>
> This Court has held that, because of their status as "fundamental law", human rights statutes must be interpreted liberally, so that they may better fulfill their objectives: *O'Malley, supra*, at p.547, *per* McIntyre J.; *Action Travail, supra*, at pp.1134-36, *per* Dickson C.J.; *Robichaud v. Canada (Treasury Board)*, 1987 CanLII 73 (SCC), [1987] 2 S.C.R. 84, at pp.89-90, *per* La Forest J. An interpretation that allows the rule itself to be questioned only if the discrimination can be characterized as "direct"

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> does not allow these statutes to accomplish their purposes as well as they might otherwise do.
>
> *Meiorin, supra,* at praa.44

154. Returning to the wording of the human rights legislation before her, McLachlin J. concluded that, "[s]tated simply, there is no statutory imperative in this case to perpetuate different categories of discrimination and provide different remedies for their respective breaches": *Meiorin, supra,* at para.46.

155. While *Meiorin, supra* dealt with an employer's justification for discrimination rather than on the meaning of "services," the Court's reasoning, with its focus on the importance of addressing systemic discrimination, is helpful in determining the meaning of "services" in the Nova Scotia *Human Rights Act*.

156. An interpretation of "services" in s.5(1)(a) of the *Human Rights Act* that captures only the direct transaction between a service provider and the receiver of that service (in this case, as capturing only the direct relationship between food establishments and customers) might "serve to legitimize systemic discrimination", in the words of McLachlin J. in *Meiorin, supra* at para.39, by failing to take into account the fact that there are numerous structures, systems and practices in society that all work together to create barriers to the full participation in society by individuals who use wheelchairs for mobility. In the context of this case, these structures, systems and practices would include not only the failure of individual food establishments to provide washroom facilities that are accessible to wheelchair users, but also the regulatory regime that the Respondent administers in a way that condones such practices.

157. If, as the Respondent submits, "services" in s.5(1)(a) of the *Human Rights Act* only captures the direct relationship between the food establishment and the Complainants, and not the service provided to the public by the Respondent in its administration of the *Food Safety Regulations*, the legitimacy of the Respondent's discriminatory administration of that regime is not questioned. The focus shifts to whether an individual complainant can be accommodated by a particular food establishment, and the Respondent's practice remains intact.

158. Borrowing from the words of McLachlin J. in *Meiorin, supra*, although individual food establishments may have a duty to accommodate an individual complainant, the practical result of the Respondent's approach would be that part of the complex web of seemingly neutral, systemic barriers to wheelchair users remains beyond the direct reach of the law.

159. It is significant that the purposes of the Nova Scotia *Human Rights Code* go beyond those at issue in *Meiorin*, *supra*, by explicitly recognizing that the Nova Scotia government, the Respondent in this case, has "the responsibility to ensure that every individual in the Province is afforded an equal opportunity to enjoy a full and productive life."

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160. A narrow interpretation of "services," to exclude the services of the Respondent in administering and enforcing the food safety regime for the benefit of the public's health, would compromise both the broad purposes and the specific terms of the Nova Scotia *Human Rights Act*.

161. Furthermore, there is no "statutory imperative" in the Nova Scotia *Human Rights Act* that would restrict the meaning of services in the manner suggested by the Respondent.

162. Moreover, the Respondent's narrow interpretation of "services" also seems to result in absurdity. If, for example, food establishments had washroom facilities for the public but prohibited members of certain racialized groups from using those washrooms, and if that practice was well-known to the Respondent and yet the Respondent continued to issue or renew permits for those food establishments, the Respondent maintains that its conduct would not fall within the purview of the *Human Rights Act* and that if members of the public wished to address the Respondent's conduct directly, as opposed to the conduct of the food establishments, they would have to launch a *Charter* challenge against the government. This cannot be right, given the broad purpose of the *Human Rights Act*, the wording and context of the *Act* as a whole, and the legislative history of s.5(1)(a) of the *Act*.

163. I have very carefully considered the decision of the Federal Court of Appeal in *Watkin v. Canada (Attorney General)*, 2008 FCA 170, upon which the Respondent relies for the proposition that the Respondent's conduct constitutes "enforcement activities," and that enforcement activities do not fit the meaning of "services" in human rights legislation. I find that the decision in *Watkin*, *supra*, is not applicable to this complaint or to the Nova Scotia *Human Rights Act*.

164. The word "services" in the *Canadian Human Rights Act*, the statute at issue in *Watkin*, *supra*, is modified and limited by the phrase "customarily available to the general public," a limiting phrase not found in the Nova Scotia legislation, a fact that the Nova Scotia Court of Appeal considered to be significant in *O'Quinn, supra*:

> 5. It is a discriminatory practice in the provision of goods, ***services***, facilities or accommodation ***customarily available to the general public***
>
> (a) to deny, or to deny access to, any such good, service, facility or accommodation to any individual …
>
> …
>
> *Watkin, supra* at para.20

165. This difference in wording was significant to the decision of the Federal Court of Appeal that the enforcement activities of Health Canada at issue in *Watkin, supra* did not fall within the jurisdiction of the *Canadian Human Rights Act*:

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> 22 In my view, Health Canada, when enforcing the *Food and Drugs Act* in the manner complained of is not providing "services, … ***customarily available to the general public***" within the meaning of section 5. The actions in question are coercive measures intended to ensure compliance. The fact that these measures are undertaken in the public interest does not make them "services".
>
> …
>
> 31 … I agree that because government actions are generally taken for the benefit of the public, the "***customarily available to the general public***" requirement in section 5 will usually be present in cases involving discrimination arising from government actions (see for example *Rosin, supra* at para.11, and *Saskatchewan Human Rights Commission v. Saskatchewan (Department of Social Services)*, (1988), 52 D.L.R. (4th) 253 at 266-268. However, the first step to be performed in applying section 5 is determine whether the actions complained of are "services" (see *Gould, supra* per La Forest J., para.60). In this respect, "services" within the meaning of section 5 contemplate something of benefit being "held out" as services and "offered" to the public (*Gould, supra*, per La Forest J., para.55). Enforcement actions are not "held out" or "offered" to the public in any sense and are not the result of a process which takes place "in the context of a public relationship" (*Idem*, per Iacobucci J., para.16). I therefore conclude that the enforcement actions in issue in this case are not "services" within the meaning of section 5.
>
> *Ibid*. at paras.22 and 31 [emphasis added]

166. The decision in *Watkin, supra*, is also distinguishable on the facts. The "coercive measures" of Health Canada in that case were very different from the broad range of activities undertaken by the Respondent in this case. *Watkin, supra* involved discrete actions of Health Canada vis-à-vis one corporation, specifically a request to cease and desist advertising a certain product, a request to recall and cease the sale of the product, and a seizure of a quantity of the product. As the Complainants point out, unlike *Watkin, supra*, this case involves a systemic practice of the Respondent affecting all food establishments at every stage of the compliance spectrum.

167. The Federal Court of Canada in *Watkin, supra*, found support for its decision about the meaning of "services" in the *Canadian Human Rights Act* in the decision of the Supreme Court of Canada in *Gould v. Yukon Order of Pioneers*, [1996] 1 SCR 571. In *Gould, supra*, the Court concluded that the exclusion of the female appellant from membership in the Yukon Order of Pioneers based on sex did not fall within the meaning of "services" in the Yukon *Human Rights Act*. However, significant to the decision of the majority in *Gould, supra*, written by Iacobucci J., and to the concurring judgment of La Forest J., was the limiting phrase "when offering or

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providing services, goods or facilities to the public" in s.8(a) of the Yukon *Human Rights Act*: *Gould, supra*, *per* Iacobucci J. at paras.16-17; *per* La Forest J. at paras.20 and 51-55.

168. La Forest J., in his concurring judgment in *Gould, supra*, observed that human rights legislation across Canada contained a phrase limiting the word "services," and in doing so, suggested that s.4 of the Nova Scotia *Human Rights Act* was similar in that it employed a definition of discrimination stated in terms of the denial of "opportunities, benefits and advantages available to other individuals or classes of individuals in society": *Gould, supra* at para.53. However, I do not find this statement to be helpful or applicable to the interpretation of "services" in this case. First, the statement was not necessary to Iacobucci J.'s judgment. Second, he did not refer to the entire definition of discrimination in s.4, which is much broader than the wording relied on in his judgment. Third, the Nova Scotia Court of Appeal decision in *O'Quinn, supra* focused specifically on the wording of s.5(1)(a) of the Nova Scotia *Human Rights Act*, noted the lack of language limiting "services" and relied on the fact that the legislature amended the legislation to remove the limiting language previously in the *Act* to distinguish the Nova Scotia *Act* from other human rights legislation in Canada.

169. Finally, I find that the decision of the Supreme Court of Canada in *Canada (Canadian Human Rights Commission), supra*, relied on by the Respondent, does not apply to this case. In *Canada (Canadian Human Rights Commission), supra*, the complaints were a direct attack on the *Indian Act*: at para.3, per Gascon J. for the majority. The complainants in that case needed to demonstrate that the legislative provisions fell within the statutory meaning of a "service": *ibid*. The Canadian Human Rights Tribunals concluded that legislation was not a service under the *Canadian Human Rights Act* and dismissed the complaints: *ibid*. On judicial review, both the Federal Court and the Federal Court of Appeal found the Tribunal decisions to be reasonable. The appeals to the Supreme Court of Canada were dismissed. The Complainants in this case are not attacking s.20(1) of the *Food Safety Regulations*. They are challenging the government's administration and application of that regulation, and in particular, the government's failure to enforce that section in respect of members of the public who use wheelchairs for mobility.

170. I conclude that the Respondent's administration and enforcement of the *Food Safety Regulations* is in respect of "the provision of or access to services" in s.5(1)(a) of the Nova Scotia *Human Rights Act*, and that therefore the Respondent discriminated against individuals who use wheelchairs for mobility in its administration and enforcement of s.20(1) of the *Food Safety Regulations* contrary to ss.5(1)(a) and (o) of the *Human Rights Act*.

171. Given this conclusion, I do not find it necessary to determine whether the activities of the Respondent also fall within the meaning of "the provision of or access to facilities" in s.5(1)(a) of the Nova Scotia *Human Rights Act*, or whether s.15(1) of the *Charter* supports the position of the Complainants in this case.

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Defences: BFOQ or Reasonable Limit Prescribed by Law

172. The Respondent asserts that, in the event that I find that it has discriminated on the basis of physical disability in the provision of or access to services in violation s.5(1)(a) and (o) of the *Human Rights Act*, the discrimination is permitted under s.6(f)(i) of the *Act* as a *bona fide* qualification or under s.6(f)((ii) of the *Act* as "a reasonable limit prescribed by law as can be demonstrably justified in a free and democratic society."

173. I do not find that either of these exceptions apply in this case.

174. The *Meiorin* test applies to all claims of discrimination under human rights legislation, and all those governed by such legislation "are now required in all cases to accommodate the characteristics of affected groups within their standards, rather than maintaining discriminatory standards supplemented by accommodation for those who cannot meet them": *British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights) ("Grismer")*, [1999] 3 S.C.R. 868, 1999 CanLII 646 (SCC) at para.19 [emphasis in original].

175. McLachlin J., writing for the Court in *Grismer*, explained the *Meiorin* test as follows:

> Once the plaintiff establishes that the standard is *prima facie* discriminatory, the onus shifts to the defendant to prove on a balance of probabilities that the discriminatory standard is a BFOR or has a *bona fide* and reasonable justification. In order to establish this justification, the defendant must prove that:
>
> (1) it adopted the standard for a purpose or goal that is rationally connected to the function being performed;
>
> (2) it adopted the standard in good faith, in the belief that it is necessary for the fulfillment of the purpose or goal;
>
> (3) the standard is reasonably necessary to accomplish its purpose or goal, in the sense that the defendant cannot accommodate persons with the characteristics of the claimant without incurring undue hardship.
>
> *Grismer, supra* at para.20

176. The Respondent does not interpret s.20(1) of the *Food Safety Regulations* as requiring food establishments to have washroom facilities that are accessible and therefore usable by members of the public who use wheelchairs because the Respondent interprets its mandate as being focused on food safety, and it considers hand washing by members of the public and washroom accessibility issues as not relating to food safety. Thus, the Respondent adopted it approach to s.20(1) of the *Food Safety Regulations* – the standard at issue in this case – for the purpose of focusing solely on food safety. This purpose is rationally connected to the function

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being performed by the Respondent, which is the administration and enforcement of the *Food Safety Regulations*.

177. I find that the Respondent adopted the standard (its administration and enforcement of s.20(1) of the *Food Safety Regulations*) in good faith, in the belief that it was necessary for the fulfillment of the goal of focusing on food safety.

178. I find that the Respondent fails the third branch of the *Meiorin* test.

179. McLachlin J., in the context of a claim of discrimination by an employee against an employer in *Meiorin*, *supra*, explained that the third branch of the test requires a respondent to build conceptions of equality into the standard by considering, within the standard, "reasonable alternatives" and "various ways" to accommodate individuals that are "less discriminatory," without causing undue hardship:

> 55 This approach is premised on the need to develop ***standards that accommodate the potential contributions of all employees in so far as this can be done without undue hardship*** to the employer. Standards may adversely affect members of a particular group, to be sure. But as Wilson J. noted in *Central Alberta Dairy Pool, supra* at p. 518: "[***i]f a reasonable alternative exists*** to burdening members of a group with a given rule, that rule will not be [a BFOR]". It follows that a rule or standard must accommodate individual differences to the point of undue hardship if it is found reasonably necessary. Unless no further accommodation is possible without imposing undue hardship, the standard is not a BFOR in its existing form and the *prima facie* case of discrimination stands.
>
> …
>
> 64 Courts and tribunals should be sensitive to ***the various ways in which individual capabilities may be accommodated***. Apart from individual testing to determine whether the person has the aptitude or qualification that is necessary to perform the work, the possibility that there may be ***different ways*** to perform the job while still accomplishing the employer's legitimate work-related purpose should be considered in appropriate cases. The skills, capabilities and potential contributions of the individual claimant and others like him or her must be respected as much as possible. Employers, courts and tribunals should be innovative yet practical when considering how this may best be done in particular circumstances.
>
> 65 Some of the important questions that may be asked in the course of this analysis include:

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(a) Has the employer investigated ***alternative approaches*** that do not have a discriminatory effect, such as individual testing against a more individually sensitive standard?

(b) If alternative standards were investigated and found to be capable of fulfilling the employer's purpose, why were they not implemented?

(c) Is it necessary to have all employees meet the single standard for the employer to accomplish its legitimate purpose or could standards be reflective of group or individual differences and capabilities be established?

(d) Is there a way to do the job that is ***less discriminatory*** while still accomplishing the employer's legitimate purpose?

(e) Is the standard properly designed to ensure that the desired qualification is met without placing an undue burden on those to whom the standard applies?

(f) Have other parties who are obliged to assist in the search for possible accommodation fulfilled their roles? …

…

68 Employers designing workplace standards owe an obligation to be aware of both the differences between individuals, and differences that characterize groups of individuals. They ***must build conceptions of equality*** into workplace standards. By enacting human rights statutes and providing that they are applicable in the workplace, the legislatures have determined that ***the standards governing the performance of work should be designed to reflect all members of society, in so far as this is reasonably possible***. Courts and tribunals must bear this in mind when confronted with a claim of employment-related discrimination. To the extent that a standard unnecessarily fails to reflect the differences among individuals, it runs afoul of the prohibitions contained in the various human rights statutes and must be replaced. ***The standard itself is required to provide for individual accommodation, if reasonably possible***. A standard that allows for such accommodation may be only slightly different from the existing standard but it is a different standard nonetheless.

…

Meiorin, supra at paras.55, 64-65 and 68 [emphasis added]

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180. In *Grismer, supra*, the Superintendent of Motor Vehicles was found to have discriminated on the basis of disability in the provision of services when he cancelled Mr. Grismer's driver's license because of a medical condition affecting Mr. Grismer's vision. The Court found that the Superintendent of Motor Vehicles failed the third branch of the *Meiorin* test.

181. The standard at issue in *Grismer, supra* was "an absolute denial of a driver's license" to people with Mr. Grismer's condition: *Grismer, supra* at para.32. McLachlin J., writing for the Court, held that the Superintendent bore the burden of demonstrating that the standard incorporated every possible accommodation to the point of undue hardship, and that the Superintendent could have done this in two ways:

> 32 Against this backdrop, I come to the question of whether the Superintendent met the burden of showing that the standard he applied to people with H.H. – an absolute denial of a driver's license – was reasonably necessary to achieve the goal of moderate highway safety. In order to prove that its standard is "reasonably necessary", the defendant always bears the burden of demonstrating that the standard incorporates every possible accommodation to the point of undue hardship, whether that hardship takes the form of impossibility, serious risk or excessive cost. In this case, there are at least two ways in which the Superintendent could show that a standard that permits no accommodation is reasonably necessary. First, he could show that no one with the particular disability could ever meet the desired objective of reasonable highway safety. For example, using current technology, someone who is totally blind cannot safely operate a motor vehicle on the highway. Since accommodation of such a person is impossible, it need not be further considered. Alternatively, if the Superintendent could not show that accommodation is totally inconsistent with his goal, he could show that accommodation is unreasonable because testing for exceptional individuals who can drive safely despite their disability is impossible short of undue hardship.
>
> *Grismer, supra* at para.32

182. The Superintendent failed to prove on a balance of probabilities that no one with Mr. Grismer's condition could drive with a reasonable level of safety and that, alternatively, individual assessment was not feasible because it would have been impossible short of undue hardship: *Grismer, supra* at paras.34-41.

183. McLachlin J. criticized the Superintendent's failure to consider any of the options that might have made an assessment of Mr. Grismer's driving abilities viable and affordable:

> 42 In summary, the Superintendent offered ***no evidence that he had considered any of the options*** that might have made an assessment of Mr. Grismer's driving abilities viable and affordable. Content to rely on the general

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> opinion of the medical community, and ignoring the evidence that some people with H.H. can and do drive safely, ***he offered not so much as a gesture in the direction of accommodation***. ***His position, quite simply, was that no accommodation was necessary***. Under the *Meiorin* test, ***it was incumbent on the Superintendent to show that he had considered and reasonably rejected all viable forms of accommodation***. The onus was on the Superintendent, having adopted a *prima facie* discriminatory standard, to prove incorporating aspects of individual accommodation with the standard was impossible short of undue hardship. The Superintendent did not do so. On the facts of this case, the Superintendent's blanket refusal to issue a driver's license was not justified. …
>
> *Grismer, supra* at para.42

184. McLachlin J. concluded by clarifying that the Court's decision established Mr. Grismer's right to be assessed, not his right to a driver's license, and that "those who provide services subject to the *Human Rights Code* must adopt standards that accommodate people with disabilities where this can be done without sacrificing their legitimate objectives and without incurring undue hardship":

> 44 This case deals with no more than the right to be accommodated. It does not decide that Mr. Grismer had the right to a driver's license. It merely establishes that he had a right to be assessed. That was all the Member found and all that we assert. The discrimination here lies not in the refusal to give Mr. Grismer a driver's license, but in the refusal to even permit him to attempt to demonstrate that his situation could be accommodated without jeopardizing the Superintendent's goal of reasonable road safety. This decision stands for the proposition that those who provide services subject to the *Human Rights Code* must adopt standards that accommodate people with disabilities where this can be done without sacrificing their legitimate objectives and without incurring undue hardship. It does not suggest that agencies like the Motor Vehicle Branch must lower their safety standards or engage in accommodation efforts that amount to undue hardship.

185. In this case, the Respondent's approach to s.20(1) of the *Food Safety Regulations* is not reasonably necessary to accomplish its purpose or goal because it has failed to establish that it cannot accommodate persons with the characteristics of the Complainants without incurring undue hardship.

186. The Respondent did not offer any evidence, or even make the argument, that it would experience any hardship itself if it administered and enforced s.20(1) of the *Food Safety Regulations* as requiring food establishments to have washroom facilities that are accessible to members of the public who use wheelchairs for mobility.

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187. The Respondent asserted that individual food establishments would suffer undue hardship if it were to apply s.20(1) of the *Food Safety Regulations* as requiring food establishments to have washrooms that are wheelchair accessible, because this would lead to the revocation of permits and the ultimate closure of food establishments because of the cost involved in providing accessible washroom.

188. Assuming, without deciding, that the Respondent may rely on hardship caused to third parties, in this case food establishments, to justify its discriminatory administration and enforcement of s.20(1) of the *Food Safety Regulations*, the Respondent offered no evidence that it considered every reasonable alternative to burdening wheelchair users or the various ways in which it could apply s.20(1) in a manner that is less discriminatory to wheelchair users, without causing undue hardship to food establishments.

189. Similar to the case in *Grismer, supra*, the Respondent could have discharged the burden on it under the third branch of the *Meiorin* test in two ways. First, the Respondent could have demonstrated that no food establishment that is grandfathered under the *Building Code Regulations* could ever provide a washroom available to the public that is accessible to wheelchair users because in every case it would cause undue financial hardship to the establishment and threaten its ongoing operation. Alternatively, the Respondent could have demonstrated that a case-by-case assessment of undue financial hardship on food establishments would cause a food establishments undue hardship.

190. Neither the Respondent nor the Restaurant Association asserted or called evidence to establish that no food establishment grandfathered under the *Building Code Regulations* could ever provide a washroom available to the public that is accessible to wheelchair users because in every case it would cause undue financial hardship to the establishment and threaten its ongoing operation. Mr. Vienneau provided an example of the fairly minor renovations that would need to take place at one restaurant to provide a wheelchair accessible washroom.

191. The Respondent has also failed to show that if it undertook a case-by-case assessment of whether providing an accessible washroom would cause a food establishment undue financial burden, that this would cause food establishments undue hardship. An obvious reasonable alternative to the Respondent's standard would have been for the Respondent to apply the requirement in s.20(1) of the *Food Safety Regulations* to have washrooms for the public as requiring washroom that are accessible to members of the public who use wheelchairs, and allow food establishments to apply for extensions of time to come into compliance with the regulation or exemptions from the regulation by demonstrating that compliance would cause them undue financial hardship and/or render the continued operation of the food establishment unviable. These tools are available to the Respondent and have been used by the Respondent to grant exemptions from s.20(1) of the *Food Safety Regulations* or extensions of time to comply with the regulation, including on the basis of financial hardship.

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192. Some food establishments may be able to provide accessible washrooms for the public. Some may not be able to do so without experiencing undue financial hardship. Some may need time to comply. This does not justify the Respondent's approach, which is that no accommodation is necessary. Under the *Meiorin* test, which applies to the defences to discrimination in both ss.6(f)(i) and (ii) of the *Human Rights Act*, it was incumbent on the Respondent to show that it had considered and reasonably rejected all viable forms of accommodation. The Respondent did not do so.

193. Although I do not find it necessary to do so, I will address the Respondent's assertion that its approach to s.20(1) of the *Food Safety Regulations* is a "reasonable limit prescribed by law" because the Respondent's decision to address accessibility of the built environment, including restaurants, under the progressive realization process in the *Accessibility Act*. The conduct or activity at issue in this case is the Respondent's practice in administering and enforcing s.20(1) of the *Food Safety Regulations*. The Respondent' practice is not "prescribed by law." It is not required by s.20(1). In fact, I find that the Respondent's practice is inconsistent with s.20(1) and the regulations and the *Health Services Act* as a whole. Furthermore, there is no evidence that the Respondent's approach to the *Food Safety Regulations* was in any way related to or because of the progressive realization approach taken in the *Accessibility Act*. The *Food Safety Regulations* came into force in 2004, and the Respondent's approach dates back at least to that time. The *Accessibility Act* came into force in 2017.

194. On the facts of this case, the Respondent's blanket refusal to administer and enforce s.20(1) of the *Food Safety Regulations* in a way that does not require food establishments to have washrooms that are accessible to members of the public who use wheelchairs for mobility is not justified under s.6(f)(i) or (ii) of the *Human Rights Act*.

Remedy

195. The Complainants, in addition to seeking an order requiring the Respondent to enforce s.20(1) of the *Food Safety Regulations* in a non-discriminatory manner, seek nominal damages to be used for the purpose of accessible washrooms to protect public health. The Complainants did not specify the amount of damages, or explain how such damages could be put toward the purpose of accessible washrooms to protect public health.

196. Given my finding that the Complainants experienced discrimination, I find that they are entitled to some amount of damages. The Board of Inquiry in *Trask v. Department of Justice (Correctional Services)*, 2010 NSHRC 1 (CanLII) at paras.197-203 reviewed a number of Nova Scotia Human Rights Board of Inquiry cases involving disabled employees who were terminated from their employment. The general damage awards in those cases ranged from a low of $1,000 (in a 2004 decision) to a high of $10,000 (in a 2007 decision). Consistent with the request of the Complainants for an amount of damages that is "nominal," but yet recognizes the discrimination experience by them, I consider it appropriate to award each of them an amount of $1,000. I leave it up to the Complainants to decide how they wish to use the money.

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197. For the reasons given above, I order the following remedies:

1. An order that the Respondent interpret, administer and enforce the words "washroom facilities for the public available in a convenient location" in s.20(1) of the *Food Safety Regulations* as requiring those washroom facilities to be accessible to members of the public who use wheelchairs;
2. An order that the Respondent pay to each Complainant an amount of $1,000 in damages.

Dated at Halifax, Nova Scotia, this 6th day of September, 2018.

_____
Gail L. Gatchalian, Q.C.
Board of Inquiry Chair

2018 CanLII 89418 (NS HRC)

ATTACHMENT C

TOWN of LUNENBURG
A World Heritage Site

119 Cumberland Street
P.O. Box 129
Lunenburg, Nova Scotia
Canada B0J 2C0

www.explorelunenburg.ca

TOWN OFFICE
902-634-4410

ELECTRIC UTILITY
902-634-4410

FIRE DEPARTMENT
902-634-8343

PUBLIC WORKS
902-634-8992

RECREATION
902-634-4006

FACSIMILIE
902-634-4416

February 20, 2020

Richard Derible
Director, Restorative Initiatives, Nova Scotia Department of Justice
1690 Hollis Street
Halifax, NS B3J 1V7

Dear Mr. Derible:

Working Group re: REED ET AL. VS Province of Nova Scotia Tribunal Decision

As Mayor of the Town of Lunenburg I am writing to express the concerns of this community as action and regulation is being recommended in response to the above noted tribunal decision.

First, if there are recommendations that would increase the responsibility of, and therefore the financial burden on, municipal units, it is imperative that **dialogue be initiated** to determine how this can possibly be accommodated given the structure and resources of municipalities in Nova Scotia.

Second, as a rare urban UNESCO World Heritage Site, Old Town Lunenburg stands to be severely impacted by regulatory change that would necessitate alteration to the historic properties and streetscape of our Historic District, which encompasses our primary commercial district. **Historically significant architecture and streetscapes could be lost**, if special consideration is not given.

In addition, while interior alteration is not governed by local heritage regulation, significant changes to the interior of most of our old buildings to fully accommodate wheelchair access, **would put small businesses in Lunenburg at risk**. The loss of business would, in turn, drastically impact the sustainability of our Heritage Site and the Town itself. While Lunenburg is perhaps the best example of an historic downtown streetscape, we know that we are not alone with these concerns and interests.

It is very important that we collaborate to find the right balance between the human rights of all citizens and the potential for undue burden as an unintended consequence of trying to do "the right thing". We reference and fully support the joint letter from the NSFM and the AMANS, to Premier Stephen McNeil, dated December 16, 2019. (copy attached)

We applaud the priority the Provincial government is giving to accessibility issues. We ask, however, that the reality of Municipalities be duly considered in the process. The Town of Lunenburg is a special place that contributes to Nova Scotia's growth and prosperity. Let's work together to ensure the future continues to be bright for us all.

Sincerely,

Rachel Bailey
Mayor
Town of Lunenburg

cc: Premier Stephen McNeil - stephenmcneil@ns.aliantzinc.ca
Mayor Pam Mood, President NSFM - mayor.mood@townofyarmouth.ca
Juanita Spencer, Chief Executive Officer - jspencer@nsfm.ca
Mike Dolter, President AMANS - mdolter@truro.ca
Janice Wentzell, Executive Director - jwentzell@amans.ca
MLA Suzanne Lohnes-Croft - lunenburgmla@eastlink.ca
The Honourable Mark Furey, Attorney General and Minister of Justice

NOVA SCOTIA FEDERATION OF MUNICIPALITIES

amans
ASSOCIATION OF MUNICIPAL ADMINISTRATORS NOVA SCOTIA

December 16, 2019

The Honourable Stephen McNeil
Premier, Province of Nova Scotia
P.O. Box 726, Halifax, NS B3J 1X5

Delivered by E-mail

Dear Premier McNeil:

RE: ACCESSIBLE WASHROOMS IN RESTAURANTS

We commend the Province for leading the restorative process for accessible washrooms in restaurants and for including NSFM and AMANS in the stakeholder group examining compliance. As a valued voice at the table, we know you will agree it's important that we address major concerns we have on behalf of members, which we hope helps form the conversation as we all move forward.

We recognize that the barriers to accessibility are a reality for many Nova Scotians with disabilities and the Province is committed to improving accessibility. Last week, the Nova Scotia Government announced that municipalities will be prescribed as public sector bodies under the provincial Accessibility Act as of April 1st, 2020.Since the Accessibilities Act was proclaimed in 2017, the Accessibility Directorate has worked with the municipal sector to ensure a clear understanding of the obligations under the Act.

We understand that developing a compliance framework is challenging because it encompasses several connecting pieces which can have far-reaching implications. It involves finding a balance between what is readily achievable and what is an undue burden. However, the accelerated pace at which the development of the compliance framework is moving, with so many unanswered questions, could result in unintended consequences for businesses, municipalities and for the province. We believe that the process needs to be slowed down or stopped until there is clarity on the number of non-compliant restaurants, the degree and cost of the required upgrades, the construction timeframe and deadline, and possible sources of funding. We would further note that the serious skilled-trades shortage will have a tremendous impact on the timelines of the vast majority of those requiring changes, large or small.

.../cont'd

Faced with an ultimatum to comply with broad, one-size-fits-all recommendations under a tight deadline, restaurant owners could be forced to relocate, or close altogether. Many restaurants in Nova Scotia are currently located in our downtowns, where historic and important community buildings are located. That kind of adaptive re-use is common and it's what entices visitors to the unique heritage areas of our province like Lunenburg's UNESCO World Heritage Centre waterfront, Baddeck's lakeside district and Halifax's iconic Argyle Street. Modifying these structures to meet 2019 Building Code will be architecturally impossible and prohibitively expensive.

Margins in the food and beverage industry are already so small that if the cost to comply is more than 1% of revenues, then it's too much. If the shops and restaurants that service those areas can't afford to remain there, once-vibrant downtowns will concede defeat to suburban business parks. No one wants this to happen. The effects of losing the downtowns cannot be overstated. That will happen when the cost to retrofit current spaces outweighs the cost to relocate, or when landlords push back with a prescribed refit and look to house other commercial tenants instead.

The province is currently not on track with respect to its tourism expansion and further erosion of our downtowns will frustrate the province's ability to reach the One Nova Scotia target of $4 billion in tourism revenue by 2024.

Since the One Nova Scotia Report was released, government has been working towards reducing the regulatory burden for small business. Any new regulations should be streamlined and straightforward.

Clarity with respect to the line of accountability when it comes to inspection and compliance is also critical. Municipalities struggle to find Building Officials, particularly in rural areas, and capacity is a very real issue.

The sustainability of many Nova Scotia communities depends heavily on small businesses, and the food and beverage industry form a large proportion of the commercial tax base in many municipalities, particularly towns. Any decrease in commercial tax revenue will result in higher commercial taxes to offset lost revenue. If there are anticipated costs to municipalities, there must be a 12-month notice with detailing the fiscal implications, enabling municipalities to budget for those additional expenditures. Discussion regarding funding streams for this work is also necessary as part of the broader plan.

.../cont'd

In closing, timing is a critical piece in determining any compliance framework. When engaged and informed, our members are trailblazers in ensuring that our municipalities are a place where everyone is welcome and supported. The process that resulted in a proclamation date and deadline for municipal accessibility plans was fair and resulted in a reasonable timeframe. We trust this process will follow a similar route to ensure all parties have time to react.

We look forward to further discussions which will include the points contained herein. This initiative is important to all Nova Scotians, and we want to ensure success on all fronts.

Signed,

Mayor Pam Mood
President, Nova Scotia Federation of Municipalities

Mike Dolter, MBA, CPA, CMA
President, Association of Municipal Administrators, Nova Scotia

CC: The Honourable Chuck Porter, M.L.A., Minister of Municipal Affairs and Housing
The Honourable Mark Furey, M.L.A., Minister of Justice
The Honourable Gordon Wilson, M.L.A., Minister of Environment

Draft revised section 4 (a) – GG Jan 16/20

TOWN OF LUNENBURG PROCEDURAL POLICY #86 - COUNCIL AND MANAGEMENT EXPENSE AND HOSPITALITY CLAIMS

PURPOSE

1. This Policy provides a process and criteria by which Lunenburg Town Council ("Council") and management staff expense and hospitality claims may be considered for approval. These provisions were previously included in the Town's Personnel Policy, but are now stated in this Policy for ease of reference and inclusion of the following 2017 amendments to the Municipal Government Act ("Act").

   Section 23 (3)

   (3) Each municipality shall adopt an expense policy and a hospitality policy.

   (4) An expense policy must
   - *(a) prohibit the municipality from reimbursing expense claims for alcohol purchases by an individual;*
   - *(b) identify the persons who have signing authority to authorize the reimbursement of an expense;*
   - *(c) where applicable, set out rules respecting the use of corporate credit cards;*
   - *(d) apply to every reportable individual in the municipality; and*
   - *(e) comply with the regulations.*

   (5) A hospitality policy must
   - *(a) establish the expenditures, including an alcohol purchase, that may be a hospitality expense;*
   - *(b) establish the approval process for authorizing hospitality expenses;*
   - *(c) establish the scope and applicability of the policy; and*
   - *(d) comply with the regulations.*

   (6) An expense may only be reimbursed if that expense is authorized pursuant to the expense policy or the hospitality policy.

   (7) By the January 31st immediately following a regular election held under the Municipal Elections Act, the council shall review the expense and hospitality policies and, following a motion by the council, either re-adopt the policies or amend one or both of the policies and adopt the policies as amended.

2. Reference should also be made to the Town's Council Professional Development and Conference Attendance Procedural Policy for information regarding the approval

procedure for same.

3. Expenses considered under this Policy are for attendance at conferences, training, meetings or other business events ("event") representing the Town that are in compliance with this Policy and the Act, have been pre-approved by Council in the Town's annual budget and/or by specific request, or by the CAO or designate for management staff.

PROCEDURE

4. Expenses for attendance at approved events representing the Town will be reimbursed as follows within approved Council budget amounts.

(a) Transportation: the actual cost of the most economical mode of travel, typically by personal vehicle. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following are pre-determined maximum allowable travel claim distances to:

- Bridgewater	40 kilometres
- Chester	80 kilometres
- Dartmouth	220 kilometres
- Halifax Airport	250 kilometres
- Halifax	200 kilometres
- Liverpool	130 kilometres
- Mahone Bay	25 kilometres
- Sydney	1100 kilometres
- Wolfville	200 kilometres

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor as set out in Section 4 (g) herein.

If more than one Council and/or management staff member are attending the same event they are expected, when reasonable, to travel together in one vehicle.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to pay for event attendance.

Air travel reservations may be made by authorized Corporate Services staff following the Town's Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

(b) Accommodations: actual cost for the authorized Town Council or management

staff member, plus approved parking and internet fees as applicable.

Accommodation reservations and payment will be made by Corporate Services staff following the Town's Purchasing Policy and Municipal Credit Card Use Administrative Policy as applicable.

(c) Meals: out of Town events - $15.00 breakfast (departure from Lunenburg required before 6:30 a.m.), $20.00 lunch (unable to return to Lunenburg before 1:00 p.m.), and $35.00 dinner (unable to return to Lunenburg before 6:30 p.m.), to a daily maximum of $70.00 with no receipts required. If a meal is provided as part of the event, an additional meal claim shall not be made. Reimbursement for alcohol purchases is not permitted.

A $15.00 meal expense may also be claimed if attendance at an in-Town event occurs during these meal periods and the event does not provide a meal and it is not possible for the Council or management staff member to leave to have their regular meal. Corporate Services staff will generally make prior catering arrangements for a meal to be provided in such circumstances through the use of a Town Purchase Order. Reimbursement for alcohol purchases is also not permitted.

Council may also budget for a maximum of $1000./year, plus HST to provide for the attendance of Council members and/or senior management staff at relevant special event dinners, e.g., Lunenburg Board of Trade AGM, Habitat for Humanity and MICA annual dinners, etc.

(d) Registration Fees: actual cost to be paid in advance by Corporate Services staff in compliance with the Town's Purchasing Policy, Municipal Credit Card Use Administrative Policy and/or other relevant Town Procedural Policies.

(e) Miscellaneous Expenses – Council and management staff members may also claim up to $15.00/day for each overnight stay for an approved out of Town event to a maximum of $75.00/week without receipts for expenses for which receipts are generally unavailable when attending same which exceed one day and require an overnight stay outside Town (other than their own residence). Miscellaneous expenses may include tips, parking meters, taxis, bridge and ferry fares, buses, etc., but cannot be used to increase meal allowances noted above or purchase alcohol. Receipts should be presented for all miscellaneous expenses whenever possible.

(f) Hospitality Expenses - the Mayor, Chief Administrative Officer (CAO) and/or their designate(s) may use the per person meal allowances listed above in subsection (c) for hospitality purposes with visiting officials while conducting Town business.

A Town Purchase Order should be used in such instances in accordance with the Town Purchasing Policy or detailed receipts provided for subsequent reimbursement. Council must approve the reimbursement of expense claims that exceed these limits or for any alcohol purchases.

(g) Expense Claim Form - all claimants must submit a completed Town Expense Claim Form when seeking reimbursement for expenses listed above. This shall be submitted within thirty days of expenses being incurred to the CAO and Finance Director for approval. The Town Finance Director and Mayor shall determine if expenses claimed by the CAO may be approved for payment. The CAO, Finance Director and Mayor may request of the claimant additional verification of the expense prior to approving payment.

(h) Spousal Expenses - expenses for the spouses of Council and management staff members will not be reimbursed.

(i) HST - all maximum expense amounts stated herein do not include HST which may be claimed as an additional expense for payment on proof of HST payment.

5. No reimbursement will be made for Council and/or management staff attendance at partisan political events.

6. No advances for expenses will be paid unless pre-approved by the CAO and Finance Director. All advances shall follow the same reporting format as outlined in this Policy and a final Expense Claim Form shall be submitted to determine if repayment of any advance is required or additional reimbursement is due.

Clerk's Annotation For Official Policy Book

Date of Notice to Council Members
of Intent to Consider (7 days minimum): May 8, 2018

Date of Passage of Current Policy: May 22, 2018

I certify that this Policy was adopted by Council as indicated above.

_____ _____
Municipal Clerk Date

Draft revised section 10 (a) – GG Jan 16/20

STAFF TRAINING AND DEVELOPMENT

I. General Statement of Policy and Objectives

It is the policy of the Town of Lunenburg to encourage employees to attend training courses, seminars, conventions and meetings ("courses, etc.") which will upgrade their qualifications and job-related skills.

The objectives of this policy are:

1. to increase employees' competence in their present jobs, thereby increasing their contribution to the Town; and

2. to provide employees with an opportunity to receive increased benefits from their work through future advancement.

Statement of Procedures

1. Each Department Head will submit estimates of expenditures for courses, etc., when preparing their budget. Council shall approve a training and development program for each department as part of the budget. Each Department Head will correspond with relevant training and educational institutions to obtain current information on available courses, etc., and keep staff informed of training and development opportunities.

2. When requesting approval to take a course, etc., with or without pay the employees must satisfactorily demonstrate that it will increase their effectiveness in their present jobs.

3. When requesting approval to take a course, etc., the employee should complete the application form (Schedule "A") and submit it to their Department Head at least thirty days before the commencement of the course, seminar or convention. Upon approval by the Department Head, the request will be forwarded to the CAO for final approval. A copy of the completed application form shall be placed on the employee's Personnel File whether it is approved or not, and a copy shall be given to the employee. If the request is one which cannot be approved within the current budget, then a special request for approval may be made by the CAO to Council.

4. If the course, etc., is not directly related to the employee's present work, on recommendation of the CAO, the CAO may decide that the Town will benefit nonetheless, and the employee may be granted a leave of absence without pay. A leave of absence without pay may also be granted for courses, etc., which cannot be covered by Council's budget. If Council feels that it can bear part of the expense, arrangements may be made for the employee to pay the balance. This clause applies only to those courses, seminars and conventions which are requested by the employee.

5. The Town of Lunenburg has a $1,200. limit per individual for convention expenditures annually. Department Heads will identify conventions that they wish to attend in their relevant budget estimates for the upcoming fiscal year. Conventions are generally considered to be the annual general meeting of a professional type association of which the staff person is a member. All other training courses, seminars and meetings will be considered under a separate budget category for staff training. When considering an employee's application for a convention, the Department Head and CAO will bear these budgetary restraints in mind. The Town Council may approve the attendance and payment of full costs of staff at conventions over the $1,200. limit, if, it is felt that it would be an advantage to the individual and the Town. Such a request should be made and determined by Council at the time of setting the Town's budget.

6. The Department Head and CAO shall also base their approval or disapproval of a request pursuant to this policy on other relevant factors such as the staffing needs of their department at the time the employee has requested to be absent.

7. When two employees apply for a course, etc., and only one of them can attend due to the restrictions referred to above, the Department Head should decide between them on the basis of these considerations:

    a. which of the employees is in the greatest need of the training or education; and

    b. which of the employees has had an opportunity to attend a similar event most recently.

    If these factors do not assist in arriving at a decision, then the senior employee shall be chosen to attend the course, etc.

9. Department Heads, the CAO and/or Council may require employees to attend courses, etc., which will upgrade their qualifications and job-related skills.

10. Expenses for attendance at courses, etc., will be reimbursed as follows within approved budget levels:

    a. Transportation: the actual cost of the most economical mode of travel. Vehicle costs will be reimbursed at the Provincial standard rate as amended from time to time. The following kilometer amounts are established for travel to the below noted places:

- Bridgewater 40 Kilometers
- Chester 80 Kilometers
- Halifax Airport 250 Kilometers
- Halifax 200 Kilometers
- Liverpool 130 Kilometers
- Mahone Bay 25 Kilometers
- Dartmouth 220 Kilometers
- Sydney 1100 Kilometers
- Wolfville 200 Kilometers

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor.

If a Town vehicle is used, the approximate cost of fuel will be billed to the relevant Town budget account used to fund the seminar, etc.

b. Hotel or Motel: actual cost.

c. Meals:

i. courses, etc., exceeding more than one (1) day: $30. flat maximum cost per day. 1 day course, etc.,: $12.00 for lunch; if, however, a one (1) day course, etc., runs over two (2) meal periods, because it is not possible to return home before 6:00 p.m. or the employee must leave home prior to 6:30 a.m., an additional $12.00 may be claimed; and, if, three (3) meals are required, the $30.00 daily amount may be claimed. These are set rates and no receipts are required for reimbursement.

ii. maximum for only Council, senior management and Lunenburg and District Fire Department out of Town training, conferences or other businesses representing the Town - $15.00 breakfast, $20.00 lunch, and $35.00 dinner (evening), to a daily maximum of $70.00 (no receipts required). And further, increase to incidental allowance to $15.00/day with a $75.00 maximum.

d. Registration Fees: actual cost.

e. Miscellaneous Expenses - employees may also claim up to $10. per day for each overnight stay to a maximum of $30. per week without receipts for those expenses for which receipts are unavailable when attending a course, etc., that exceeds one day and requires an overnight stay outside the Town (other than their own residence). Receipts should be presented for all miscellaneous expenses whenever possible. Miscellaneous expenses may include tips, parking, taxis, buses, etc., but cannot be used to increase meal allowances.

f. The Mayor, CAO and/or their designate(s) may use the per person expenses listed above in subsection (c) to entertain officials if it is in the interest of the Town to do so. If possible, a Town purchase order should be used in such instances. Receipts should be kept for reimbursement of these expenses. Council must approve the reimbursement of expense claims that exceed these limits.

g. Claimants must submit an Expense Claim Form as attached hereto as Schedule "B" when seeking reimbursement for the expenses listed above and such form will be submitted within sixty (60) days of the expenses being incurred to the relevant Department Head and CAO for approval.

Original receipts should be attached to the completed claim form as required.

h. Expenses of spouses will not be reimbursed, unless the spouse is invited by Council to attend.

11. If more than one staff member is attending the same course, etc., they are expected to travel in one vehicle, and, where reasonable, share accommodations.

12. All accommodation and travel bookings are to be made by the Town Office secretaries to ensure utilization of government discounts and Town purchase orders.

13. If a non-management/non-unionized employee is required and approved by their Department Head and CAO to attend a course, etc., which is partly or entirely outside their regular work hours, excluding travel time, they shall be compensated with straight hourly pay or straight time off in lieu of pay as determined by the Department Head and CAO.

14. If a non-management/non-unionized employee personally requests to attend a course, etc., no additional remuneration will be given to them for any portion of time in attendance at or travel to and from the course, etc., outside their regular work day.

15. Advances for expenses may be made to the employee for those expenses which are known when the employee so requests. An expense claim form (showing deductions for advance monies received) and receipts, as required, must still be completed on the employee's return from the course, etc.

16. Upon completion of the course, etc., the employee shall forward a written report regarding the course, etc., to the relevant Committee or Council at their earliest opportunity. Progress reports and course marks for courses, etc., longer than one (1) year must be reported to the relevant Committee or Council annually. These reports shall be retained in the employee's personnel file.

Draft revised section 6 (2) – GG Jan 16/20

EMPLOYEE EXPENSES

I. General Statement of Policy and Objectives

It is the policy of the Town of Lunenburg to provide for certain expenses which employees incur in the course of their work. The purposes of this policy is to specify which expenses will be paid for by the Town.

II. Statements of Procedures

1. Reimbursement for Mileage

There is no reimbursement of mileage within Town limits. However, any employee who uses his/her own vehicle for Town purposes as approved by the CAO outside the Town limits shall be reimbursed for distance travelled at a rate set annually by the Town.

Further, the CAO, Recreation Director, Public Works Superintendent and other employees determined by the CAO or Finance Director shall receive a car allowance of $40.00 per month for the use of their car within Town limits for Town purposes. The Building/Fire Inspector shall be paid $80.00 per month for mileage costs within Town limits for Town purposes.

And further, the Superintendent of the Public Works Department or employees in their Department shall be reimbursed at a rate of $17.00 per day or $9.50 per half day for the use of their own vehicles if departmental vehicles are not working and a replacement vehicle is required to carry out the necessary departmental work. It shall be the responsibility of the Department Head to request a purchase order from the Town Purchasing Agent for use of their vehicle in advance verifying that it is required. Departmental vehicles shall mean the van and half (½) ton trucks in the Public Works Department.

For out of Town trips Council shall establish set mileage distances for reimbursement purposes. Current mileage distance from the Town of Lunenburg and return to various communities are as follows:

- Bridgewater 40 Kilometers
- Chester 80 Kilometers
- Halifax Airport 250 Kilometers
- Halifax City 200 Kilometers
- Liverpool 130 Kilometers
- Mahone Bay 25 Kilometers
- Dartmouth 220 Kilometers

- Sydney 1100 Kilometers
- Wolfville 200 Kilometers

Variances from these pre-determined maximum amounts will be considered if the expense claimant provides the actual kilometers based on their vehicle odometer reading or travel distance calculator and confirmation on the Expense Claim Form that they picked up and/or dropped off multiple Town representatives to attend the same approved event, and/or travel was required during an event to multiple event venues, or similar circumstances as approved by the CAO, Finance Director and/or Mayor.

2. Special Use of Town Vehicles Outside Regular Work Hours

The following staff are permitted to use a Town vehicle as described below outside regular work hours: Town Engineer and Public Works Superintendent; to go home for lunch (12:00 noon approximately); and to go home for dinner (after work 4:30 p.m. or 5:00 p.m. approximately), if, they are required to return to work in the evening or to check on emergency situations (e.g., check streets during snow storms), or will be attending an out-of-Town evening meeting on behalf of the Town of Lunenburg, returning to work in the evenings for emergency situations such as weekend snow storms, the Town Engineer and Public Works Superintendent are also permitted to take the vehicle home on the weekend when it is expected that the vehicle will be needed to check streets during snow storms. The vehicles that may be used for this purpose are as follows: Public Works Department van or half (1/2) ton trucks.

This benefit is provided because these employees are on call and may need to attend emergency situations, meetings, etc. outside regular work hours and directly from their homes.

3. Reimbursement for Other Expenses

Any employee who is required to leave the Town on business shall be reimbursed for expenses incurred as a result of the trip, including transportation, lodging, meals and parking. Employees will be required to verify expense claims with receipts. Any employee who attends a conference, convention, seminar or training session, or who takes a course, shall be covered by the provisions of the Town's policy regarding staff training and development.

Document No:
Meeting: Council May 5, 2020
Circulate: BR, LD, DS, HM
File:

M E M O R A N D U M

TO: **TOWN COUNCIL**

FROM: **ARTHUR MACDONALD, HERITAGE MANAGER**

DATE: **APRIL 30, 2020**

RE: **JOINT TRANSIT REPORT RESPONSE**

---

1. FACTS

The Citizens for Public Transit (CPT) has requested that the Town of Lunenburg work with their counterparts from the Towns of Mahone Bay and Bridgewater and MODL to:

- Dissect and study the CPT Report results and findings;
- Identify a working model suitable to address local needs;
- Investigate potential funding options;
- Prepare a shared governance and operation model;
- Present a jointly-developed recommendation(s) to their respective Councils.

2. ISSUES AND OPTIONS ANALYSIS

- **Legislation**

Section 55 of the MGA enables municipalities to provide public transportation services and Section 65 (MGA) enables municipalities to financially support public transportation services. Regional Transit Authorities are enabled to be established through inter-municipal services agreements. The Public Utilities Act does not apply to a municipally operated transportation system operated within their jurisdictions.

- **Intergovernmental Implications**

In order to establish a Regional Transportation Service, the CPT Report recommends the establishment of a Lunenburg County Transit Authority and a Board of Directors through an Inter-Municipal Service Agreement with the Towns of Lunenburg, Mahone Bay and Bridgewater and MODL. The Agreement and the

Terms of Reference for the Board of Directors would be drafted and approved through each municipality. The CPT has drafted an Inter-municipal Service Agreement attached in **Attachment B** for your review.

The Plan:

- To establish a working committee of members and staff of each unit;
- To jointly review the CPT Report and make recommendations as to a Regional Transit Model.
- To obtain approval for the implementation of an Inter-Municipal Service Agreement with the Towns of Lunenburg, Mahone Bay and Bridgewater and MODL based on the proposed Regional Transit Model.
- To establish a Lunenburg County Transit Authority and a Board of Directors through an Inter-Municipal Service Agreement.
- To undertake a one year pilot project between Bridgewater, Mahone Bay and Lunenburg subject to approval from funding partners.

- **Accessibility Implications**

  It is recommended that any public transit service be accessible. Though the type of bus and service would be left to the Lunenburg County Transit Authority's determination, staff recommends the consideration of a wheelchair accessible Community Bus similar to the one operated by the Town of Bridgewater (Part 4.3 of the CPT Report).

- **Community Engagement**

  CPT has undertaken a public engagement program which acknowledged public support for a regional transportation system. Please refer to the CPT Report (**Attachment A**).

- **Cost and Resource Allocations**

  It is acknowledged that a Regional Transit Service would require an annual subsidy. The CPT Report suggests an annual short-fall of $ 300,000.

  With MODL, based on uniform assessment, MODL would pay the lion's share and their support is critical.

Uniform Assessment	**UA**	**%**	**Contribution**
Town of Mahone Bay	132,876,644.00	3.5%	$10,500.00
Town of Lunenburg	270,039,287.00	7.2%	$ 21,600.00
Town of Bridgewater	675,449,057.00	18.0%	$54,000.00
Municipality of the District of Lunenburg	2,671,786,349.00	71.3%	$213,900.00
Total	**3,750,151,337.00**	100%	**$300,000.00**
Project Cost	**$300,000,00**		

Without MODL, based on uniform assessment, the Town of Bridgewater would pay the lion's share and their support is critical.

Uniform Assessment	UA	%	Contribution
Town of Mahone Bay	132,876,644.00	12.3%	$36,900.00
Town of Lunenburg	270,039,287.00	25.0%	$ 75,000.00
Town of Bridgewater	675,449,057.00	62.7%	$188,100.00
Total	**1,078,364,988.00**	100%	**$300,000.00**
Project Cost	**$300,000,00**		

It is essential to obtain the support of MODL and the Town of Bridgewater to financially support a Regional Transportation System. This support in principle should be granted before a working committee of members and staff of each unit is created.

MODL and the Town of Bridgewater may wish to consider a different financial funding formula for cost sharing a Regional Transportation Service. For example, the Inter-municipal Service Agreement drafted by CPT has cost sharing based on population rather than uniform assessment. As MODL and the Town of Bridgewater are the larger municipal units based on uniform assessment as well as population, their support is deemed critical in order to ensure its vitality.

Population	Population	%	Contribution
Town of Mahone Bay	900	2.5%	$7,500.00
Town of Lunenburg	2,313	6.4%	$ 19,200.00
Town of Bridgewater	8,021	22.2%	$66,600.00
Municipality of the District of Lunenburg	24,863	68.9%	$206,700.00
Total	**36,097**	100%	**$300,000.00**
Project Cost	**$300,000,00**		

- **Council and Committee Work Program for Staff Impact**

If support in principle is obtained, it is recommended that the Town of Bridgewater Transit be the operator of the Regional Transportation Service. Bridgewater Transit should be approached regarding the possibility of operating the service on behalf of the Lunenburg County Transit Authority.

The Joint Transportation Committee 2014 Public Transportation Study (**Attachment C)** states:

> "In order to have successful implementation of a public transportation service, there must be a public transportation Coordinator, or 'champion',

in place that dedicates their time to working with residents, businesses, government agencies, and other service providers to develop a cost effective service."

This study goes on to state:

> "Based on the peer review system data and other rural Nova Scotia studies, the need for a publicly funded transportation system is evident with the aid of external funding programs that exist to assist the municipalities. It was recommended that the Joint Transportation Committee initiate Phase 2: Business Development Plan to develop service and financial plans that maximizes external and local funding opportunities available, and develop a business model and governance structure that would be supported by all parties through consensus."

This Study was followed by the CPT Report, Feasibility Study: Public Transit for Citizens for Public Transit 2019 by CBCL (**Attachment A**).

- **Legal Implications**

  An Inter-Municipal Service Agreement with the Towns of Lunenburg, Mahone Bay and Bridgewater and MODL would need to be negotiated with all units. This step may be considered after a Memorandum of Understanding is signed between the municipal units with regards to their support in principle for the establishment of a Regional Transportation Service and after a Regional Transportation Model for the area is developed. The CPT has drafted an Inter-municipal Service Agreement attached in **Attachment B**.

- **Technology Requirements**

  There will be technology requirements. It is recommended that the Regional Service take advantage of the Bridgewater Transit Authority's fare technology system as outlined in Part 4.4 of the CPT Report.

- **Recommendations Analysis**

  Without the support of MODL and the Town of Bridgewater with an existing public transit system, the ability to establish a regional transit service is cost prohibited. Without the support of the Bridgewater Transit Authority, the administration of a regional transit service is considered unfeasible. In light of the above, the options to consider are outlined below:

  <u>It is recommended</u> that the Town of Lunenburg, due to financial concerns compounded by the COVID-19 pandemic, not proceed at this time to initiate discussions with the region's municipalities regarding the proposed Regional Transit Service as outlined in the CPT Report.

If the Town wishes to further discuss the possibility of establishing a Regional Transit Service, the following options would be recommended:

It is recommended that further discussions with our neighbouring municipalities should be had with regards to their support for a Regional Transportation Service. If appropriate a Memorandum of Understanding (MOU) could be developed to facilitate further investigations and analysis.

It is recommended that before a Memorandum of Understanding is finalized that the Bridgewater Transit Authority provides a letter of support outlining their willingness to operate the Regional Transportation Service. The Bridgewater Transit Authority should have a representative on the Board of the Lunenburg County Transit Authority.

3. FINANCIAL IMPACT

As outlined above and in the CPT Report the capital costs and operation costs of the Regional Transportation Service will not be self-sufficient and will require an annual municipal subsidy or otherwise be dependent upon funding sources from other levels of government, examples below.

Provincial:
Nova Scotia Moves Grant
Nova Scotia Transit Research Incentive Program (NS TRIP)
Accessible Transportation Assistance Program (ATAP)
Community Transportation Assistance Program (CTAP)

Federal:
Gas Tax Fund
Green Municipal Fund
New Building Canada Fund

4. STRATEGIC PLAN RELEVANCE

5.(D)(a) Operate the Town efficiently and effectively by developing partnerships and strengthening inter-municipal, Provincial and Federal relations - Pursue additional senior government, inter-municipal, public and private sectors collaboration and partnerships when in the community's best interests for service, program or project delivery;

4.(A)(a) Encourage business development initiatives we will partner with our neighbouring municipalities in regional economic development initiatives such as through the development of a REN – Regional Enterprise Network and Events Lunenburg County.

5. RECOMMENDATION AND DRAFT MOTION

It is recommended that the Town of Lunenburg, due to financial concerns compounded by the COVID-19 pandemic, not proceed at this time to initiate discussions with the region's municipalities regarding the proposed Regional Transit Service as outlined in the CPT Report.

Attachments:
A: The CPT Report
B: Inter-municipal Service Agreement Draft by CPT
C: A Regional Transportation Model –
D: Joint Transportation Committee 2014 Public Transportation Study
E: Municipality of the District of Lunenburg 2009 Public Transportation Feasibility Study

Acknowledged only by:

Bea Renton
Town Manager/Clerk

FEASIBILITY STUDY: PUBLIC TRANSIT

for Citizens for Public Transit

Final Report



CBCL LIMITED
Consulting Engineers

Attachment A

Prepared for

CPT
Citizens for Public Transit

191063.00 • Final Report • September 2019

This report is dedicated to the memory of Norman Haslett, long-standing member and former Chair of Citizens for Public Transit.

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A Focus Group Invitation and Materials, Responses
B Survey Form
C Route Options
D Financial Assessment

Chapter 1 Introduction

1.1 Acknowledgements

At the outset of this report, the CBCL and Dr. Habib team would like to acknowledge the assistance and support of a number of key individuals and departments who provided information and knowledge based on their own experiences or operational responsibilities. Without them, our task would have been much more difficult in trying to navigate our way through a complex labyrinth of policies, historic background, real life costing and ridership data, procedures, licensing and governance, among other things.

- Jessica McDonald, Mackenzie Childs, Jim Coleman – Town of Bridgewater / Bridgewater Transit
- Glen Bannon, General Manager, Kings Transit Authority
- William Cutler, Manager, Bus Maintenance, Halifax Transit
- Nova Scotia Communities, Culture and Heritage

1.2 Background

Citizens for Public Transit (CPT) was formed in 2006 to address the need for scheduled fixed-route public transit, accessible to all, in Lunenburg County. Their focus has been for a service primarily connecting Bridgewater, Lunenburg, Mahone Bay and adjacent portions of the Municipality of the District of Lunenburg (MoDL). The four municipalities formed the Joint Transportation Committee (JTC) which was established to explore transit possibilities. For the purpose of this study, the boundaries of these four municipalities form the study area. Although the Municipality of the District of Chester has not been part of this group to date, it is hoped that the transit concept could easily be expanded to connect the District of Chester, and also Queens County in the future.

For over a decade, CPT, both independently and through the JTC framework, which brings together representatives of the municipal governments within Lunenburg County, have commissioned and supported a number of studies to assess the need for public transit and to assess the feasibility of a transit system in the region. The results of these efforts have been mixed. While the JTC did not achieve common ground on the establishment of a Regional Transit Service, two independent transit systems have since come into play: the Town of Bridgewater system - Bridgewater Transit, and the Maritime Bus service.

1.2.1 Existing Transit Services and Initiatives in the Study Area

These two systems are now at opposite ends of the service spectrum; Bridgewater Transit has proven very successful providing focused service at the local municipal level, while Maritime Bus has experienced difficulty in growing its inter-city service as hoped at the regional level. Maritime Bus, as of March 16, 2019, now operates a one trip per direction per day service from Lunenburg County to Halifax, renamed the "Halifax Connector".

https://maritimebus.com/locations/bus-stops-nova-scotia/lunenburg-county/?submit=view

The Nova Scotia Community Transportation Network recognizes its role as the innovative think-tank for community transportation in Nova Scotia. This work involves extensive research into options, identification of best practices, and evaluation of applicability across the province.

http://communitytransitns.ca/resources/

The Nova Scotia Transit Research Incentive Program (NS-TRIP) provides funding to help assess the need for and develop transit services in rural areas and underserviced urban areas. The program provides cost sharing at various funding levels depending on the scope of the project. Funding is available for one project per year per organization.

https://beta.novascotia.ca/apply-funding-help-assess-need-and-develop-transit-service-rural-or-underserviced-urban-area-nova-scotia-transit-research-incentive-program

Lunenburg County currently remains without a viable Regional Transit Service. The opportunity therefore exists for this CPT undertaking to 1) fill the regional transit service gap, and 2) maintain and build upon the considerable momentum sparked by the Bridgewater Transit experience.

1.2.2 Rural Transit in Nova Scotia

Currently, there is little in the way of rural transit in Lunenburg County. This is much the same as many other rural areas within Nova Scotia. The exception to this situation is the Kings Transit service, which has been operating successfully since 1981. Kings Transit Authority is a public transit service funded by a group of municipalities, the County of Kings, as well as the towns of Berwick, Kentville, and Wolfville. When the service started, the system serviced only between the towns of Wolfville and Kentville. However, the service has grown and today includes Annapolis County as well as the Municipality of Digby. The Kings Transit Authority was founded on an inter-municipal service agreement (IMSA) that was signed by the partner municipalities, each with a representative on the Board of Directors. Each municipality funds the operational costs of the service through payments calculated based on the ratio of costs to population served. The smallest partner, the Town of Berwick pays the smallest percentage, while the largest partner, the Municipality of Kings, contributes the largest percentage.

Currently, within Lunenburg County residents rely heavily on their own vehicles, sometimes on neighbours giving them a lift, or a number of taxi services that operate mostly in the Towns of Lunenburg and Bridgewater. Taxi services can be expensive, and most people could not afford to use them every day, or even a few times per week, therefore many people struggle to get around because they do not have access to a car, or cannot afford a taxi.

Having a regional public transit system that services the towns and the rural communities in Lunenburg County would provide much needed access for residents to services in the towns, including trips to the hospitals, health appointments, their place of employment, or for leisure purposes.

There are a number of independent travel initiatives that operate in the towns, and in the wider area, such as the Senior Wheels. The Rural Transportation Association provides a door-to-door service on a pre-booked basis, such as the Chester Community Wheels which serves the Municipality of the District of Chester and has been operating since 2007. We are also aware of the Queens County Transit which is currently in its pilot phase. This service is for all residents of Queens County and currently operates a Maritime Bus Connector service between Liverpool and Bridgewater.

There are a number of private shuttle, charter and limousine services that operate in the County, however, there is a lack of an affordable regional service that serves the needs of the people of Lunenburg County. The independent travel initiatives are described in more detail later in this report to provide context to the requirement for a public transit system within Lunenburg County. There is definitely a need for these private enterprises to operate in the region as there will always be gaps in a regional service given the large geographical area to be covered, and there will always be the issue of "the first and last mile", as with a any public transit service as it is not a door-to-door service that is being provided.

1.2.3 Government Policy Regarding Public Transit

All levels of government are looking at ways of encouraging a move away from the private vehicle trips to more sustainable ways of living and travelling. Using this philosophy should allow initiatives to be developed using current government policy. There are a number of ways in which policy initiatives could support a regional public transit system in Lunenburg County including:

- Government of Canada – Aging In Place (https://www.canada.ca/en/employment-social-development/corporate/seniors/forum/aging.html)
- The Nova Scotia Positive Aging Strategy (https://novascotia.ca/seniors/strategy_for_positive_aging.asp)
- The Nova Scotia Poverty Strategy (http://www.canadasocialreport.ca/PovertyReductionStrategies/NS.pdf)

Aging in place is becoming an important aspect of living in such a beautiful and diverse province. It is recognised that Nova Scotia has an aging population. For some, this means selling the family home, and moving into the city, usually Halifax, or a larger town like Truro or Bridgewater, to access medical facilities, hospitals, doctors, and even to be closer to their families. Not everyone wants to leave their rural home or small town community, and so it is very important for those folks to be able to stay where they want but to have access to important services, especially when driving a car is no longer an option.

The SHIFT program is Nova Scotia's Action Plan for an Aging Population. The aim of SHIFT is to change how older adults are "perceived" in our communities, and to help to create more vibrant

communities. Under "rural community transportation", the link directs the reader to the Department of Municipal Affairs. The department headed by the Minister, the Honorable Chuck Porter, MLA, includes responsibilities such as:

- supporting municipalities in providing effective local governance and planning healthy communities;
- providing funding for municipalities.

Priorities for the department from 2018 to 2019, include:

- setting future direction for the province and municipalities through a partnership agreement;
- supporting new infrastructure programs that address local priorities.

In terms of a regional public transit system for Lunenburg County, this could be facilitated through the terms of the Municipal Government Act, specifically Section 60, Municipality and village service agreements. This would of course require buy-in by each of the towns, Bridgewater, Mahone Bay and Lunenburg, and the Municipality of the District of Lunenburg.

1.3 Project Understanding

Throughout the project, we have been working closely with the CPT Board members in attempting to achieve the goal of a Regional Transit System in Lunenburg County, and to respond to the increasing mobility needs of its citizens through a number of initiatives and unique experiences.

The CBCL and Dr. Habib team successfully delivered the Town of Bridgewater Public Transit Feasibility Study in 2017. The study evaluated the Town's latent mobility needs, proposed a public transit service plan with a fixed route, evaluated its costs and potential returns, and provided the guidance needed for the Town to successfully implement the recommended service. Through a recent discussion with the Town, they observed that ridership has steadily increased over the duration of the initial 9-month pilot project, eventually surpassing the estimates of the Feasibility Study. Furthermore, the Town recorded an influx of people moving to Bridgewater and reducing their private vehicle ownership, specifically due to the convenience and reliability provided by the town's transit service. These two trends have led Council to adopt the pilot public transit project as a permanent core service.

Evaluating the feasibility of a Regional Transit System has required interface with all of the municipal jurisdictions within Lunenburg County, as well as discussions with Bridgewater Transit, Kings Transit Authority, Halifax Transit, the department of Municipal Affairs, and the Utilities and Review Board (UARB).

1.4 Project Goals

The study has a number of project goals. As mentioned, there is currently no form of regional public transportation within Lunenburg County. There have been recent feasibility studies into public transit between Bridgewater, Lunenburg and Mahone Bay but the project remained in limbo as of early 2015. In this context, CPT issued an RFP to examine the feasibility of implementing a Regional Transit System within the part of old Lunenburg County presently represented by the Municipality of the District of Lunenburg (MODL), the Town of Bridgewater, the Town of Lunenburg, and the Town of Mahone Bay. The following tasks have been undertaken:

1. Collate all existing information and previous analysis of local regional transit;
2. Develop an understanding of the regulatory framework governing regional transit in the area, and the impacts of existing regulations on service levels and boundaries;
3. Provide an overview of existing transit technologies; and
4. Undertake an examination of the feasibility of different transit service types and route options.

The ultimate goal and challenge of this study has been to provide a feasible strategy and operations plan for the Lunenburg County that meets the needs of the community. The specific objectives of the project were identified as follows and have been considered throughout the duration of the study:

- To assess the various elements required to implement a public transit service in a medium density rural area;
- To understand how people move around and within the study area and what their current and potential future transit needs are;
- To engage targeted stakeholder groups to assess their interest, potential uses and support for public transit within the study area;
- Identify technologies that are efficient, environmentally beneficial, and cost-effective for both the municipalities and users;
- To understand and document the regulatory requirements for public transit within the study area and when transit systems cross municipal boundaries;
- To assess the potential costs of a transit system start-up and ongoing operation for at least two different models for transit within the study area.

By not having a regional public transit system within Lunenburg County, it could be argued that access to specific services such as health, education, employment and social development are limited by the lack of affordable, accessible and available transportation.

Chapter 2 Research and Preparation

2.1 Research

Unlike previous studies undertaken within a single jurisdiction, the current study spans several municipal jurisdictions. The study area focuses on the Municipality of the District of Lunenburg, and the Towns of Bridgewater, Lunenburg and Mahone Bay. Secondary consideration is being given to the feasibility of expanding of a public transit service to other neighbouring rural communities, including the Municipality of the District of Chester, and Queens County.

The major tenet of this undertaking is the understanding of the mobility needs within the study area, and the specific potential for that need to be met by a public transit service. An understanding of existing travel and mobility patterns has been achieved using a number of methods.

Our approach to this project has been multi-facetted, employing multiple lines of enquiry to develop a correct understanding of existing patterns and to formulate a comprehensive statement of needs and opportunities within Lunenburg County. Most importantly, ours has been a participatory approach, recognizing that the future users of a transit service are best suited to define it. The broad geographic coverage of the study area also required innovative methods to reach all of the affected population, beyond traditional surveys and interviews.

2.1.1 Baseline Conditions

Establishing the baseline of existing conditions has consisted of a background review, collecting and aggregating existing sources of information, and determining how people currently travel within the study area. While this has been a citizen-led undertaking, we understand that the municipalities and towns within Lunenburg County are aware and are in general supportive of this endeavour, and they have provided GIS data, and other local information that has helped during the study. They have also provided in-person support by attending the focus groups held in various locations within the County. Some of the current Mayors have also been involved with the Joint Transportation Committee and are long-time supporters of a public transit system in the area.

Population data were extracted from Statistics Canada at the Census Tract (Dissemination Area) level.

By using the available information, we have developed a baseline of existing transportation and mobility conditions and needs in the region.

Our experience with the Town of Bridgewater Transit Feasibility Study taught us the value of broad stakeholder engagement and targeted participatory mapping. For the purposes of this project, we set up a web page providing open access to a participatory web map on the ESRI online platform, an online survey using the Survey Monkey service, along with a discussion platform.

These services were rolled out in the early stages of the project and were carried through until the report writing stage. They have provided us with a base level of public participation, which has complemented the focus groups and the completion of paper survey forms.

We have also reached out to large employers and organisations in the County, as well as to the Mayors of each of the four municipal areas.

Social Dimension

Through our discussions with the CPT Board, and during some of the consultations, we are aware that there are social aspects of transportation that would be beneficial to many people living in the region. Often taxi services are used by Social Services to allow people, families, to travel to appointments on a regular basis. This can be costly, and is not always convenient for the user or the taxi driver as the user may not be ready when the taxi arrives. With a scheduled bus service this could provide more options for users, and may perhaps be more efficient for Social Services as they could provide transit tickets instead of paying for and coordinating taxi fares.

2.1.2 Review of Previously Conducted Transit Studies

Municipality of the District of Lunenburg Public Transportation Feasibility Study, December 2009

In 2009, the four municipalities within Lunenburg County commissioned a study on the feasibility of public transportation in the region. Through stakeholder consultation, it was determined that there was a need for a publicly funded transportation service. The study went on to identify what form the service should take, and to estimate the resources required to provide a service.

A service framework was developed including recommending a scheduled fixed route, using multiple routes to provide greater service area. It was estimated that at full service (year 5), approximately 45,000 passengers would use the service on an annual basis. This would equate to an average of 8 passengers per vehicle per hour. The vehicle types envisaged for the service were a bus or a van. In terms of governance, whether the service was publicly or privately run would depend on the availability of federal or provincial funding. The cost estimate at the time indicated that the capital and net operating cash flows would be almost negative $1 million, although the figure could have been less if funding was available.

Joint Transportation Committee Public Transportation Study, March 2014

The Joint Transportation Committee (JTC) has been working together for a number of years. In March 2014, they received a report on a Public Transportation study that had been undertaken by Transit Consulting Network (Wally Beck). Some key findings from the study are summarised as follows:

- Seven technical memoranda were produced and presented to the JTC in early 2014;
- Summary of recommendations:

- Need for a public transportation Coordinator “champion”;
- The new service can build on committed and established local expertise from qualified volunteers to help guide service delivery while municipal partners can provide in-kind services to start and on an as-needed basis;
- During the early stages of developing the service, the municipalities should first take ownership and responsibility of the service on a temporary basis to get service started. During this period, efforts would be made to establish a non-profit public transportation organization that would then have full responsibility for the service. In this business model, the municipalities would still own the vehicles while the new Board of Directors of the service would be responsible for the day to day operation and planning. The Coordinator would then report to the Board of Directors.

We do not wish to replicate the work of the Transit Consulting Network, but rather complement the good work undertaken and to update various costs and operational aspects with new information. Having undertaken our study on behalf of the CPT, we agree with the above findings, and have found through our own research that this is how many of the public transit services currently in operation started out. The need for a pilot study, is also a key component of discovering the actual needs and demands of the communities that you are trying to serve with public transit, and this approach proved very successful in the case of Bridgewater Transit.

Town of Bridgewater Transit Feasibility Study, February 2017

CBCL Limited and our partner Dr. Ahsan Habib undertook the feasibility study on behalf of the Town. By reviewing available information, and through holding public and stakeholder consultation, there was no doubt that the people living and working in the Town of Bridgewater were ready for a public transit service. Through the technical feasibility assessment, we adopted the guiding principles and design criteria obtained through the consultations. The recommendation was that the Town start out with a hybrid fixed route service focussing on all trips (including work and non-work trips). We also recommended that the Town purchase a new gasoline powered Community Bus capable of holding up to 20 passengers. We know of course, that the Town received a vehicle through a donation of an older vehicle from Halifax Transit, and this helped to reduce the start-up costs for the service. Along with a number of other recommendations, we noted that it was clear that there was support from town residents and stakeholders that the service be extended outside of the town limits to make connections with other transit initiatives, namely out at Highway 103 Exit 12, near Osprey Village.

2.2 Travel Demand

Review of 2011 and 2016 Census data for Lunenburg County reveals a number of noteworthy trends with regards to transportation. The Census probes work commuting behaviour and reports the place of work, mode of travel and trip duration, for trips made by persons of working age, 15 years and over. While this does not cover leisure or education trips, it provides a very good indication of the primary trip patterns in the in the County. Additional information was gleaned from the 2016 NovaTRAC survey, which aims at identifying travel patterns throughout Nova Scotia.

This transportation behavioural profile of Lunenburg County suggests that, while the vast majority of trips are made by car, with some noteworthy exceptions, travel patterns are dominated by short, local trips. The opportunity therefore exists to reverse the trend towards auto dependence, by improving the availability of public transportation and also non-motorized mobility.

2.2.1 Mode Split

First of all, review of the mode of travel for commuting to work indicates that in 2016, 93% of work trips were made by car drivers, while 5% of trips were made by walking. Some residual trips were reported as being made by transit and other modes, although there is no regional transit service in the County (see Figure 1). The overall pattern remained constant from 2011.

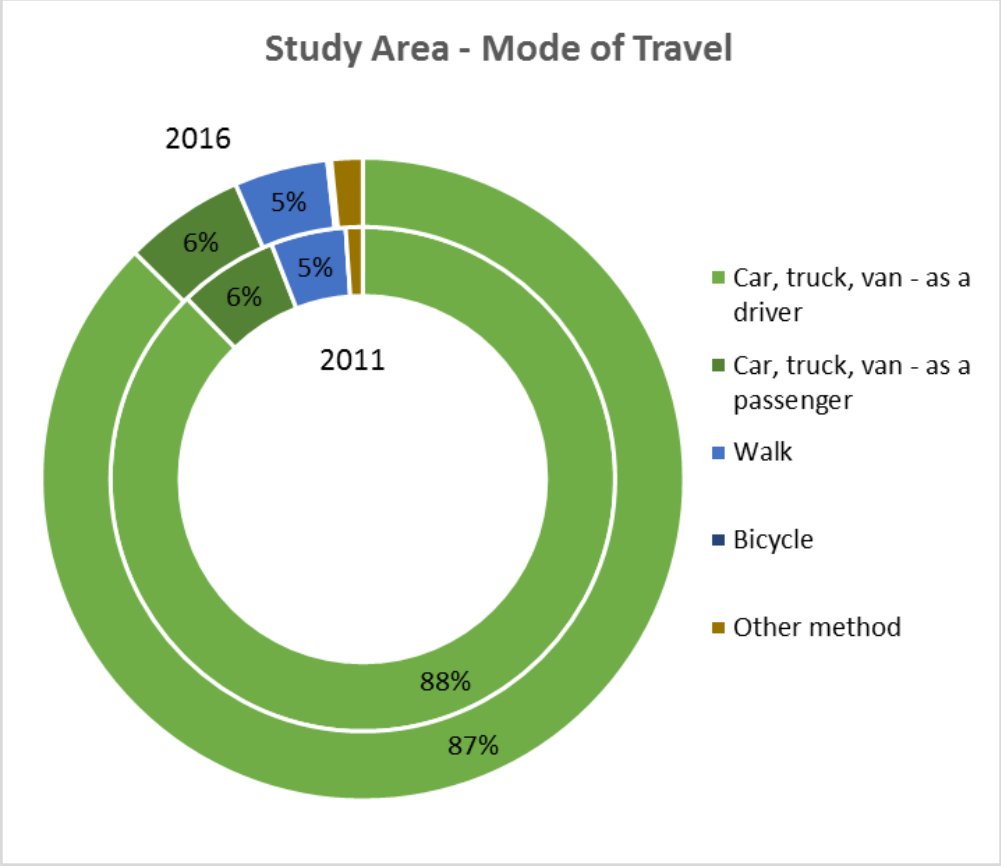


FIGURE 1 STUDY AREA MODE SPLIT

The picture for individual towns and municipalities is equally diverse. While the Municipality of the District of Lunenburg and the Town of Bridgewater exhibit very high auto usage, the Town of Lunenburg and the Town of Mahone Bay show much higher rates of active transportation (see Figure 2). In the Town of Lunenburg, over 20% of work trips were made by walking, consistent between 2011 and 2016. In Mahone Bay, we observe a slightly different dynamic; while 23% of work trips were made by walking in 2011, this proportion fell to 13%, concurrent with an increase of 8% in the proportion of auto passengers. We can infer that 8% of work commuters shifted from walking to being driven to their destinations.

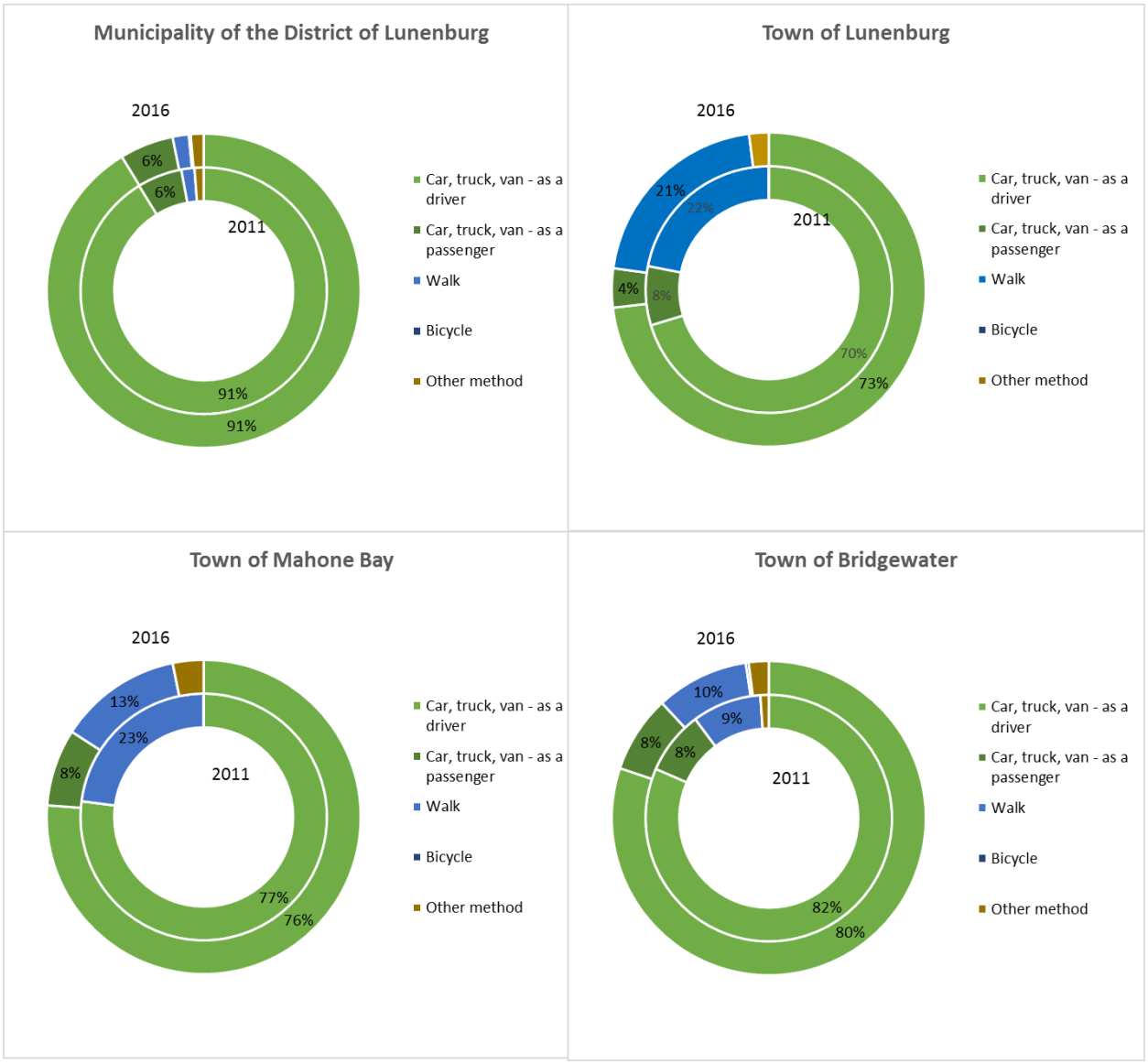


FIGURE 2 MODE SPLIT CHANGE

The NovaTRAC survey roughly confirms these patterns. Lunenburg County residents undertook a combined 71% of their work and school trips by auto (Figure 3). NovaTRAC provides also provides a look at non-work/school trips. Compared to the provincial patterns, we find that

residents of Lunenburg County undertake more of their work/school trips by active modes of transportation than the provincial average (24% vs. 11%), while they undertake more of their non-work/school trips by auto (88% vs. 71%).

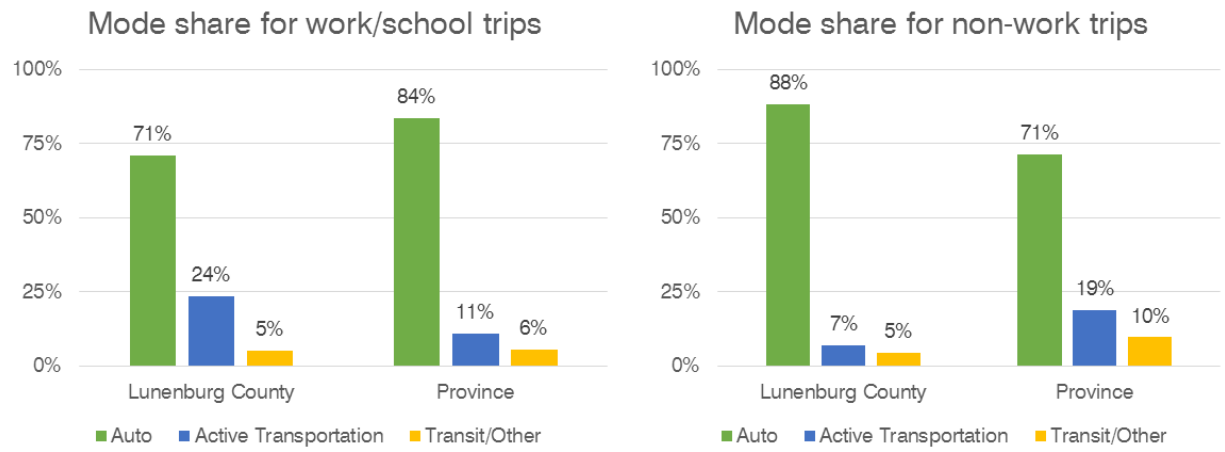


FIGURE 3 STUDY AREA MODE SPLIT - NOVATRAC

This suggests that more of the work/school trips are local, while more discretionary non-work/school related trips are more regional.

Review of work commute destinations in 2016 (see Figure 4) shows that close to 40% of all work trips were made within the municipality of residence, and another 50% of trips remained within Lunenburg County. The Town of Bridgewater exhibits very high internal capture of work trips, with close to 70% of work commuting being undertaken within the Town. Conversely, MoDL and the Town of Mahone Bay exhibit the lowest internal capture and highest proportion of work trips outside of the Towns. Anecdotally, we know that the majority of these County-destined trips are Bridgewater-bound, where a significant portion of the County's employers are based.

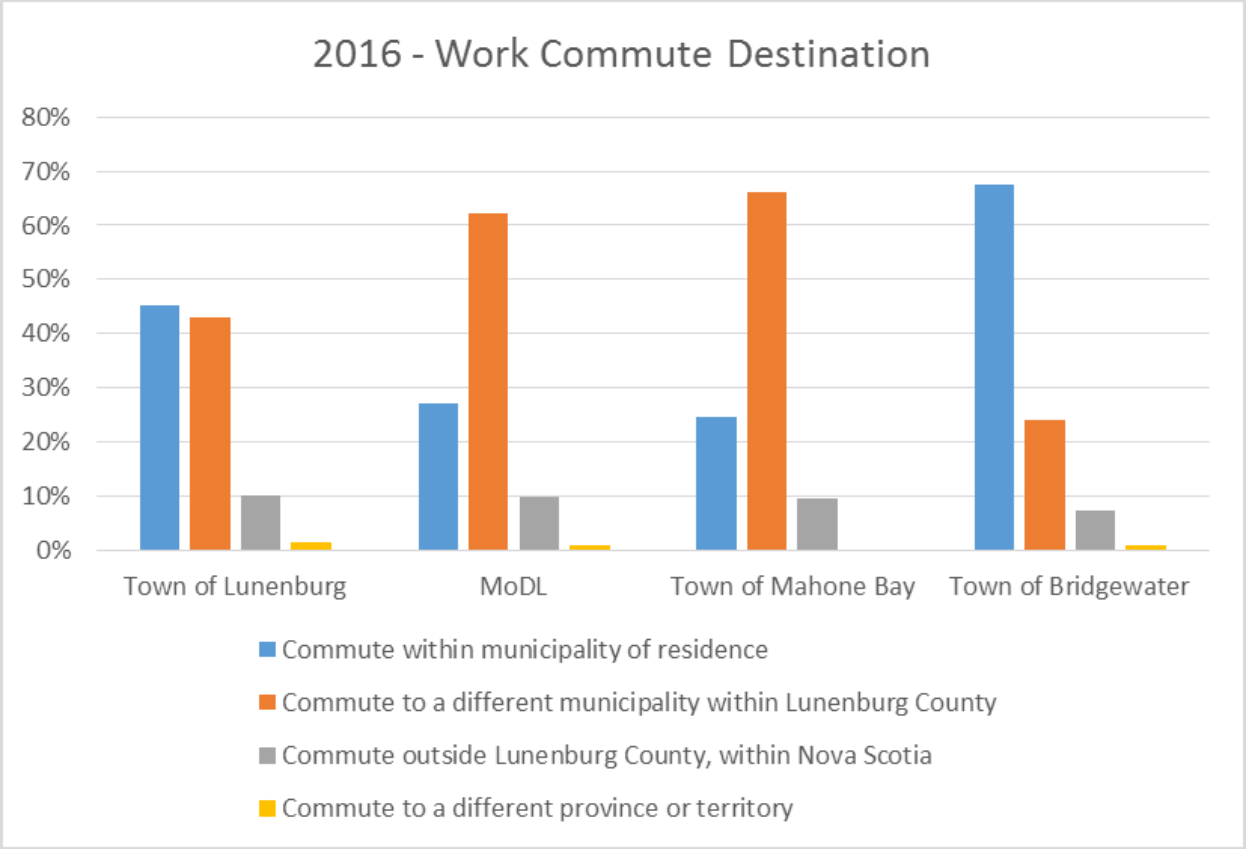


FIGURE 4 WORK COMMUTE DESTINATIONS - 2016

In conjunction with the local character of work trips, we also observed that in 2016, over 40% of all work trips were less than 15 minutes long, while close to 35% of trips were 15-29 minutes long. These very local trips are clearly seen in the Town of Lunenburg and the Town of Bridgewater (see Figure 5).

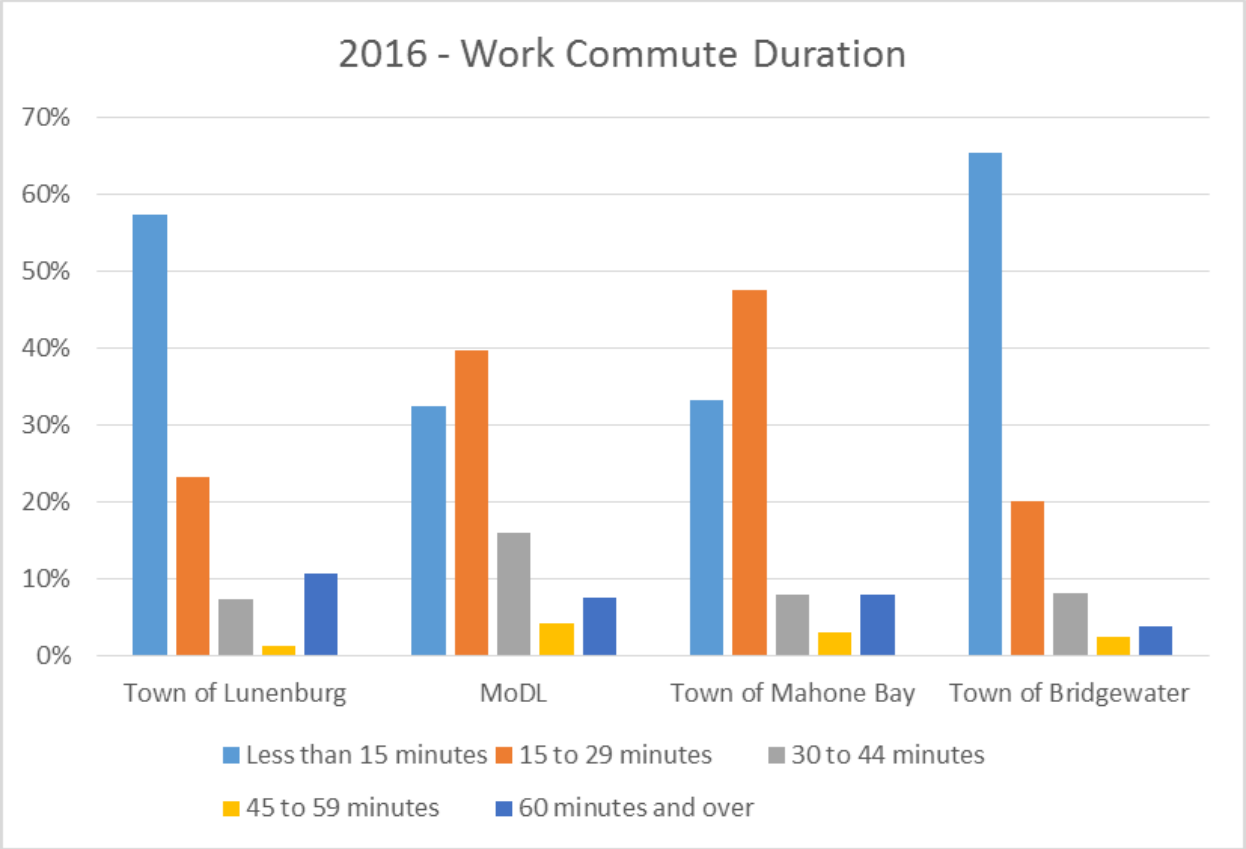


FIGURE 5 WORK COMMUTE DURATION – 2016

2.2.2 Trip Generators

The work commute destinations suggest that there are places of employment throughout Lunenburg County, with a very significant cluster in the Town of Lunenburg and the Town of Bridgewater. A review of major businesses, employers and institutions (summarized in Table 1) confirms that this is indeed the case.

TABLE 1 MAJOR ACTIVITY GENERATORS

Activity Generator	Community
Atlantic superstore	Bridgewater
Blessed hope Baptist Church	Bridgewater
Bowater Mersey Paper Co. Ltd	Bridgewater
Bridgewater Electrolysis Clinic	Bridgewater
Bridgewater Jr High School	Bridgewater
Bridgewater Open Bible Church	Bridgewater
Bridgewater United Church	Bridgewater
Crown Tire Service (Atlantic) Ltd	Bridgewater
Elmer M. Lohnes Lumbering Ltd	Bridgewater
Grant Thornton Limited	Bridgewater
HB Studios Sports Centre	Bridgewater
Impact Church Bridgewater	Bridgewater
Lighthouse Publishing Limited	Bridgewater
Michelin North America	Bridgewater
Millennium 1 Solutions	Bridgewater
Newcombville Elementary School	Bridgewater
NSCC	Bridgewater
Park View Education Centre	Bridgewater
Seventh-day Adventist Church	Bridgewater
Snyder's Shipyard Limited	Bridgewater
Sobeys	Bridgewater
South Shore Ready Mix Ltd	Bridgewater
South Shore Regional Hospital	Bridgewater
South Shore Veterinary Hospital	Bridgewater
ST joseph's Roman Catholic Church	Bridgewater
The Ark	Bridgewater
The Church of Jesus Christ of Latter-day saints	Bridgewater
Trinity Holy Anglican Church	Bridgewater
Walmart Bridgewater supercentre	Bridgewater
ABCO Industries Limited	Lunenburg

Adams & Knickle	Lunenburg
Atlantic Electronics Ltd	Lunenburg
Bailly's Holding Ltd	Lunenburg
Bluenose Academy	Lunenburg
Central United Church	Lunenburg
Composites Atlantic Limited	Lunenburg
First South United Church	Lunenburg
Fishermen's Memorial Hospital	Lunenburg
Grace Lutheran Church	Lunenburg
High Liner Foods Inc.	Lunenburg
Lunenburg Boat Locker	Lunenburg
Lunenburg Fish Company	Lunenburg
Lunenburg Industrial Foundry & Engineering Ltd	Lunenburg
Nova Wood Products Limited	Lunenburg
Ocean Gear Inc	Lunenburg
Scotia Trawler Equipment Limited	Lunenburg
St Andrews Presbyterian Church and Hall	Lunenburg
St Norbert's Catholic Church	Lunenburg
St. John’s Anglican Church	Lunenburg
Stelia North America	Lunenburg
Zion Ev Lutheran Church	Lunenburg
Amos Pewter Limited	Mahone Bay
Anglican Church	Mahone Bay
KEKA	Mahone Bay
Mahone Bay Centre	Mahone Bay
Mahone Bay Museum	Mahone Bay
Reinforced Plastic System Inc	Mahone Bay
St. John's Lutheran Church	Mahone Bay
Suttles & Seawinds of Nova Scotia Limited	Mahone Bay
T. Ernst Forest Products Inc	Mahone Bay
United Church Mahone Bay	Mahone Bay

This local economic activity presents the opportunity of shifting a significant portion of work trips from the auto, to alternative modes of transportation.

2.2.3 Population/Demographics

Review of Canada Census demographics data indicates that overall, the population of the study area has remained relatively stable between 2011 and 2016, growing slightly from 36,600 to 36,685 people. At a more detailed level, this stability can be explained by some minor decrease in the populations of the Town of Lunenburg and MoDL, balanced by growth in the Towns of Mahone Bay and Bridgewater.

Overall, we note a clear aging of the population throughout the area; the segment of the population over 64 years of age increased from 22% in 2011 to 26% in 2016. The trends are summarized in Table 2 and illustrated in Figure 6 and Figure 7. The aging of the population, particularly in the Town of Mahone Bay, may provide some understanding of the changes in mode split observed in that Town between 2011 and 2016.

TABLE 2 POPULATION TRENDS FROM CENSUS DATA

	Town of Lunenburg		MoDL		Town of Mahone Bay		Town of Bridgewater		Study Area	
	2011	**2016**	**2011**	**2016**	**2011**	**2016**	**2011**	**2016**	**2011**	**2016**
Total	2,300	2,255	25,115	24,860	945	1030	8,240	8,540	36,600	36,685
Under 15	11%	11%	13%	12%	12%	10%	13%	13%	13%	12%
15-64	58%	53%	68%	64%	56%	52%	63%	60%	66%	62%
Over 65	31%	35%	19%	24%	33%	38%	24%	27%	22%	26%

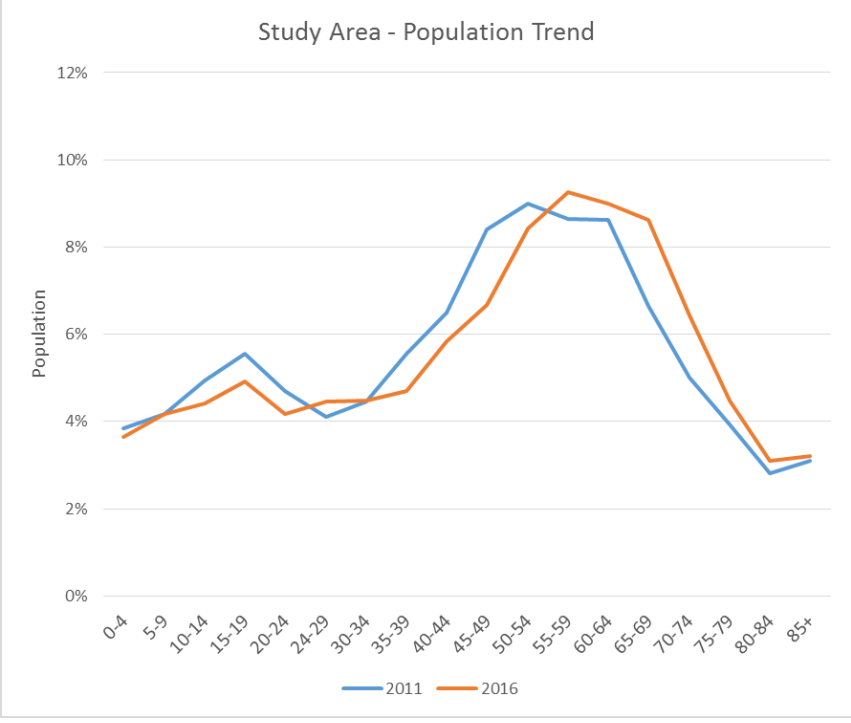


FIGURE 6 POPULATION CHANGE – STUDY AREA

The trend observed at the County level roughly matches the trends of each Town. We do note that the Town of Bridgewater exhibits a "flatter" profile, with its population being more equally distributed between younger and older cohorts.

The aging trend will have a significant impact on travel needs. Residents of retirement age tend to do fewer work-related trips, and more leisure or discretionary trips. At the same time, as they progress in age, they may require more access to services. Their needs may be compounded by reduced mobility in terms of walking and cycling ability, access to an automobile, or the ability to drive.

Aging population groups therefore become a prime candidate for a public transit system that preserves their mobility.

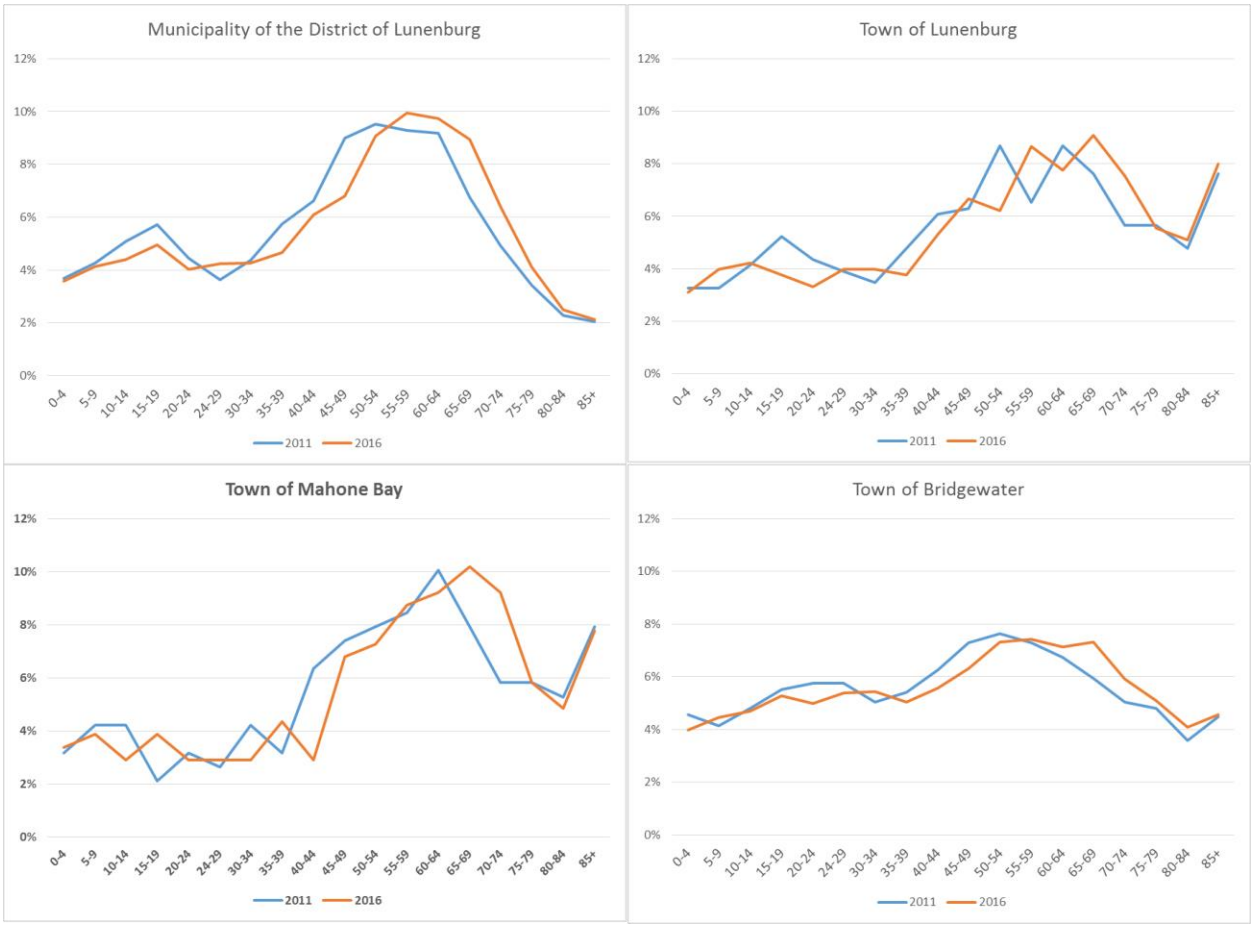


FIGURE 7 POPULATION CHANGE BY MUNICIPALITY

To get a better understanding of the population dynamics in Lunenburg County, we conducted a GIS analysis of all residential address points, correlated to Statistics Canada population figures (see Figure 8). The analysis demonstrates that the majority of the population in Lunenburg County is heavily clustered in the three Towns, and along the major highways (see Figure 9). Additional population clusters are evident, corresponding to New Germany, Conquerall Bank, and the shores of Fancy Lake.

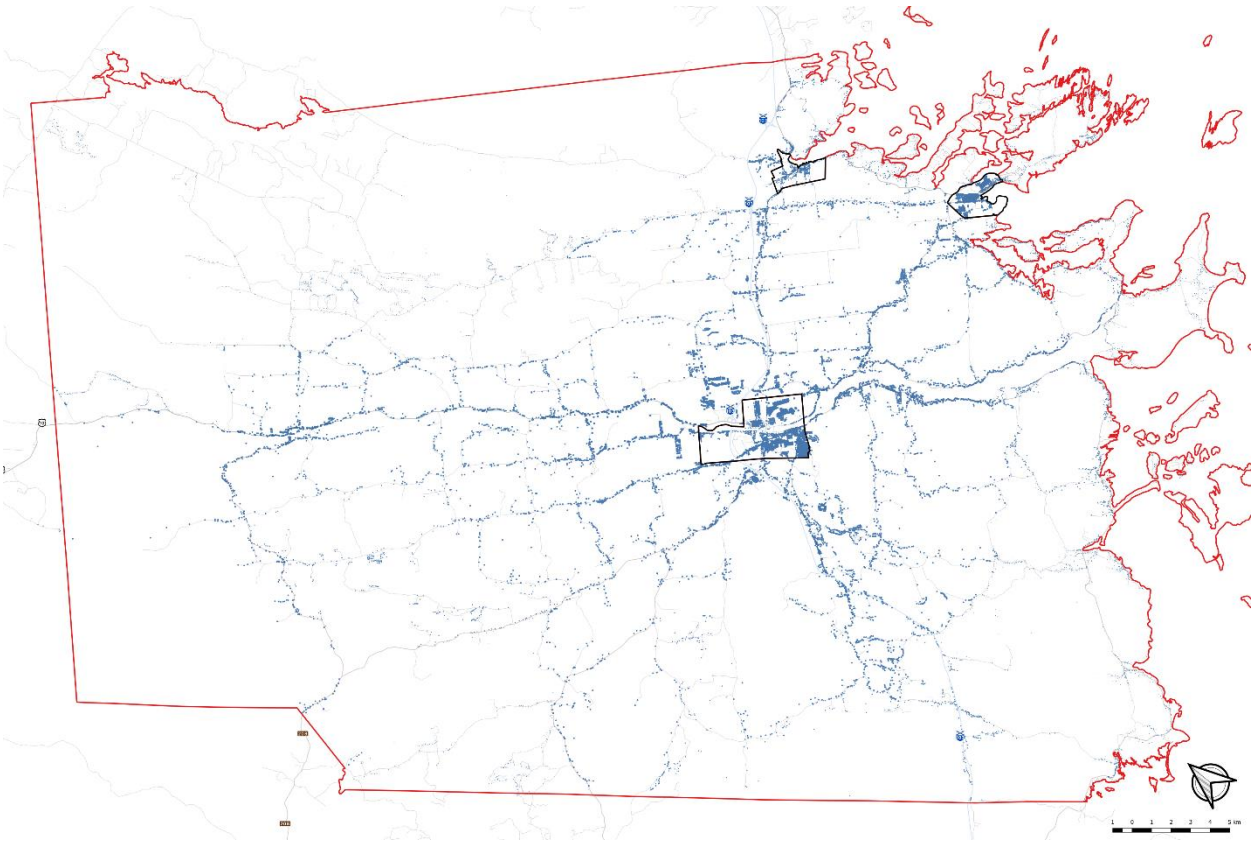


FIGURE 8 LUNENBURG COUNTY POPULATION DISTRIBUTION

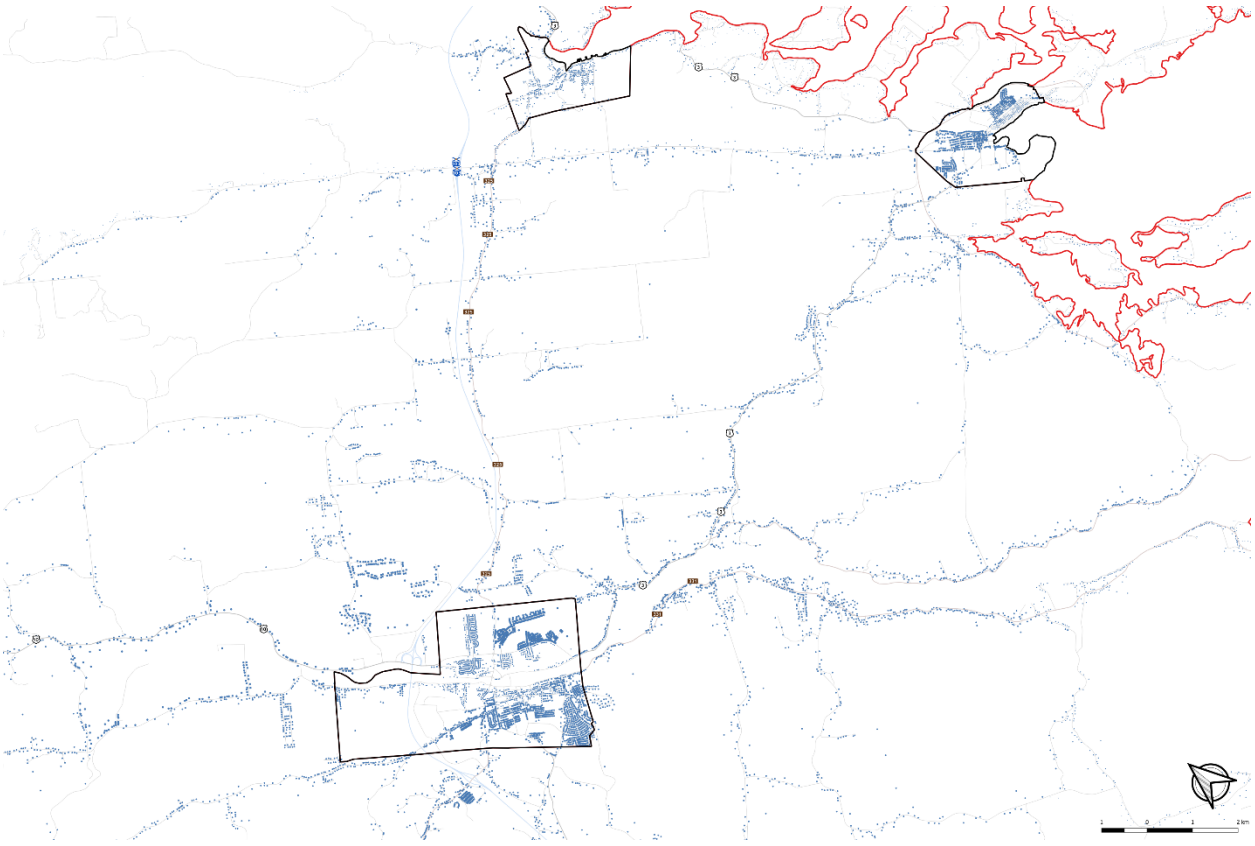


FIGURE 9 LUNENBURG COUNTY MAIN POPULATION CLUSTERS

Chapter 3 Stakeholder Consultation

To better understand the needs of Lunenburg County residents, we undertook an extensive public consultation process. We are also aware that, historically Lunenburg County residents have not had consistent and regular public transit services, therefore they may not be aware of the benefits of public transit. Consultation therefore also included an awareness exercise probing participants' understanding of public transit and its benefits to themselves, their families and communities. The process also aimed at formulating the guiding principles of a regional transit system.

The consultation process consisted of 3 rounds of focus groups, an online participatory map tool, surveys, and targeted stakeholder interviews.

3.1 Focus Groups

Three focus groups were held on the following days and in the listed locations:

- Monday May 13, 2019 - Town of Lunenburg Fire Hall; and
- Wednesday June 12, 2019 - Mahone Bay Centre, and LaHave Bakery.

These events introduced the project and sought to identify the needs of the community for public transit, and key principles that will govern and shape a future transit service in the region.



Approximately 30 people attended the event in Lunenburg, with approximately 10 each at the Mahone Bay and LaHave events, respectively.

The events included a short presentation of the project, a review of Lunenburg County demographic profiles and travel demand patterns, as observed in Census Data, followed by two workshop sessions.

The first workshop session probed participants' understanding of public transportation benefits and guiding principles, while the second workshop session asked participants to imagine and discuss potential transit service connections within their communities, across Lunenburg County, and beyond.



The Focus Group Invitation and Materials, Photos, and Responses are contained in Appendix A.



As a result of the three focus groups, we have a clearer understanding of the perceived benefits of a public transit service, and the guiding principles that the service should follow through the input and participation of local residents.

3.2 Participatory Map and Survey

Coinciding with the first focus group event, the project also launched an online participatory website and map, and a survey available both in print and online formats. The participatory map explored participants' places of residence, their major destinations within Lunenburg County, and locations that they thought would benefit from transit access. As illustrated in Figure 710 below, while place of residence (green) were reported throughout Lunenburg County, the principle destinations (blue) were the Town of Bridgewater and the Town of Lunenburg, and to a lesser degree Mahone Bay, LaHave, Petite Rivière and other coastal communities.

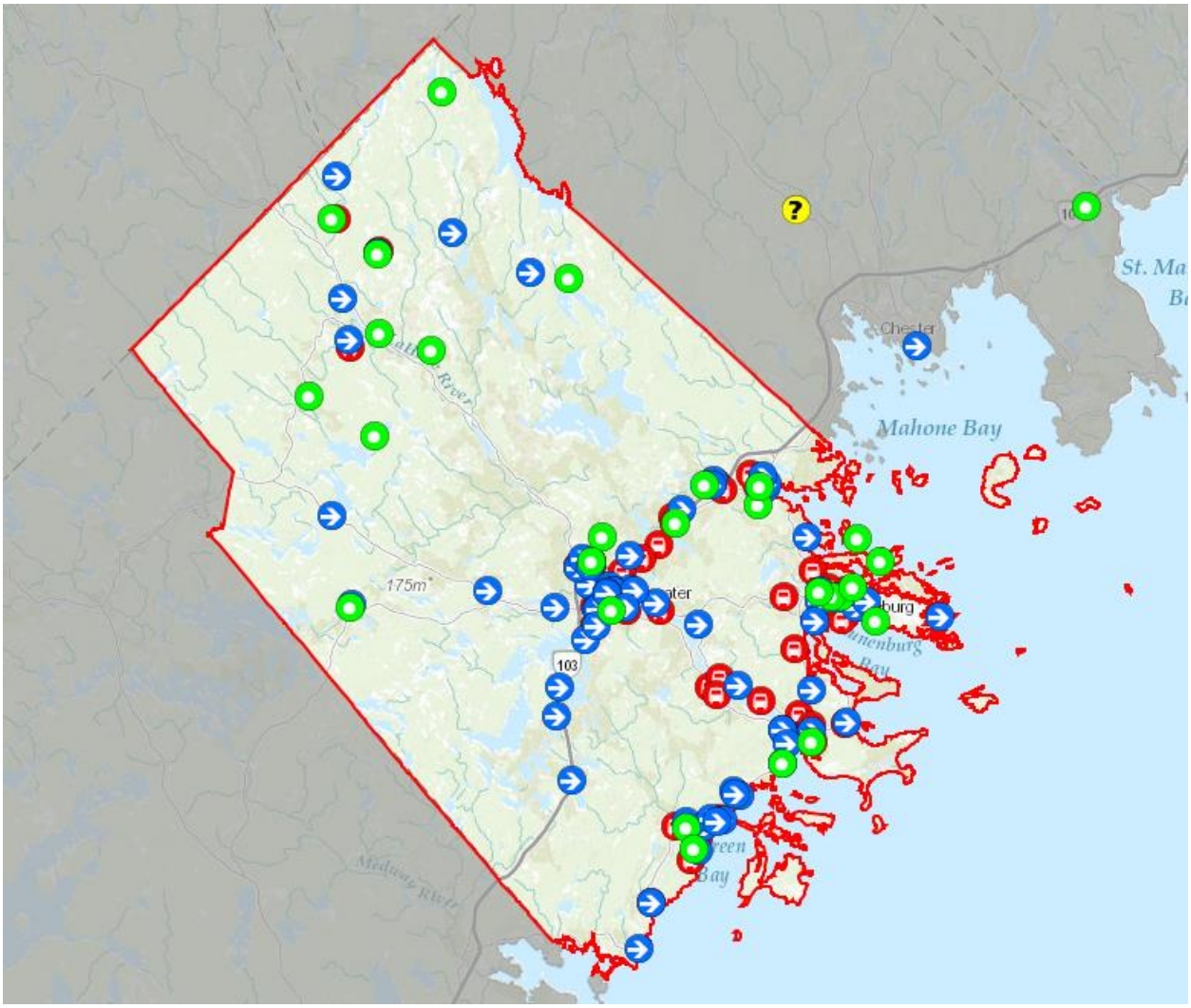


FIGURE 10 PARTICIPATORY MAP RESULTS

In conjunction with the focus groups, each participant was asked to complete a one-page survey asking questions about where they live, how and why they travel, and their feedback on how a public transit service could operate. The survey form is included in Appendix B. The survey was designed to complement both the focus group events, and the participatory map. Participants were asked targeted questions on their travel habits and needs, modes of travel, travel purposes, likelihood of using a transit service, and willingness to pay for one. Open-ended questions were also asked, concerning the type of transit service they would like and how they would see such a service being implemented.

The paper and online survey garnered close to 250 responses. Filtering for completion and validity, this resulted in a usable number of 205 responses.

Overall, we found the majority of participation from MoDL, at just over 50% of responses. The statistics are shown in Figure 11 below.

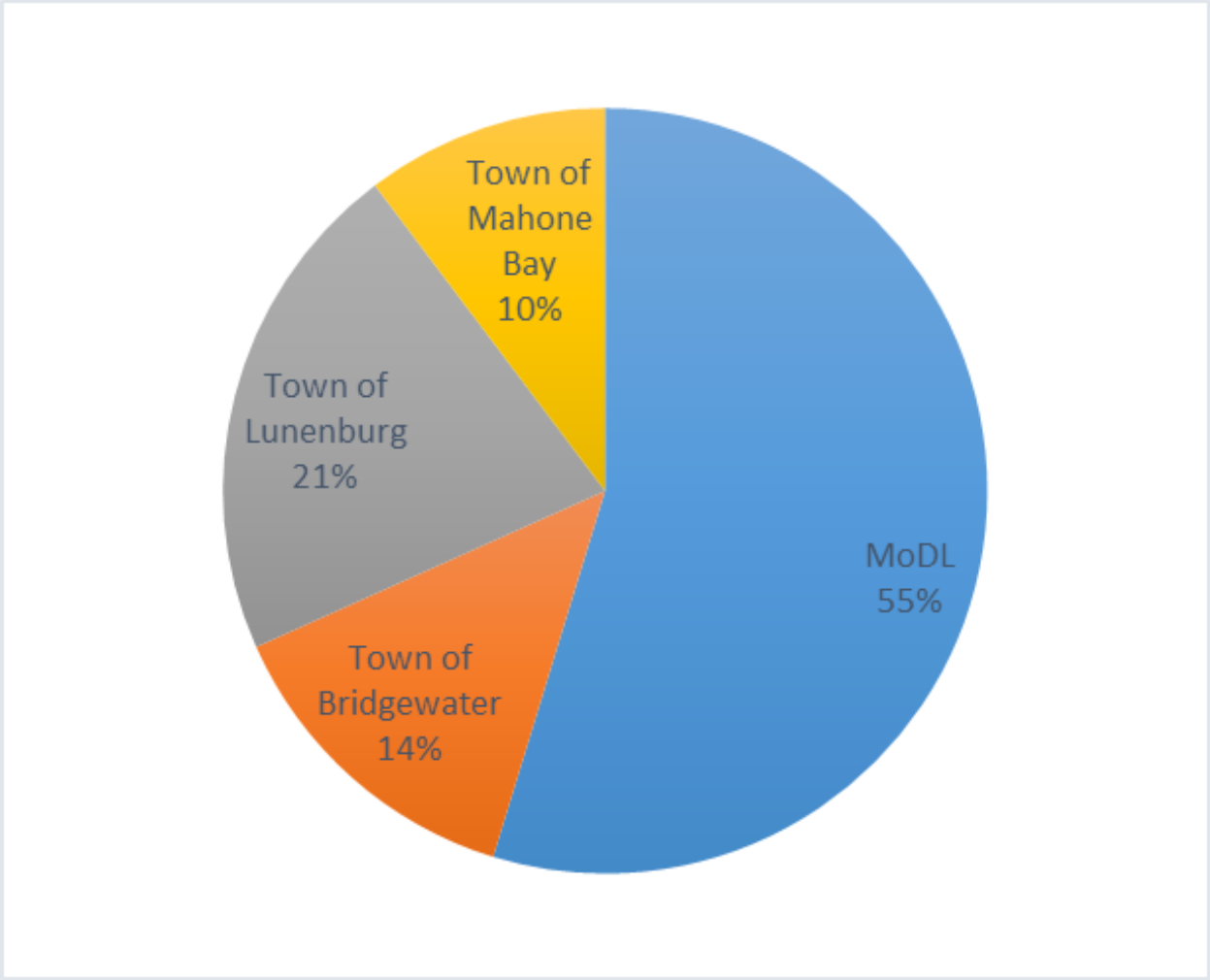


FIGURE 11 SURVEY PARTICIPATION – LOCATION OF RESPONDENTS

3.3 Stakeholder Interviews

Throughout the duration of the study, we have been in discussions with the Utilities and Review Board (UARB), all four municipalities (Town staff and Council representatives), as well as transit operators including Kings Transit Authority, Bridgewater Transit, and Halifax Transit.

We have also reached out to major employers and large organisations within Lunenburg County, and including the Nova Scotia Health Authority local representative in Bridgewater. The largest of these organizations are summarized in Table 1 above. A number of organisations have been contacted via phone and email, and we have received feedback from some of them.

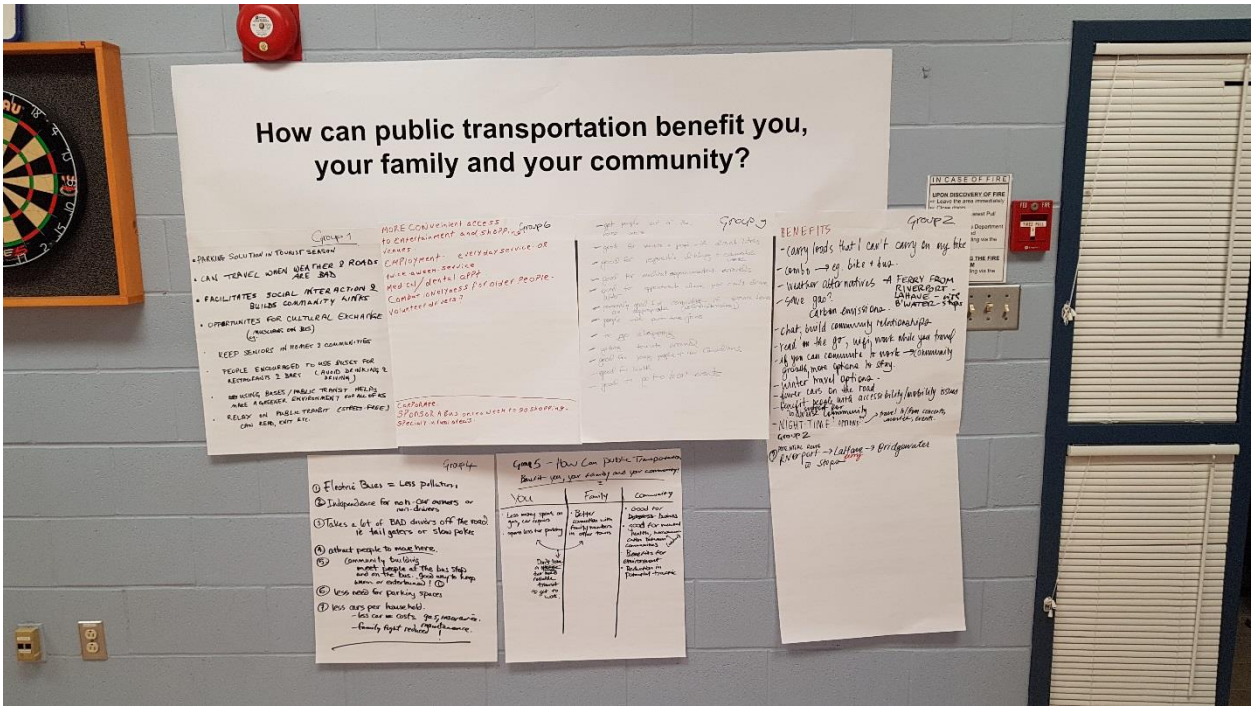
For the large organisations, we developed a similar questionnaire to that used for the public consultation, this time focussing on how employers think that a public transit service could benefit their employees. The questions asked are shown below:

Questionnaire

1. Can you please tell me how many people you employ?
2. What hours do they work?
3. Do any of them work shift hours?
4. What hours of operation do you have?
5. Where do your employees commute from?
6. What are your thoughts about a possible public transit service for Lunenburg County?
7. Do you think that your employees would take transit, if available?
8. Would you be interested in contributing in some way to the service, for example by offering assistance to employees through a transit pass, or subsidised fares, or free tickets?
9. Would you like to provide any additional comments or information?

3.4 Major Findings

The survey and public consultation provided a great depth of information about Lunenburg County residents' travel patterns and needs. Most startling, we found that the 250 survey respondents reported doing over 3,800 trips on a typical week. That equates to over 15 trips per person per week, and close to 800 trips per person per year.



The reported purposes of these trips were found to be mixed. Based on our team's experience in the Town of Bridgewater, we had assumed that a majority of public transit users would be work and school commuters. This newest round of surveys across the County suggests that non-work/school trips are as important, if not more so, as work/school trips. In aggregate, work/school trips were only found to account for 22% of needs, with the rest of travel needs most highly represented by shopping trips (24%), followed by entertainment, personal and non-utilitarian trips (leisure, dog-walking), roughly equal at 18% each.

Interesting differences were observed between the type of travel needs of the Towns of Bridgewater, Lunenburg and Mahone Bay, and those of MoDL. Specifically, MoDL and the Town of Bridgewater are the primary drivers of work & school trips, whereas the Town of Lunenburg and the Town of Mahone Bay exhibit a smaller percentage of work and school trips, but higher proportions of discretionary trips. This may be due to higher numbers of retired residents in these two communities.

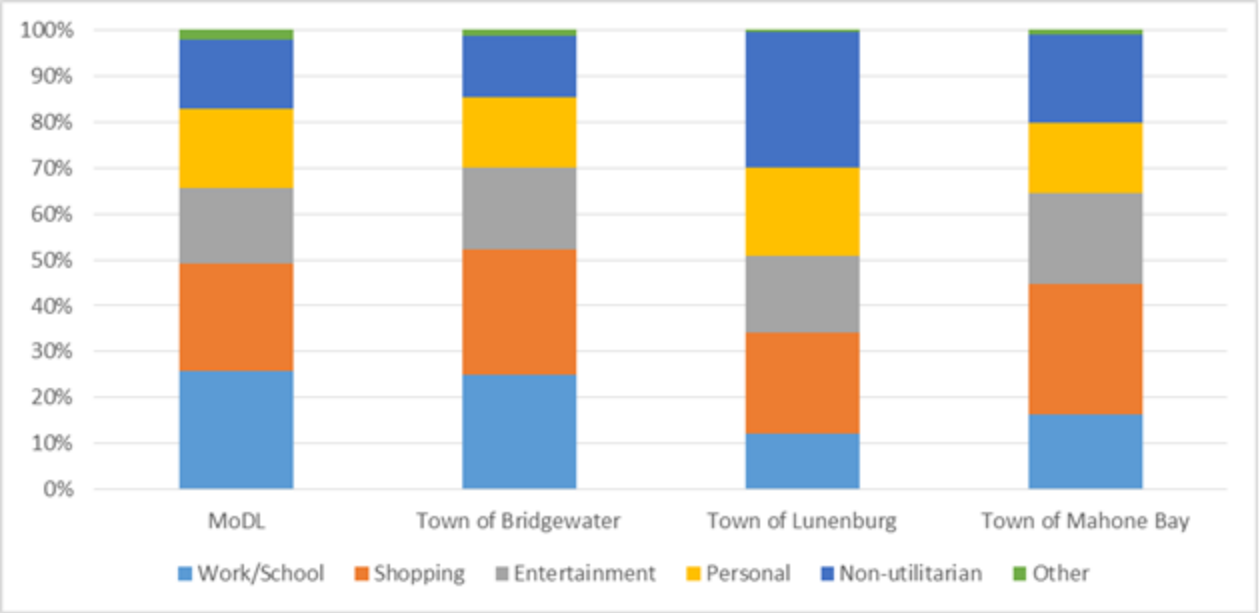


FIGURE 12 PRIMARY REASONS FOR TRAVEL

Throughout the project, the survey demonstrated that there is overwhelming support for public transit, with the majority of respondents reporting that they would be likely or highly likely to use the service.

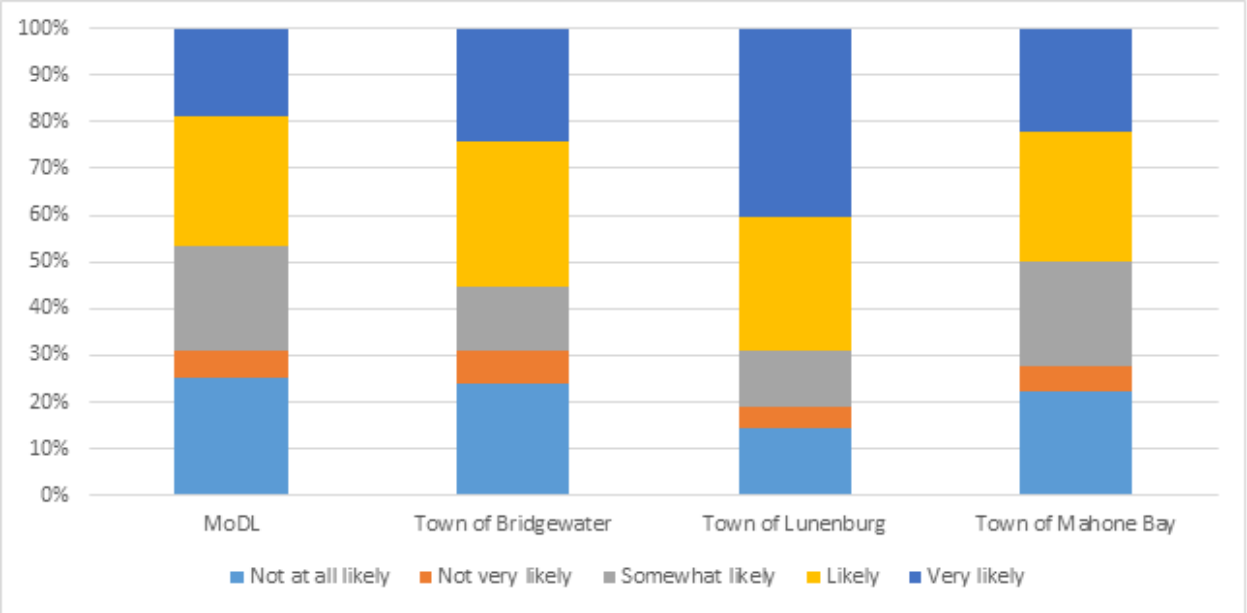


FIGURE 13 LIKELIHOOD OF USING PUBLIC TRANSIT

In terms of willingness to pay for public transit, well over 50% of respondents reported that they would be willing to pay around $3 to $4 per transit trip. This range appears to be reasonable given the acceptable threshold obtained during public consultation in the Town of Bridgewater for a town service. Respondents during that service selected around $2 per trip. So, it seems logical that respondents for a regional transit service would suggest a higher range given further distances, and a larger area being serviced.

For ongoing analysis, we have therefore assumed a standard transit fare of $3.50 per one-way trip.

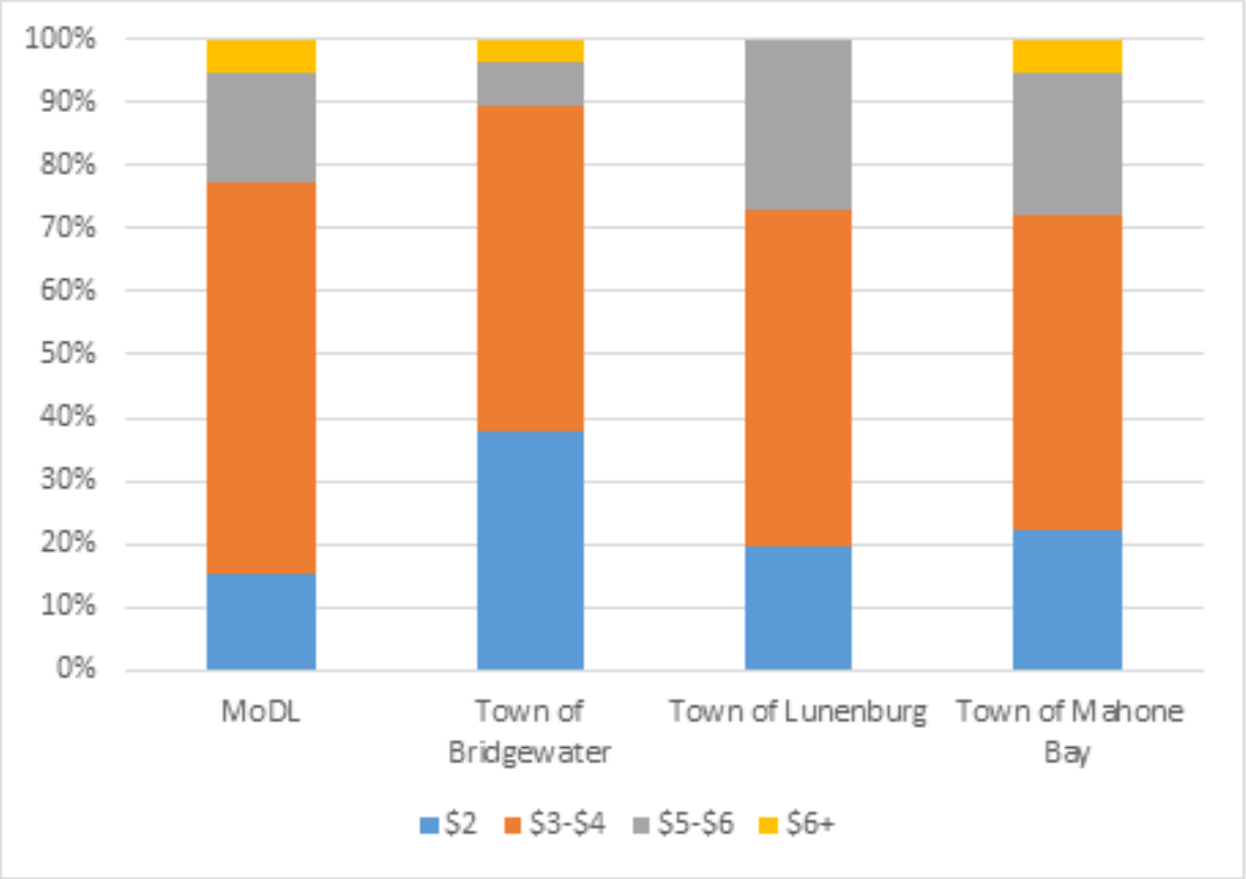


FIGURE 14 WILLINGNESS TO PAY FOR PUBLIC TRANSIT

3.4.1 Benefits of Transit

Overwhelmingly, participants at all three public events reported on the social benefits of public transit service, as well as possible economic and leisure benefits. Transit is seen as being very positive for mental and physical health, and for the promotion of a healthier and more sustainable environment. Transit is also seen as a way for people to access employment in areas where they cannot afford to live, for example, some participants would like to live and work in Lunenburg, however, they cannot afford to live in the town due to the higher cost of properties.

The figure below demonstrates the topics raised by participants at each of the events, and highlights the benefits of most importance to people, namely, the social, leisure, economic and accessibility factors that can be provided by a public transit service. This is consistent with anecdotal evidence.

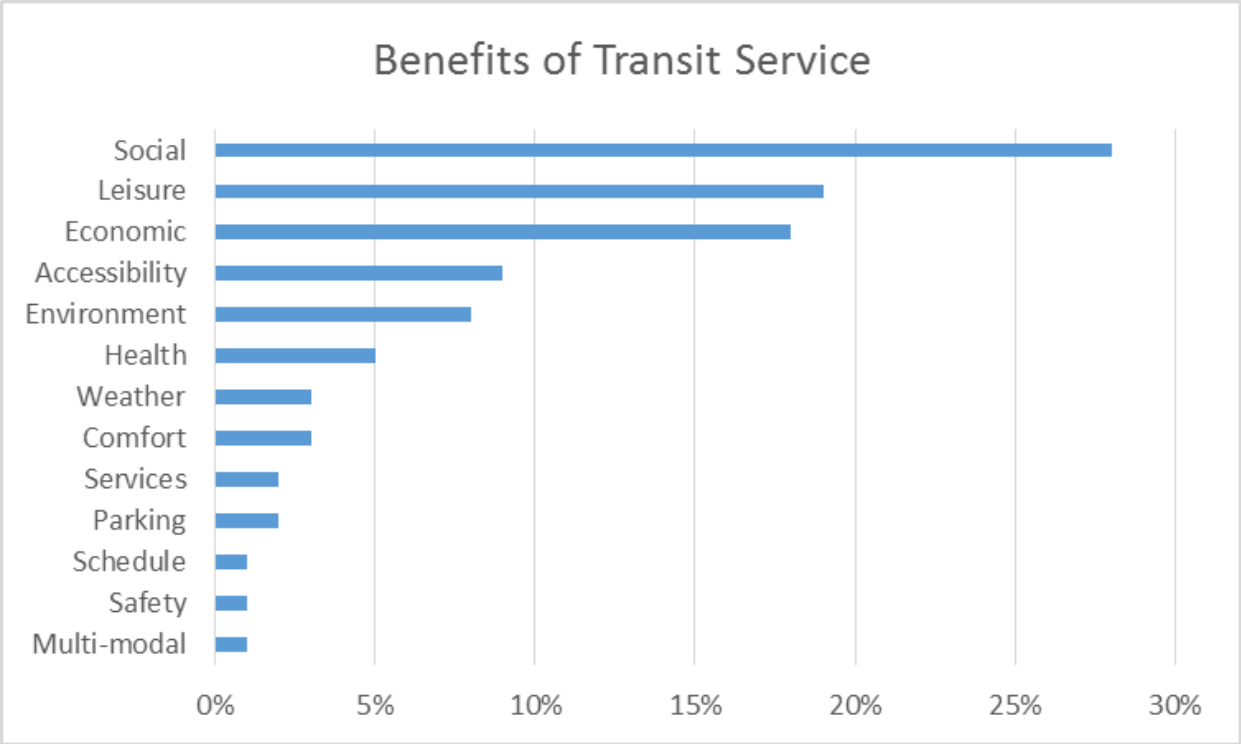


FIGURE 15 BENEFITS OF A TRANSIT SERVICE

3.4.2 Vision Statement

Through the feedback received during the consultation process, core principles were identified based on the proportion of in-person, on-line survey, email correspondence, and phone survey responses. Responses are summarized in Appendix A.

In general, the core principles of a fair and just public transit system can be summarized as follows:

- Prioritize transit service for the people who need it most;
- Establish a fair revenue (fair fares);
- Plan and operate inclusively;
- Plan for housing affordability; and
- Support jobs in low-income communities.

Many of the guiding principles identified during this project align well with these overarching principles for a public transit system.

Based on the core principles reported by participants, we propose the following Vision Statement for a Lunenburg County Transit System:

"Lunenburg County Transit is an accessible, affordable and responsive system that provides safe, convenient, and connected mobility to its users. It is an environmentally conscious system that strives to improve personal mobility, while reducing the footprint of personal auto usage."

3.4.3 Service Routes

Through the focus groups, we also received excellent input on typical travel circuits around Lunenburg County. The major route options identified by participants were digitized, and compiled into a single map, illustrated in Figure 16.

This illustration conveys the relative weight of user demand for and interest in a transit system. Predictably, the majority of indicated routes centre on the Town of Bridgewater as a Regional Core, connecting to satellite nodes such as Lunenburg and Mahone Bay.

The surveys provided an understanding of the type of trips made in the area, and the chosen modes of transport.

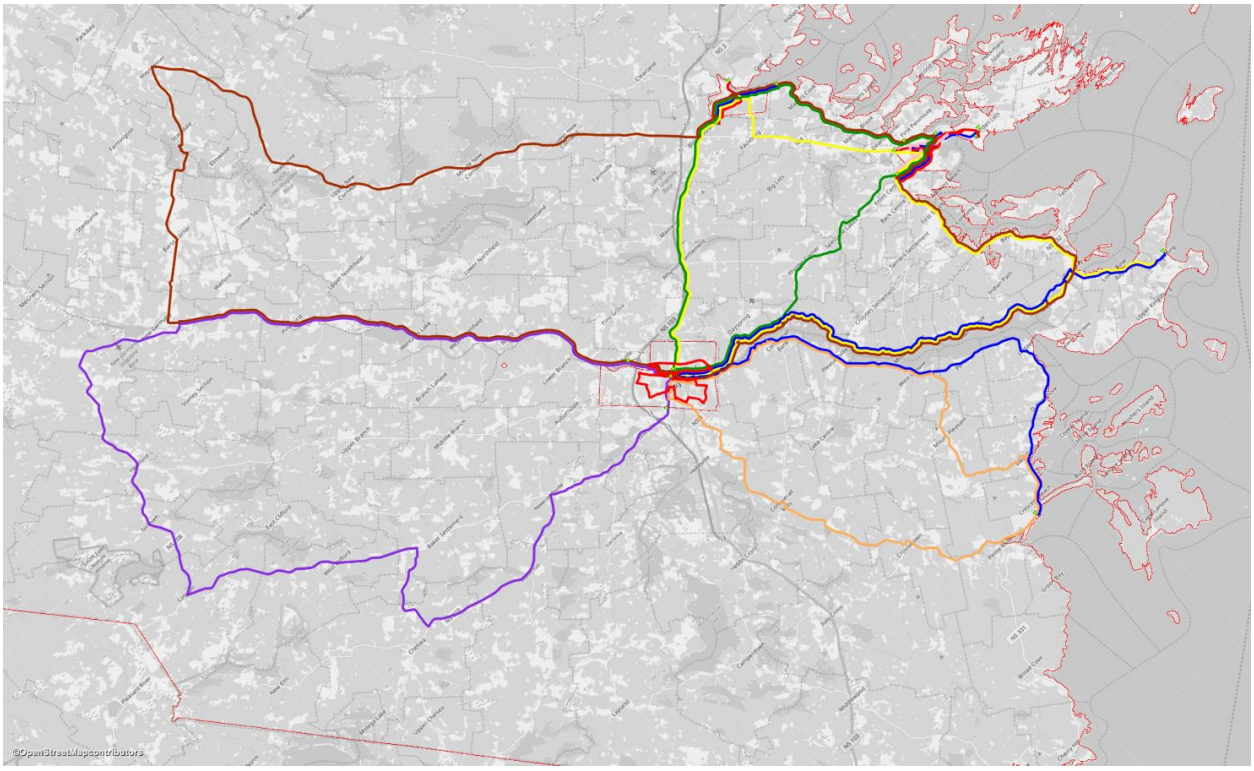


FIGURE 16 PUBLIC TRANSIT ROUTES PROPOSED BY PARTICIPANTS

3.4.4 Service Features

Consistent with the reported operating principles for a public transit system, survey and focus group participants also reported desirable service features such as wheelchair accessible buses, online service maps, fixed scheduling and bike racks. Most importantly, respondents desire a dependable and consistent service with fixed schedule and coverage of the most heavily populated parts of Lunenburg County.

3.4.5 Stakeholders and Large Organisations

Through our discussions with the stakeholders and large organisations we have also been made aware of the following points:

- The Town of Bridgewater is looking at the feasibility of connecting the existing town public transit to a wider, regional transit system in the future;
- The Mayor of Lunenburg notes (with Council's approval), that a pilot study would be supported with certain parameters around cost responsibility in place;
- The Mayor of Mahone Bay has called a special meeting of Council for Tuesday August 6th, 2019 to discuss the CPT study. The Mayor committed to contacting CBCL following the meeting to provide an update;
- Under Question 6 of the large organisations questionnaire *"What are your thoughts about a possible public transit service for Lunenburg County?",* the responses received included "Wonderful", "Good. Lots of Senior People Need It.", "Good Thing", "Great Idea, it'd benefit Seniors who can't drive, students who can't afford cars.", "Sounds Good";
- Under "*Do you think that your employees would take transit, if available?",* some mixed responses were received, however, there were some that thought that their employees would use a service, if available including some who noted that "… it will provide the employees with a lot of convenience as they have an increasing amount of international employees who rely on walking.";
- Some employers would also consider contributing in some way to the service to benefit their employees, including free bus passes;
- Some of the larger organizations contacted have in excess of 100 employees, many of whom work shifts;
- Many of the organizations consider that a public transit system would benefit their employees and residents of the region.

Chapter 4 Technical Feasibility Assessment

4.1 Route Options

Using Land Use and Address Point datasets provided by the three Towns and MoDL, we were able to compile a GIS dataset of all the dwellings in the study area. With this information and the survey inputs, and with the route concepts provided by the focus group participants, we have shortlisted three potential routes, all centred on Bridgewater, and consistent with much of the public input. Routes were designed to capture as much of the resident population as possible, while providing direct connections between the Towns and to major destinations like employment and commercial clusters, and services. The four potential route corridors are:

- An initial Mahone Bay-Lunenburg Core Loop;
- A subsequent Riverport Loop Extension;
- A LaHave-Petite Rivière Extension; and
- A New Germany Extension.

These potential routes are illustrated in Figure 17, and in detail in Appendix C.

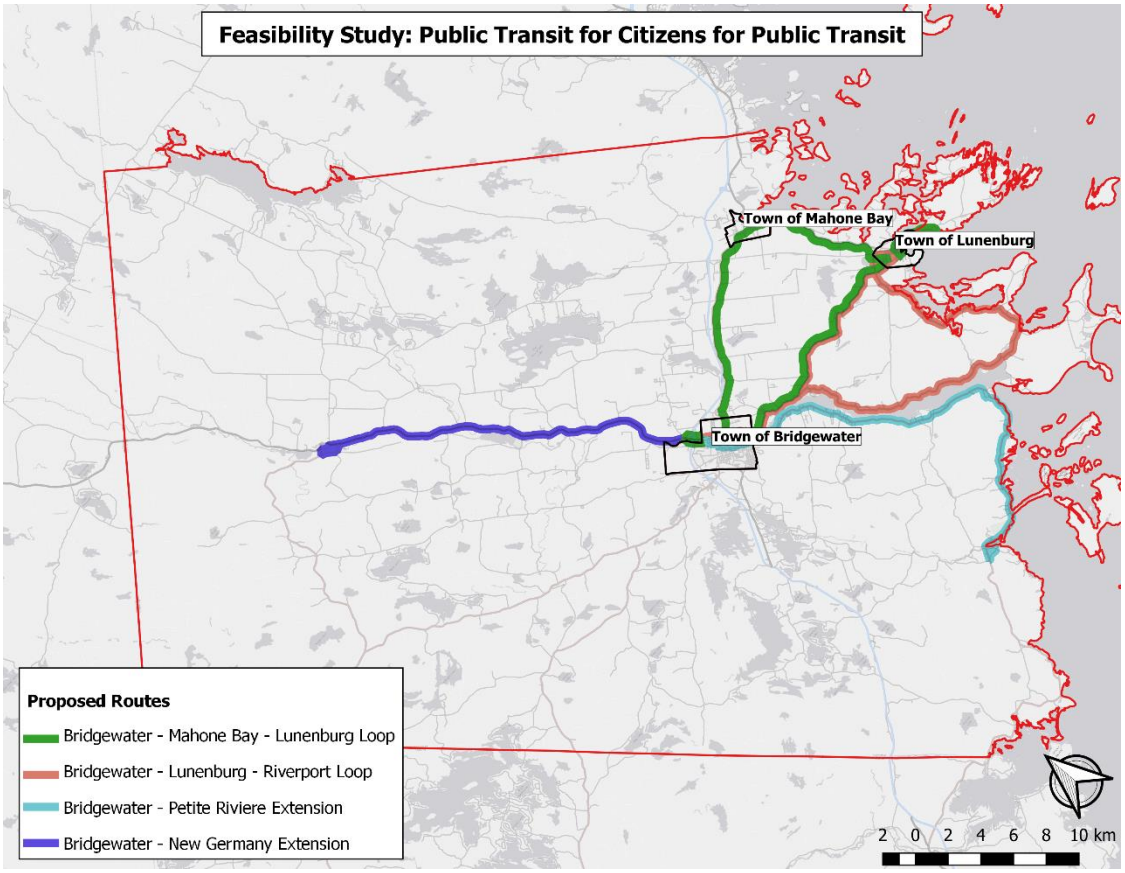


FIGURE 17 POTENTIAL ROUTE CORRIDORS

4.2 Service Options

The design criteria for the route options were derived from the guiding principles developed through the public focus group process, overwhelmingly reported to be accessibility and affordability, with responsive scheduling. Table 3 explains the benefits and constraints of the four service concepts for a public transit system for the County. It is recommended that a Lunenburg County transit system operate as a hybrid fixed route service which focuses on all trips (work and non-work). A secondary, fixed route shared-ride on-call van service could be organized for the less populated areas of the County.

TABLE 3 SERVICE CONCEPTS

Concepts	1. Fixed Route Conventional Transit	2. Fixed Route Community Bus	3. Fixed Route Shared-Ride Taxis	4. On Call
Merits	✓ Highest capacity ✓ Services all markets ✓ Accessible	✓ Serves more origins and destinations ✓ Accessible	✓ Ideal feeder service for remote areas ✓ Groups pay a reduced, shared cost	✓ Applicable to more remote areas ✓ Flexible hours of operation
Demerits	× Highest capital and operating costs × Buses would be underutilized in off peak periods	× Not designed for work/school trips	× Minimum capacity	× Lack of frequent daily service × Availability issues could arise

4.3 Vehicle Options

We have reviewed a number of vehicle options that could be considered for a Lunenburg County transit system. These range from the standard urban (conventional) bus, to a variety of smaller cabin chassis community buses with wheelchair ramps or elevators, and including microtransit options using vans. Table 4 summarizes the four main vehicle options, their advantages and disadvantages.

TABLE 4 VEHICLE OPTIONS

Type	1. Standard	2. Small Bus	3. Community Bus	4. Large Van
				
Length	9.3 or 12.2 m	8.8 – 9.2 m	5.9 - 6.7 m	5.9 m
Seats	40	16-28 passengers	10-20 passengers	Up to 10 passengers
Examples in Nova Scotia	Kings Transit Halifax Transit	Halifax Transit Access-a-Ride	Town of Bridgewater Transit	Transport de Clare
Driver's License Type	Class 2	Class 5 (standard)	Class 5 (standard)	Class 5 (standard)
Capital Cost	New: $535,000 Used: $45,000-$65,000	New: $250,000 Used: $18,000-$40,000	New: $90,000 Used: $16,000-$32,000	New: $50,000 Used: $16,000-$18,000
Operating Cost	High	Medium	Low	Lowest
Merits	✓Medium to high demand routes ✓Low-floor ✓Wheelchair accessible ✓12+ year life cycle	✓Low-floor ✓Wheelchair accessible ✓Can be maintained locally by most truck service centres ✓More versatile than bigger models ✓Drivers do not need a higher	✓Ideal for low demand areas ✓Wheelchair accessible ✓Can be maintained locally by most truck service centres	✓Ideal for low demand areas ✓Wheelchair accessible ✓Can be maintained locally by most auto service centres

Type	1. Standard	2. Small Bus	3. Community Bus	4. Large Van
				
		license to operate bus ✓ 7-10 year life cycle		
Demerits	× Longer bus may have issues turning on narrow streets × Higher initial and operating costs × Would need a specialized maintenance depot close by × Driver needs a Class 2 license	× Holds a smaller number of passengers	× 5-7 year life cycle	× Only 5 year life cycle × Minimum capacity

Throughout the project, and particularly during the consultation process, the use of school buses was suggested as a way of using an existing resource to provide a much needed service in the area. For a number of reasons, the use of school buses is not recommended to provide a regional transit service in Lunenburg County. The reasons that we did not consider this as an option for this study are as follows:

- The vehicles are not designed to transport the general public as they are not outfitted with ramps for wheelchairs or to provide accessible transportation;
- School buses are operated by a private company;
- The existing insurance coverage would likely not meet the requirements for transporting the general public;
- School buses would not be available during the hours that the school children need to be taken to and from school, therefore could not provide a service for people travelling to and from work during those hours.

That being said, this does not preclude a Lunenburg County Transit system from providing connections with the school bus services, perhaps to accommodate children who attend after school programs or have other travel needs.

Considering the Town of Bridgewater example, a Lunenburg County transit service could have the option of acquiring used vehicles from neighbouring municipalities. The Town of Bridgewater was gifted a used small bus from Halifax's Access-a-bus paratransit service. Halifax Transit has recently announced that it would be divesting itself of up to 10 such vehicles. While the opportunity exists to receive and operate one or more of these used vehicles, discussion with Halifax Transit staff revealed that, typically, these vehicles are past their serviceable life and are no longer fit for use. The opportunity also exists to purchase less used vehicles from Halifax Transit, as that service is transitioning to newer vehicles and technology.

Our analysis is based on a review of both new vehicles at market price, and old vehicles, either donated or purchased at discount. The experience of the Town of Bridgewater has been that, while donated or used buses carry low capital costs, they cost up to $20,000 per year to maintain and repair. New buses, while expensive up front, may cost less than $5,000 per year to maintain. In the event of a bus breakdown while using an older vehicle within the first few years of service, the entire service may be compromised, requiring additional expenditure to recover.

Depending on the implementation of a public transit service for Lunenburg County, the service may well start with used or donated vehicles, and acquire new vehicles over time, as service demand, ridership, and resulting revenue increase.

4.4 Fare Technology Options

Three main fare options are available to a new transit authority: cash, paper tickets, and some form of online application. Table 5 presents the advantages and disadvantages of each system. Ideally a combination of two or more of these technologies would suit community preference. It is recommended that a Lunenburg County transit authority implement all three as they offer the flexibility needed to cover all users. Input from consultation consistently called for a connected system, both in terms of service, and technology. As society increasingly moves towards digitized services, younger people especially rely more on connected, smart-phone based transactions. A system like HotSpot provides an online app-based platform that may include transit vehicle tracking, fare payment, and transit service information. The HotSpot business model is primarily based on user subscription fees. Purchased fares are remitted to the transit authority as per a service agreement, with no additional costs to the transit authority.

TABLE 5 FARE TECHNOLOGY OPTIONS

Type	1. Cash	2. Bus Tickets	3. HotSpot
			
Examples in Nova Scotia	Halifax Transit Kings Transit	Halifax Transit Kings Transit Town of Yarmouth	Codiac Transport Bridgewater Transit Kings Transit
Merits	✓ Easier for younger and older populations ✓ Beneficial for tourists or people from out of town	✓ No need to carry cash ✓ Buying weekly or month tickets may be less expensive over longer term	✓ Automatic payment via phone ✓ No physical equipment needed on the bus ✓ Provides online/app vehicle tracking and service information platform ✓ No cost to the transit authority
Demerits	× Only exact change is accepted × Less commitment for long term ridership	× Have to pick up at a specific location before getting on bus (possibly town hall or other public location)	× Not everyone has access to a smartphone × App user pays monthly/yearly

			subscription to use the service

4.5 Bus Stop Options

We propose that a Lunenburg County transit system operate during the pilot period with flag stops along the entire route, to determine where user demand is highest. Within each Town, however, we recommend that there be 2-3 designated stops. These stops would feature prominent signage advertising the transit authority and service, and would cover the most important destinations: i.e. hospitals and major employment/commercial clusters.

The specific placement of these designated stops will remain to be decided by the transit authority that would operate the transit system. Possible locations include:

Community	Location
Town of Bridgewater	Osprey Village Bridgewater Mall South Shore Regional Hospital Lunenburg County Lifestyle Centre (LCLC)
Town of Lunenburg	Fishermen's Memorial Hospital Community Centre Stelia Aerospace High Liner Foods
Town of Mahone Bay	Main Street & Highway 3 RPS Composites

4.6 Estimated Ridership

The GIS analysis undertaken above was extended to produce an estimate of the ridership potential of each route. Catchment areas were developed for each route, assumed to capture all the population within a 600m corridor, equivalent to a 5-minute walk on either side of the bus route. Resulting population catchments are summarized as follows:

- Bridgewater – Mahone Bay – Lunenburg 5,910 people
- Bridgewater – Lunenburg – Riverport 5,700 people
- Bridgewater – LaHave – Petite Rivière 3,220 people
- Bridgewater – New Germany 1,070 people

Review of the Town of Bridgewater Transit experience suggests a transit modal split of 0.6%, or approximately 3 transit trips per year, per person, and roughly 6 passengers per service hour. In the first year of the pilot service, we might expect a more conservative split of 0.3%, equivalent to approximately 1.5 transit trips per year, per person. As the service expands and becomes more accepted, we estimate an additional transit mode increase of 0.1% per year (0.5 transit trips per person), reaching the current Bridgewater Transit ridership level in 5 years.

The proposed transit routes will have total lengths between 50km and 75km. Considering these distances, and depending on the daily service operating time, service frequency may be limited to between 6 and 8 times per day. At this frequency, the ridership estimates above could be accommodated by a Large Van or a wheelchair-accessible Community Bus.

4.7 Implementation Plan and Phasing of Transit Service

The experience of the Town of Bridgewater is very instructive in how a new transit system could be implemented. Considering the many uncertainties about user demand, a pilot service could be implemented initially for the regional transit system, followed by a more comprehensive system with broader coverage. The parameters of such a system would be developed following a functional performance review of the pilot service. In general, the pilot service could commence by following the route from Bridgewater to Mahone Bay, Lunenburg, and back during peak morning and afternoon hours, and following an extended route via Riverport during the middle of the day (off-peak). This is referred to as the "Core Loop Service". This route could be serviced as a single loop in the first year, and separate into two loops after the first year of service. From this point onward, the second loop would follow the route from Bridgewater to Lunenburg, Riverport and back, via Highway 3 and Route 332. The segment between Bridgewater and Lunenburg would therefore be serviced in both directions. Over the next few years, the service could be expanded to include a shuttle route from Bridgewater to LaHave and Petite Rivière and back to Bridgewater. The service on this route could be scheduled to meet the ferry coming across from Riverport/Rosebay area. Over a five year implementation period, and depending on demand, the service could be expanded to include another shuttle route from Bridgewater to New Germany and back again.

The parameters of the proposed routes are summarized in Table 6.

TABLE 6 ROUTE PARAMETERS

Route	Length	Average Speed	Travel Time	Population 300m
Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	75 km	40 km/h	2 hours	6,460
Bridgewater - Mahone Bay - Lunenburg Loop	55 km	40 km/h	1.5 hours	5,910
Bridgewater - Lunenburg - Riverport Loop	70 km	40 km/h	1.75 hours	5,700
Bridgewater - LaHave - Petite Rivière Extension	70 km	40 km/h	1.75 hours	3,220
Bridgewater - New Germany Extension	50 km	40 km/h	1.25 hours	1,070

The phasing of such a service is summarized in Table 7 and illustrated in Figure 11 to Figure 14. The timing and sequence of service rollout would be confirmed once a Transit Authority is established, and following first year operations and monitoring of service performance.

TABLE 7 TRANSIT SERVICE PHASING

Year	Route	Service	Schedule	Drivers	Vehicle Purchase	Fleet
1	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Peak Hours Monday-Saturday	1 full time 1 part-time	1 New Large Van	1 New Large Van
	Bridgewater - Mahone Bay - Lunenburg - Riverport via Route 332	Extended Loop Service	Off-Peak Hours Monday-Saturday pre-booking			
2	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		2 New Large Vans
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Large Van	
3	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Community Bus	2 New Large Vans 1 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
4	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		2 New Large Vans 2 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time	1 New Community Bus	
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
	Bridgewater - New-Germany via Highway 10	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
5	Bridgewater – Mahone Bay – Lunenburg via Route 325 and Highway 3	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		2 New Large Vans 2 New Community Bus
	Bridgewater - Lunenburg - Riverport via Highway 3 and Route 332	Core Loop Service,	Fixed 12-hour, Monday-Saturday	1 full time 1 part-time		
	Bridgewater - LaHave - Petite-Rivière via Route 331	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		
	Bridgewater - New-Germany via Highway 10	Extended Shuttle Service	Flex 4-hour, Monday-Saturday pre-booking	1 part-time		

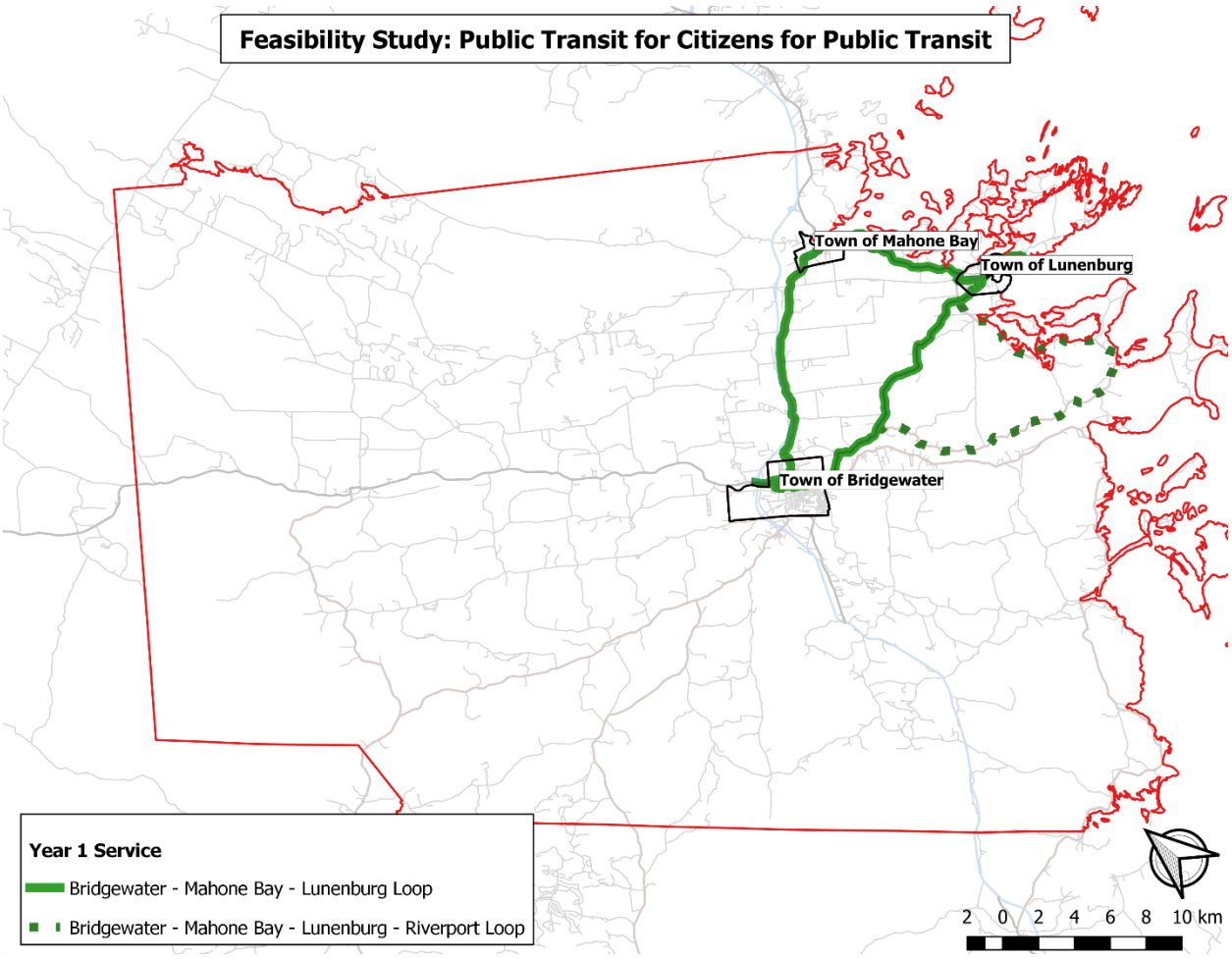


FIGURE 11 YEAR 1 SERVICE

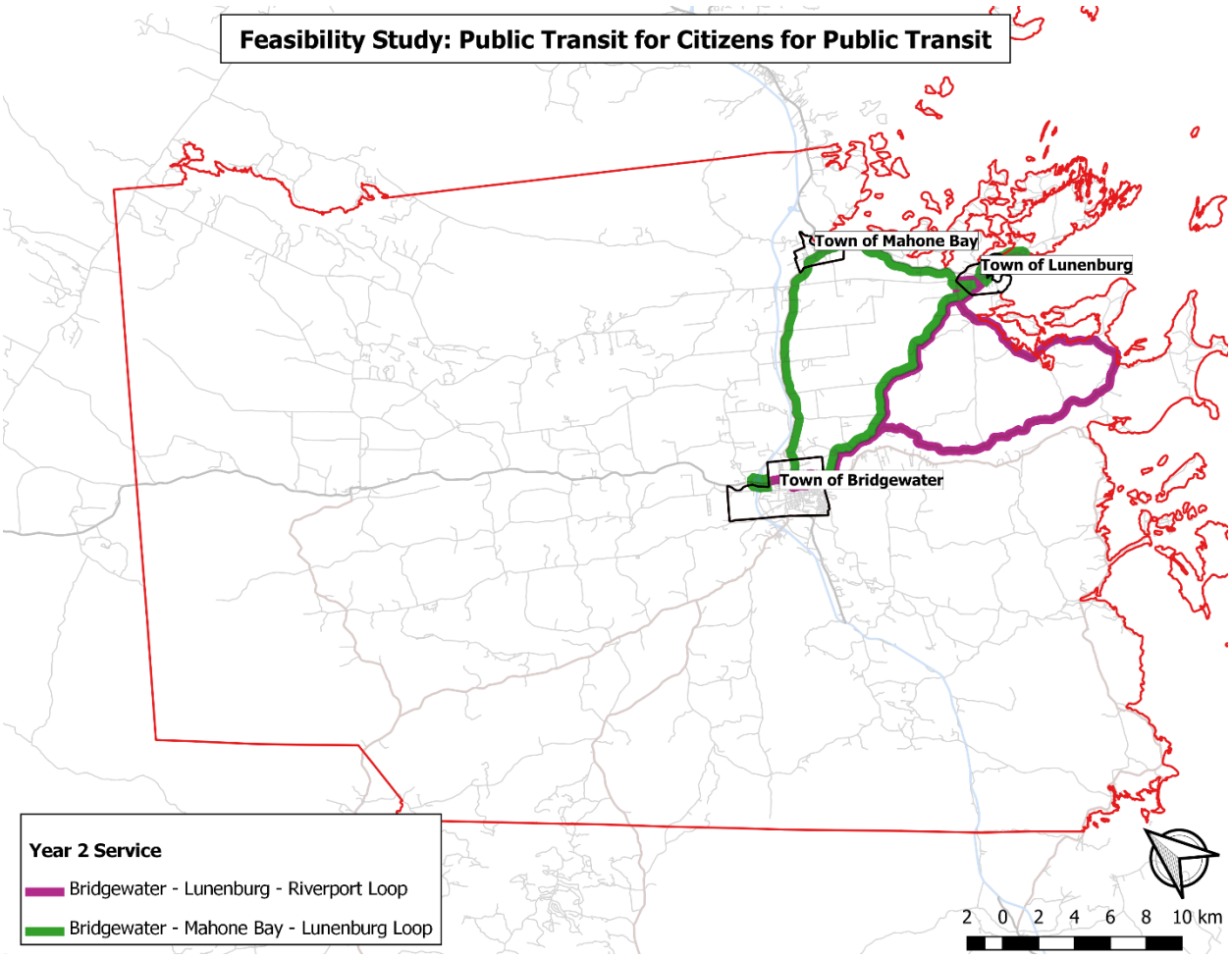


FIGURE 12 YEAR 2 SERVICE

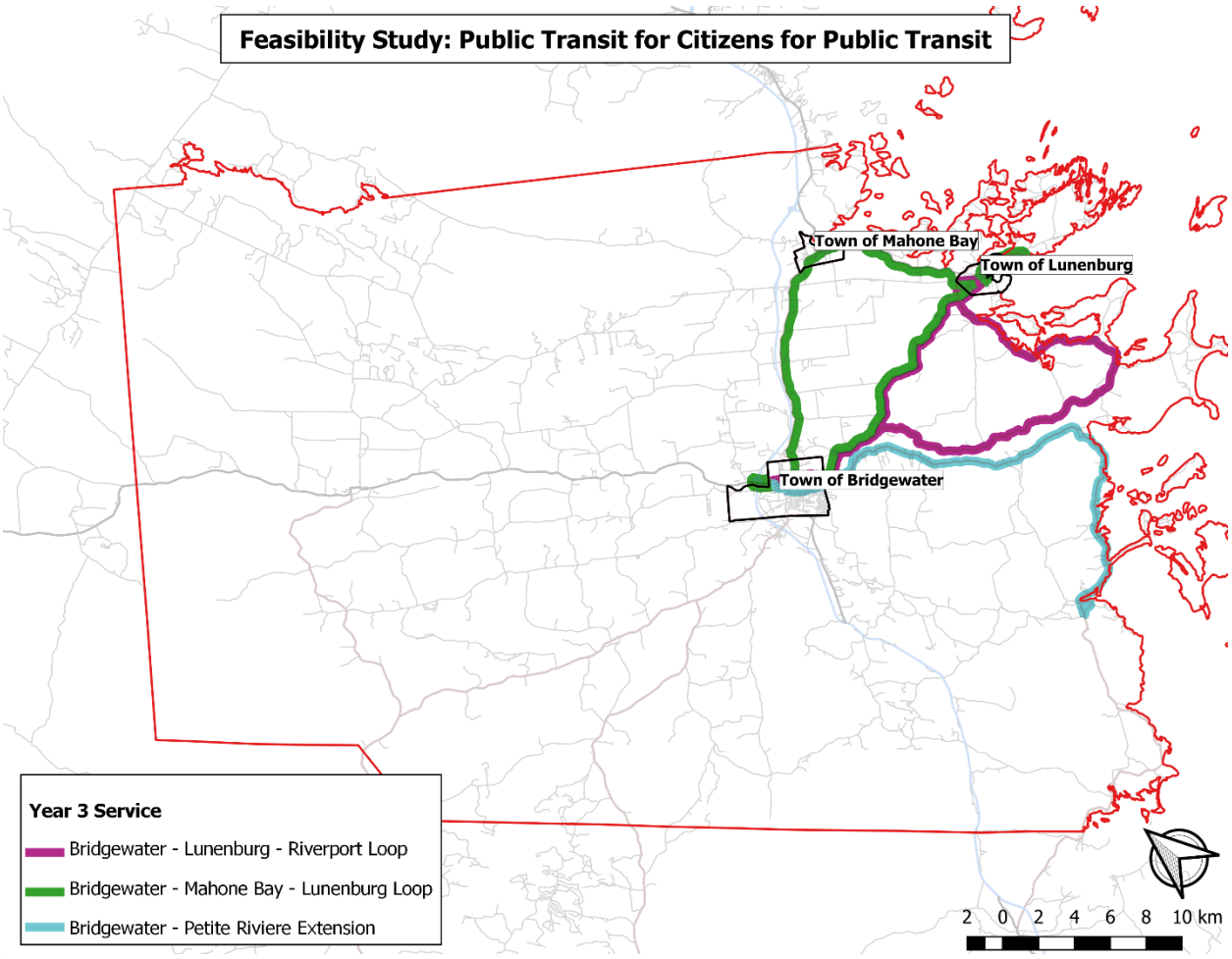


FIGURE 13 YEAR 3 SERVICE

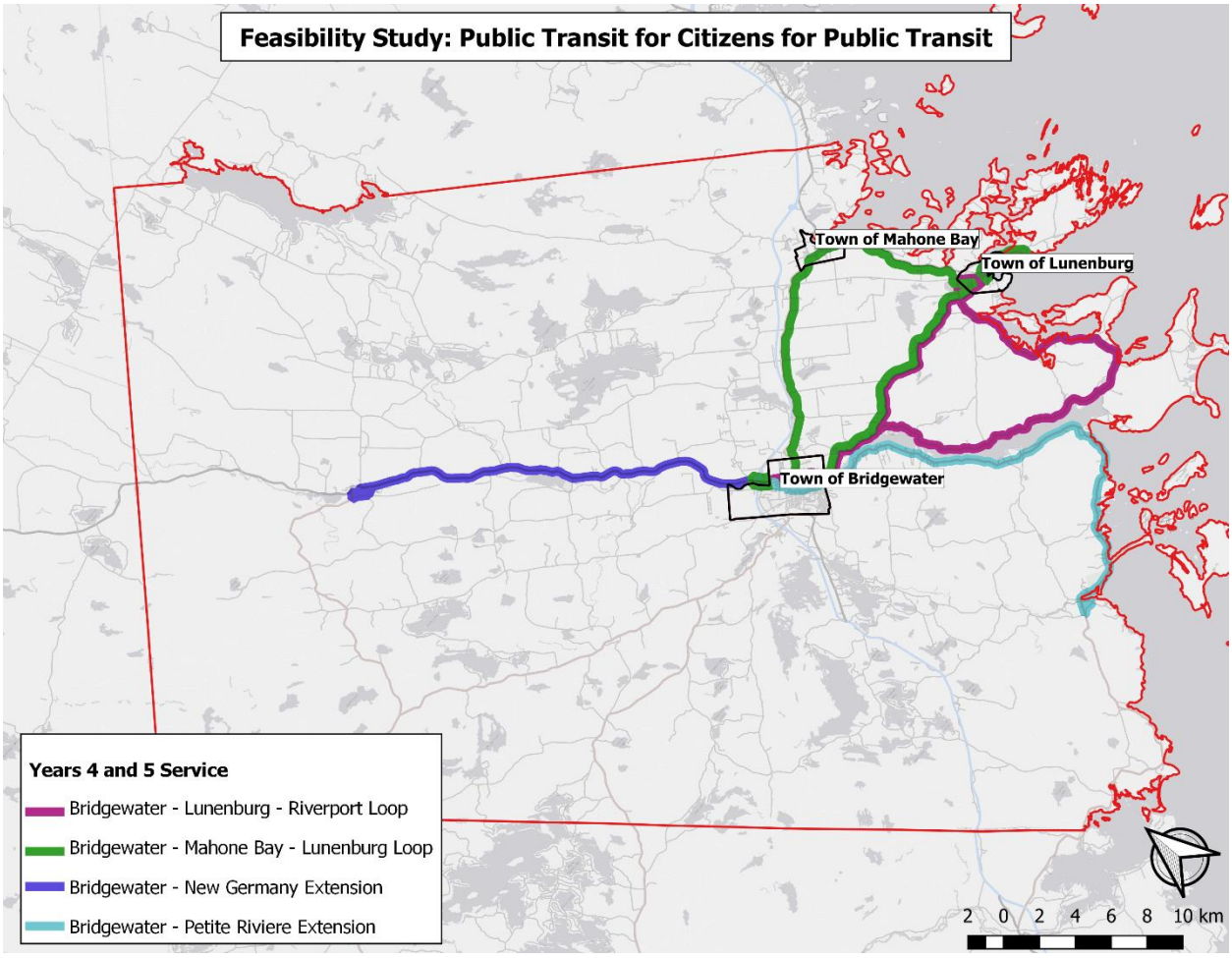


FIGURE 14 YEARS 4 AND 5 SERVICE

Chapter 5 Financial Feasibility Assessment

5.1 Costing

Through discussions with the Kings Transit Authority, and Bridgewater Transit, we have considered the costs of a regional public transit system in Lunenburg County. There are two key financial components to such a system:

- Operating budget; and
- Capital budget.

The operating budget takes into consideration the number of service hours, operational expenses such as driver's salaries, fuel for the vehicle, licence and administrative fees etc.

Capital costs include the purchase of the bus or transit vehicles, as well as any infrastructure such as bus stops and shelters, and other one-time equipment purchases.

Anticipated revenue from the service would be based on the level of ridership and fare amount.

As the study progressed, we looked into the necessary components of both budgets for a Lunenburg County public transit system. The various costs associated with implementing a public transit system, and the potential ridership and revenue obtained through operating the service, are summarized in Appendix D.

Costs were estimated on a five-year basis. The first year would operate as a pilot demonstration, with the service being expanded and extended over the following years, as described in Section 4.7.

The resulting costs for each year of operation are summarized and rounded to the nearest $5,000 in Table 8 and are presented in detail in Appendix D.

TABLE 8 TRANSIT SERVICE COST SUMMARY

	Year 1		Year 2		Year 3			Year 4				Year 5			
	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension
Service	Peak	Extended	Fixed	Fixed	Fixed	Fixed	Extended	Fixed	Fixed	Extended	Extended	Fixed	Fixed	Extended	Extended
Vehicle	Van New	Van New	Van New	Van New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New
Number of vehicles	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Number of stops	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Number of full-time drivers	1		1	1	1	1		1	1			1	1		
Number of part-time drivers	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Route Length (km)	55	75	55	70	55	75	70	55	75	70	50	55	75	70	50
Route Travel Time (hours)	1.50	2.00	1.50	1.75	1.50	2.00	1.75	1.50	2.00	1.75	1.25	1.50	2.00	1.75	1.25
Route Catchment Population (within 300m)	5910	6460	5910	5700	5910	6460	3220	5910	6460	3220	1070	5910	6460	3220	1070
Estimated Yearly Transit Ridership per Person	1.50	0.25	2.00	2.00	2.50	2.50	1.50	3.00	3.00	1.75	1.50	4.00	4.00	2.00	1.75
Estimated Yearly Transit Ridership	8865	1615	11820	11400	14775	16150	4830	17730	19380	5635	1605	23640	25840	6440	1873
Route Service Hours per Day	7.0	4.0	12	12	12	12	4.0	12	12	4.0	4.0	12	12	4.0	4.0
Route Operating Hours per Year (+ Dead-Head)	2158	1404	3692	3692	3692	3692	1404	3692	3692	1404	1404	3692	3692	1404	1404
Number of Route Runs per Day	4	2	8	6	8	6	2	8	6	2	3	8	6	2	3
Number of Route Runs per Year	1248	624	2496	1872	2496	1872	624	2496	1872	624	936	2496	1872	624	936
Route Annual km Travelled	68640	46800	137280	131040	137280	140400	43680	137280	140400	43680	46800	137280	140400	43680	46800
Vehicle Fare	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 10.00	$ 10.00	$ 3.50	$ 3.50	$ 10.00	$ 10.00
Vehicle Fuel Economy (L/100km)	14	14	14	14	20	14	14	20	20	14	14	20	20	14	14
TOTAL OPERATING COSTS	**$ 210,000.00**		**$ 330,000.00**		**$ 395,000.00**			**$ 460,000.00**				**$ 460,000.00**			
TOTAL CAPITAL COSTS	**$ 55,000.00**		**$ 55,000.00**		**$ 95,000.00**			**$ 95,000.00**				**$ -**			
TOTAL COSTS (OPERATING + CAPITAL)	**$ 265,000.00**		**$ 385,000.00**		**$ 490,000.00**			**$ 555,000.00**				**$ 460,000.00**			
TOTAL REVENUE	**$ 40,000.00**		**$ 85,000.00**		**$ 135,000.00**			**$ 210,000.00**				**$ 265,000.00**			
NET COST (TOTAL REVENUE - TOTAL COSTS)	**-$230,000.00**		**-$300,000.00**		**-$360,000.00**			**-$345,000.00**				**-$195,000.00**			

5.2 Funding Options

There is little doubt that providing a reliable, affordable and connected public transit system could improve quality of life for many people. While the costing exercise has found that the costs of a Lunenburg County transit service cannot be covered through advertising and fares alone, additional funding mechanisms are available at the provincial and federal levels.

According to the Infrastructure Canada webpage, investments in rural and northern infrastructure will help grow local economies, build stronger, more inclusive communities, and help safeguard the environment and the health of Canadians.

There are infrastructure dollars available from a number of programs as described in the following sections.

5.2.1 Federal Funding Streams

Because rural and northern communities have unique infrastructure needs that require a more targeted approach, the Federal Government will invest $2 billion over the next decade to support a broad range of infrastructure projects, to be allocated to provinces and territories on a base plus per capita allocation basis [https://www.infrastructure.gc.ca/plan/rnc-crn-eng.html].

Through the Public Transit Infrastructure Fund (PTIF), Budget 2016 focused on making immediate investments of $3.4 billion over three years, to upgrade and improve public transit systems across Canada. PTIF will provide short-term funding to help accelerate municipal investments to support the rehabilitation of transit systems, new capital projects, and planning and studies for future transit expansion to foster long-term transit plans.

To support the next phase of ambitious public transit projects, through Budget 2017 the Government will invest $25.3 billion over the next decade, including $5 billion invested by the Canada Infrastructure Bank.

Through new bilateral agreements with provinces and territories, the Public Transit stream will provide provinces, territories and municipalities with funding to address the new construction, expansion, and improvement and rehabilitation of public transit infrastructure, and active transportation projects [https://www.infrastructure.gc.ca/plan/pti-itc-eng.html].

5.2.2 Provincial Funding Streams

The Province of Nova Scotia has introduced the Public Transit Assistance Program (PTAP). It allows municipalities and community organizations to apply for funding to buy capital assets like vehicles, for fixed-route transit services. The funding is not intended to offset the cost of operating transit services. Based on funding levels provided to other fixed route services it is estimated that a new service could receive up to $25,000 in annual capital funding.

Another potential funding source could be the Low Carbon Communities & Connect2 fund, which is designed to help communities save money and reduce emissions. This grant program is

administered through the Nova Scotia Department of Energy and Mines. It covers three focus areas: buildings, electricity and transportation. Under the transportation stream's Connect2 program, pilot projects proposing shared mobility services may qualify for grants of up to $75,000. https://novascotia.ca/low-carbon-communities/.

Chapter 6 Governance Assessment

The proposed transit system for Lunenburg County presents a higher complexity over typical transit systems in that it consists of a service across a number of municipal boundaries. Municipalities in Nova Scotia are incorporated on a single-tier hierarchy: Towns, District municipalities, Regional municipalities and County municipalities all have parallel jurisdictions. The only authority above this structure is the provincial government. However, since the provision of transit services is a municipal, not a provincial responsibility, another service delivery mechanism is required.

Several governance structures are available, ranging from fully public, to fully private. Each structure has certain merits, and presents different advantages and disadvantages to a cross-boundary system such as the one proposed for Lunenburg County. Table 9 describes the type of governance structures that could be adopted for a Lunenburg County transit system.

TABLE 9 GOVERNANCE OPTIONS

Type	1. Public Municipal Transit System	2. Public Management and Private Operations/ Maintenance	3. Delegated Private Management and Operations/ Maintenance	4. Private System
Description	• All aspects of the transit service are a public responsibility, including maintenance and operation being provided by public sector employees.	• The municipality is responsible for subsidizing all operating losses. • Governance is often the responsibility of the municipal council, or publicly appointed board.	• The municipality owns and is responsible to ensure the transit service is provided. • The management, maintenance and operation of the vehicles is delegated to a third party service provider.	• A private corporation owns, manages, operates and maintains the system

The consultation process considered all of these governance structures and delivery mechanisms; most importantly, however, it was felt that a publicly-owned and operated system was most in keeping with the goals and vision of Lunenburg County residents.

A private system has the advantage of leveraging existing service providers. Services like Maritime Bus already operate a regional bus system that is well connected to major hubs in the Atlantic region. On a smaller scale, the example of the rural Town of Innisfil in Ontario is telling. The Town entered into an agreement with the ride-sharing service Uber to provide transportation services in the rural municipality. The Town compensates Uber for every ride taken by Town residents. While this system has been very successful, the Town has found that its costs significantly exceed the initial forecasted costs of a municipal transit system. The main issue is that Uber offers no economies of scale: the higher the usage, the higher the costs. A municipal bus system, in comparison, offers the potential for economies of scale by carrying a higher number of patrons on every ride. The resulting net cost per kilometer travelled is therefore reduced.

A private system is also ultimately guided by profitability. As observed in the case of Maritime Bus, there is no guarantee of service, if routes are not profitable. As demonstrated in Table 7, however, a Lunenburg County transit service would not be profitable, under basic operating assumptions. A form of public system would therefore be preferable to a private system.

Drawing from the experience of Kings Transit Authority, several municipalities could enter into an Inter-Municipal Service Agreement, whereby they each contribute to the operating and capital funds of an arms-length transit corporation, which in turn owns and operates the transit service. A transit authority would be established, with a Board of Directors including members from all participating jurisdictions.

Considering that the Town of Bridgewater has already started a transit service, the opportunity also exists for Town of Bridgewater to extend this service to the rest of Lunenburg Transit along the routes proposed in Chapter 4 , through an Inter-Municipal Service Agreement, with contributions from participating municipalities proportional to the size of their populations.

Chapter 7 Conclusions

This Feasibility Study has assessed transportation needs throughout Lunenburg County, with the aim of identifying the feasibility of implementing a transit system. Through review of census data, and extensive public and stakeholder consultation, it was found that there is significant travel activity between the municipalities within Lunenburg County, for work, school and discretionary (non-work) trips. At the same time, several dynamics (including lack of access to a private vehicle, low-income, or age or illness related issues) increasingly reduce residents' mobility and access to the services they need.

At the forefront, we note the trend towards a population looking to "age in place", and needing dependable and consistent access to services (medical, shopping, socializing). Equally important, we found a disconnect between employers' access to Lunenburg County's workforce, and employees unable to travel to employment locations. Lastly, students and young people have limited access to programmed activities, summer jobs, and leisure destinations, if they cannot be driven around, are not able to afford to live close to where they work, or have access to their own vehicle.

Considering these needs, and the widely dispersed nature of communities in Lunenburg County, we sought to develop a responsive pilot transit service. Four main service corridors were identified, connecting into the Town of Bridgewater as the regional hub:

- Bridgewater – Mahone Bay – Lunenburg
- Bridgewater – Lunenburg – Riverport
- Bridgewater – LaHave – Petite Rivière
- Bridgewater – New Germany

Through discussions with recently-implemented transit systems in the Town of Bridgewater, and longer standing systems in Annapolis Valley (Kings Transit Authority), we developed an initial Core Loop peak hour service, with extended off-peak service. We found that, due to long distances that would have to be travelled, and the relatively low population density in Lunenburg County, a transit service would not be profitable, and would not cover operating costs based on fare recovery alone.

However, we do believe that a transit service is feasible with funding from federal and provincial sources to complement the fare revenue, which could be established through a shorter, pilot route, the Bridgewater – Mahone Bay – Lunenburg – Riverport route, that if successful could be extended to include the other routes to LaHave and Petite Rivière, and perhaps New Germany. We have identified principal federal and provincial funding sources that are intended to offset a part of transit system capital and operating costs. A Lunenburg County Transit Authority would have to apply for grants under the applicable funds.

7.1 Next Steps

To initiate a Lunenburg County transit system, the following steps will need to be taken:

- CPT to present the study to all four town and municipal councils and Mayors;
- CPT to present the study to provincial representatives and Nova Scotia Communities, Culture and Heritage who have funded the study;
- Confirm participating jurisdictions;
- Sign an Inter-Municipal Service Agreement, establishing a Lunenburg County Transit Authority and a Board of Directors;
- Set transit authority charter and policies;
- Confirm bus routes and bus stops in consultation with participating jurisdictions and Councils;
- Determine fare structure;
- Develop service plan;
- Establish operating and capital budgets;
- Apply for funding;
- Acquire UARB service operating licensing;
- Liaise with other local transit systems/organizations (Senior Wheels, Chester Community Wheels, Queens County Transit, Maritime Bus, school bus services, Cloud Nine Shuttle, Alternative Routes etc.).

As for the Citizens for Public Transit Board, we believe that it is essential that they continue to play a part in establishing the transit system due to their long-term commitment to bringing a service to the region, their existing contacts and influence, and their continued enthusiasm to seeing their mission completed. One suggestion would be for CPT to be represented on the Board of Directors of a newly formed Lunenburg County Transit Authority.

Appendix A

Focus Group Invitation and Materials, Responses

WANT A BUS SYSTEM FOR LUNENBURG COUNTY?



Come learn about efforts to make this happen and to contribute your ideas!

May 13, 2019, from 4:30 - 6 pm
Lunenburg Fire Hall - 25 Medway St

For more information, please contact Citizens for Public Transit
(902) 543-5541 | cpt@bellaliant.net

We welcome you to attend our focus group meetings, and to participate in our online survey. A hard copy of the survey can also be obtained and dropped off at town/municipal offices. Please participate in our online survey at

www.transitlunenburg.ca/LunenburgCountyTransit

NOVA SCOTIA
Communities, Culture and Heritage

CPT
Citizens for Public Transit

CBCL
CBCL LIMITED
Consulting Engineers

WANT A BUS SYSTEM FOR LUNENBURG COUNTY?



Come learn about efforts to make this happen and to contribute your ideas!

Wednesday, June 12, 2-4 p.m.,
Mahone Bay Centre, 45 School Street,
Large Conference Room 307

Wednesday, June 12, 6-8 p.m.,
LaHave Bakery, 3421 Hwy 331,
La Have, 2nd floor

For more information, please contact Citizens for Public Transit
(902) 543-5541 | cpt@bellaliant.net

We welcome you to attend our focus group meetings, and to participate in our online survey. A hard copy of the survey can also be obtained and dropped off at town/municipal offices. Please participate in our online survey at

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How can public transportation benefit you, your family and your community?>

Record	Focus Group	Group	Comment
1001	1	1	Parking solution in tourist season
1002	1	1	Can travel when weather and roads are bad
1003	1	1	Facilitates social interaction and builds community links
1004	1	1	oppertunities for cultural exchange (eg.Muscians on bus)
1005	1	1	Keep seniors in homes and communities
1006	1	1	People encouraged to use buses for restaurants and bars (Avoid drinking and driving)
1007	1	1	Using buses/public transit helps make a greener enviornment for all of us
1008	1	1	Relex on public transit (stress free) can read,knit etc
1009	1	2	Potential Route- Riverport to Lahave ferry to Bridgewater with stops
1010	1	2	Carry loads that I can't carry on my bike
1011	1	2	Combo ->eg. Bike + bus
1012	1	2	Weather alternatives - A ferry from Riverport - Lahave - Lunenburg - Brdgewater with stops
1013	1	2	Save gas- Carbon emissioons
1014	1	2	Chat, build community relationship
1015	1	2	Read on the go, wifi work while you travel
1016	1	2	If you can commute to work -->community growth, more options to stay
1017	1	2	Winter travel options
1018	1	2	Fewer cars on the road
1019	1	2	Benefit people with accessibility/Mobility issue, support for diverse community
1020	1	2	Night time options - travel to/from concerts, movies,events
1021	1	2	Employers buy bus passes for staff
1022	1	2	Corporate sponsors (Plastics factory, restaurants, smaller businesses)
1023	1	2	Bridgewater, Lunenburg link up
1024	1	2	Churches, Senior homes
1025	1	3	Get people out of the house more
1026	1	3	Good for seniors + people with disabilities
1027	1	3	Good for responsible drinking + cannabis
1028	1	3	Good for medical appointments + errand
1029	1	3	Good for appointment where you can't drive after
1030	1	3	Potentially good for commuting if service hours are approprate (work + after school)
1031	1	3	People with part time jobs
1032	1	3	To go shopping
1033	1	3	Getting tourists around
1034	1	3	Good for young people + new Canadians
1035	1	3	Good for health
1036	1	3	Good to go to local events
1037	1	4	Electric Buses = Less pollution
1038	1	4	Independence for non-car owners or non-drivers
1039	1	4	Takes a lot of bad drivers off the road. Ie tailgaters or slow pokes
1040	1	4	Attract people to move here.
1041	1	4	Communitiy buildings- meet people at the bus stop and on the bus. Good way to keep warm or entertained
1042	1	4	Less need for parking spaces
1043	1	4	Less cars per household- less car costs gas, insurance. Family fight reduced
1044	1	5	Less money spend on gas, car repairs
1045	1	5	Spend less for Parking
1046	1	5	Don't have license but need reliable transit to get to work
1047	1	5	Better connection with family members in other towns
1048	1	5	Good for business
1049	1	5	Good for mental health, inter communication between communities
1050	1	5	Benefits for environment
1051	1	5	Reduction in potential traffic
1052	1	6	More conveinient access to entertainment and shopping venues
1053	1	6	Employment
1054	1	6	Everyday service or twice a week service
1055	1	6	Medical/dental appointment
1056	1	6	Combat loneliness for older people - Volunteer drives
1057	1	6	Corporate sponsor a bus once a week to go shopping, specialy in rural areas
1058	MB	3	Start 6:00 Bridgewater, main loop to Lunenburg. Express Lunenburg to Bridgewater
1059	MB	3	Offset Departure between 2 buses
1060	MB	3	Slack gives people to run errand and catch return bus
1061	MB	3	Later service
1062	MB	3	Flex- Call ahead for stop, Night before/Online/app
1063	MB	3	Shuttle
1064	MB	1	Help break isolation
1065	MB	1	Bring the county together
1066	MB	1	Give people access to services
1067	MB	1	Well being, knowing you can see others - Social life
1068	MB	1	Access to jobs
1069	MB	2	Health connections

1070	MB	2	Shopping - food & other
1071	MB	2	Committee meetings & other meetings
1072	MB	2	Social connections - dining/friends
1073	MB	2	Access to gout. Services & represent actives
1074	MB	2	Library & Recreationed services (Lunenburg & Bridgewater) - Spots, concerts & yoga/ Tai Chi etc
1075	MB	2	Entertainment (sports, concerts, mouics)
1076	MB	2	High school/ community college/extra curricular
1077	MB	2	Job opportunities
1078	MB	2	Professional services
1079	MB	2	Visits to nursing/Hospitals/care facilities
1080	MB	2	access to parks/beaches/lakes
1081	LH	1	Retired if few demands, but have appointments/shopping
1082	LH	1	Appointments 2 times per week +/-
1083	LH	1	Trips to the Library
1084	LH	1	Shopping, dentist, doctor, change of pase, beach etc
1085	LH	1	Medical serivces (eg. Chester)
1086	LH	1	Volunteer activeties
1087	LH	1	Meethings
1088	LH	1	Recreation outings
1089	LH	1	shopping
1090	LH	1	Increase number of people coming into this community, accessing shops, artistic/Gallaries/ beach/winery
1091	LH	1	Tourist actives = increase for local people
1092	LH	1	Seasonal actives @ beaches etc
1093	LH	1	Environmental
1094	LH	1	Social
1095	LH	1	Essential Service
1096	LH	1	commercial
1097	LH	1	Culture
1098	LH	2	Not having to own car
1099	LH	2	Less fossil fuel burning (enviornment)
1100	LH	2	Not having to ferry children always by car
1101	LH	2	Connecting to Halifax bus
1102	LH	2	Access to community programs
1103	LH	2	Social benefit: meeting others
1104	1	2	Fitness benefit
1105	1	2	Not being vulnerable when aging (getting stuck at home)
1106	1	2	Connecting with family - Less trips to pick up and drop off
1107	1	2	Conscious travel decisions
1108	1	2	** Winter options
1109	1	2	More access to rec. resources
1110	1	2	Positive retail impacts
1111	1	2	reduce congestion in towns
1112	1	2	productive time on bus (Reading)

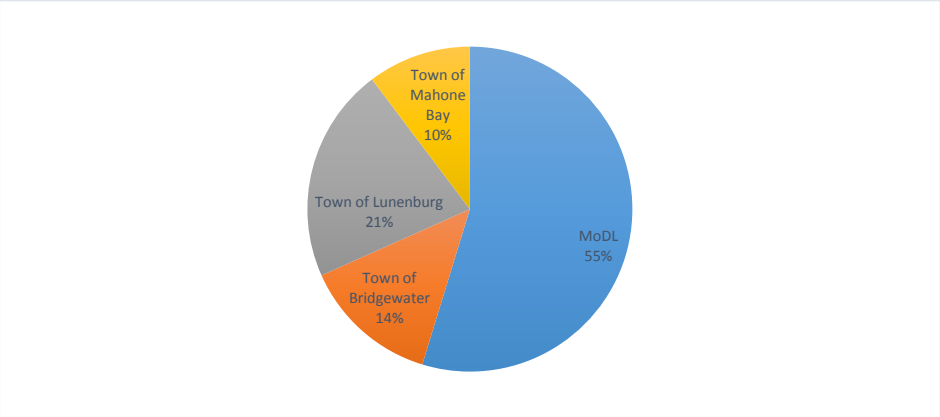
What are the guiding principles for a bus system in Lunenburg County?

Record	Focus Group	Comment
2059	1	Helpful for old people
2004	1	Accessible
2012	1	Accessible
2048	1	Accessibility for all (not necessarily geographically but physically)
2079	1	Accessible
2081	1	Accessible
2084	1	Accessible
2086	1	Accessible
2088	1	Accessible
2092	1	Accessible
2094	1	Accessible
2099	1	Accessible
2007	1	Accountable
2080	1	Affordable
2082	1	Affordable
2087	1	Affordable
2093	1	Affordable
2096	1	Affordable
2008	1	Affordable
2056	1	Monthly pass
2028	1	No food on buses
2010	1	Comfortable
2025	1	Sheltered bus stops
2052	1	Community fcoused - can do special event markets festival etc
2032	1	Connecting
2037	1	Route-Logical
2041	1	Connect to other transit systems
2046	1	Efficient route and most convenient for the riders
2065	1	Joint public and school bus collaboration and routes
2066	1	Dial a ride to connect remote rural communities
2090	1	Connecting
2078	1	Consistent
2098	1	Consistent
2006	1	Convenient
2009	1	Stop options on request (with reason)
2026	1	Convenience
2047	1	Convenience sufficient to be "culture challenging" (combating car dependency as primary influence
2074	1	Non rush hour (shopping & Social purpose)
2015	1	Get sponsorship: NSCC, Businesses, shoping centres.
2016	1	Annual membership - funded by employers
2063	1	Corporate sponsored including billboard advertising on the bus
2020	1	Cost
2069	1	Free or low cost, more riders save on admin
2075	1	Be able to go to Bridgewater shop 2 hrs, onto Mahone bay , then to Lunenburg- One flexible fare
2001	1	Dependable
2003	1	Efficient (most people on the shortest route)
2040	1	Energy efficient
2042	1	Clean technology
2054	1	Environmental friendly/Green energy
2057	1	More green options
2061	1	Electric
2070	1	Day fares, frequency service, multi modal
2076	1	Frequent

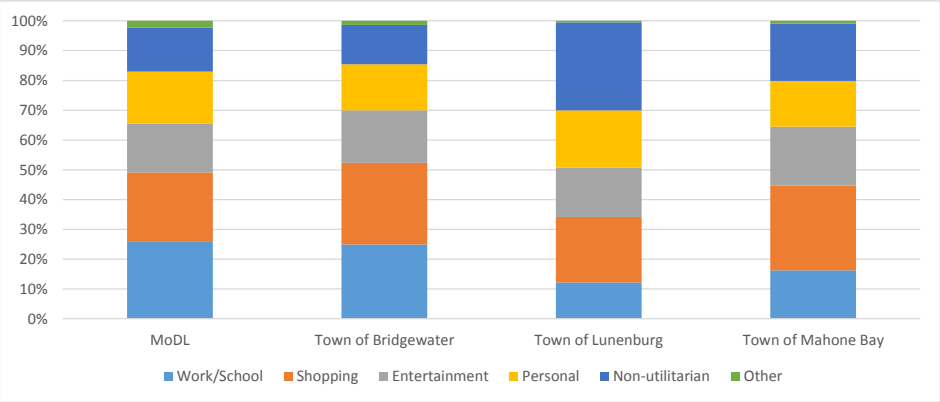
2022	1	Health
2023	1	Support active transport
2024	1	Can live in rural area (less expensive) good for families
2058	1	Good for non driver
2049	1	Reinforcing the idea of pop density & economic hubs within towns/urban centers as the proven land use plan
2014	1	Concept: New germany -> BW, Bridgewater -> BW, Cargo bike racks and storage, Dial a ride
2039	1	Bike racks
2053	1	Can take bicycles, wheelchair and service animals
2011	1	Predictable
2055	1	High visibility stop community profile
2067	1	Well promoted
2017	1	Municipality (MODL) responsible for finding funding
2019	1	secure publiv subisdy (re-structure provincial system so province can contribute
2060	1	Subsidized
2071	1	Subsidized (for continual service)
2073	1	A service, not profit making
2005	1	Reliable
2050	1	Reliability so people can depend on it (again to chip away at car dependency)
2002	1	Safe
2029	1	Seatbelts
2030	1	Madndatory seat belts
2031	1	Trained drivers with authority to remove abusive passengers
2035	1	Safe for women and children
2038	1	Driver has autonomy to keep bus safe and "remove" problematic passegers
2044	1	Watchful of those who need help
2045	1	Stops well marked
2018	1	Orgenic Gorwth: System to evolve from existing services initiatives
2027	1	Times/Logical
2033	1	Regular
2034	1	Appropriate hours of operation
2036	1	Scheduling- very hard to accommodate
2043	1	Fixed schedule
2062	1	Regular service several times per day
2083	1	Seatbelts
2085	1	Seatbelts
2072	1	Speeds and frequency
2097	1	subsidized
2013	1	Sustainable
2077	1	Financially sustainable
2089	1	Sustainable
2091	1	Sustainable
2095	1	Sustainable
2064	1	Useful for everone
2051	1	Able to demonstrate econmomic benefit (Credible counter argument to "subsidy" mentality)
2021	1	Wifi connect
2068	1	Fuel services e.g. Beach bus
2069	MB	Fixed Route
2070	MB	Frequent
2071	MB	Scheduled
2072	MB	Accessible
2073	MB	Afforadble
2074	MB	Public Transit
2075	MB	Reliable
2076	MB	Connected
2077	MB	Well-Being
2078	MB	Pet Friendly

2079	MB	Long term plan
2080	MB	Time schedules realistic
2081	MB	Link as many communities as possible
2082	MB	Accessible vehicles
2083	MB	Good color, for route - well mapped
2084	MB	Safe Access covered wait area
2085	MB	Afforadble
2086	MB	Combine with school bus system with back road system
2087	MB	Frequent Stops
2088	MB	Easy access
2089	MB	Accessibilty
2090	MB	Reliability
2091	MB	Safe
2092	MB	Reliable
2093	MB	Sustainable
2094	MB	Afforadble (to riders & funding agency)
2095	MB	Handycapped assistance
2096	MB	Frequency
2097	MB	Afforadble
2098	MB	Accessible
2099	MB	Sustainable (Environment)
2100	MB	Predictable (schedule)
2101	MB	Active
2102	MB	Timely
2103	MB	Coat
2104	MB	Frequency
2105	MB	Access
2106	MB	more stops
2107	MB	Meeting needs
2108	MB	meeting wishes
2109	MB	convenient
2110	LH	Need Schedules of shift mumbers
2111	LH	3 towns shore road
2112	LH	Area chaning, immigrants, yound families, affordable province.
2113	LH	Older folks unable to drive in future - Need PT
2114	LH	Availbale (Historical routes to liverpool and yarmonth twice a day)
2115	LH	return to what used to work, if unable to drive - couldn't live in rural NS.
2116	LH	Public transit as a service, what does the future look like?
2117	LH	aging in place, mobility. Special events & visitors on the weekend
2118	LH	Conveient route to Mahone bay + Lunenburg + Rose bay + Bridgewater
2119	LH	Accessible
2120	LH	Flexiable in days and evening
2121	LH	Comfortable
2122	LH	Electric (enviormental friendly)
2123	LH	Predictable
2124	LH	Accessible
2125	LH	Affordable
2126	LH	Convenient access
2127	LH	Reasonable coat
2128	LH	Affordable
2129	LH	Sustainable
2130	LH	Convenient
2131	LH	Affordable
2132	LH	Regular access

Participation	Grand Total
MoDL	133
Town of Bridgewater	33
Town of Lunenburg	52
Town of Mahone Bay	25
	243

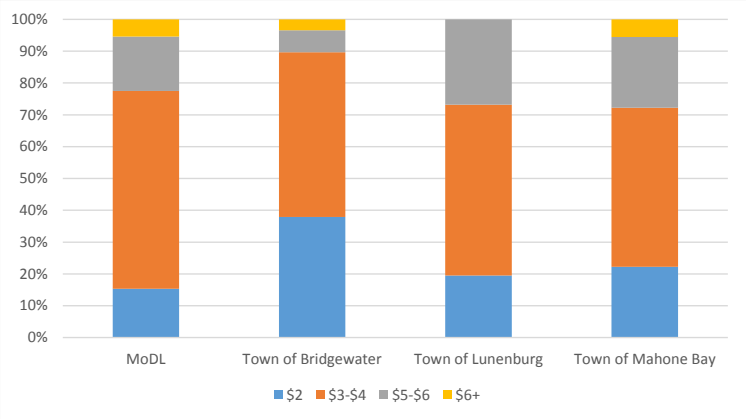


Trip Purpose	Work/School	Shopping	Entertainment	Personal	Non-utilitarian	Other	
MoDL	488	441	311	329	280	42	
Town of Bridgewater	181	199	128	112	96	10	
Town of Lunenburg	104	188	142	164	253	4	
Town of Mahone Bay	55	96	67	52	65	3	
	828	924	648	657	694	59	3810
	22%	24%	17%	17%	18%	2%	15.679012



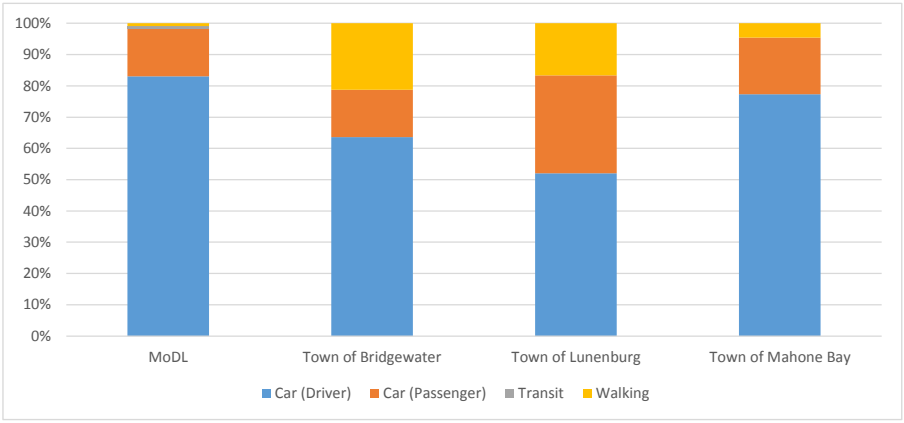
Count of Record #	Column Labels				
Row Labels	$2	$3-$4	$5-$6	$6+	Grand Total
MoDL	17	69	19	6	111
Town of Bridgewater	11	15	2	1	29
Town of Lunenburg	8	22	11		41
Town of Mahone Bay	4	9	4	1	18
Grand Total	**40**	**115**	**36**	**8**	**199**

Willingness to pay	$2	$3-$4	$5-$6	$6+	Total
MoDL	17	69	19	6	111
Town of Bridgewater	11	15	2	1	29
Town of Lunenburg	8	22	11	0	41
Town of Mahone Bay	4	9	4	1	18
	40	115	36	8	199



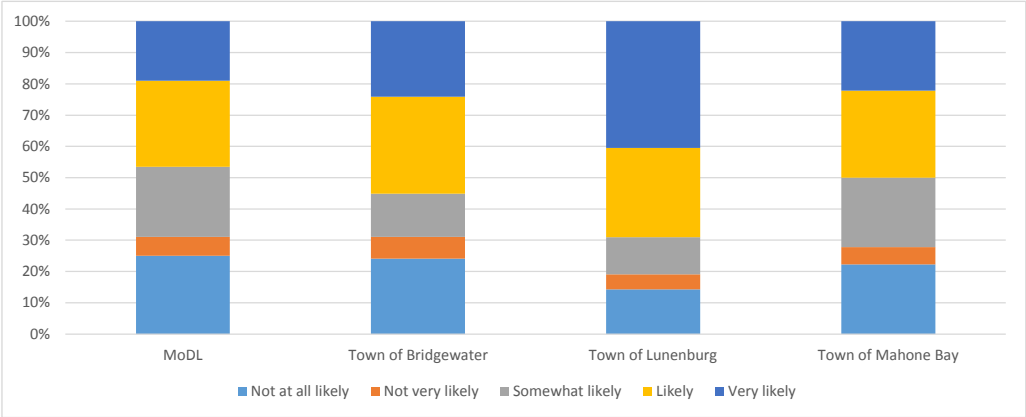
Count of Record # Row Labels	Column Labels Car (Driver)	Car (Passenger)	Transit	Walking	Grand Total
MoDL	98	18	1	1	118
Town of Bridgewater	21	5		7	33
Town of Lunenburg	25	15		8	48
Town of Mahone Bay	17	4		1	22
Grand Total	**161**	**42**	**1**	**17**	**221**

Primary Mode of Travel	Car (Driver)	Car (Passenger)	Transit	Walking	Total
MoDL	**98**	**18**	**1**	**1**	**118**
Town of Bridgewater	**21**	**5**	**0**	**7**	**33**
Town of Lunenburg	**25**	**15**	**0**	**8**	**48**
Town of Mahone Bay	**17**	**4**	**0**	**1**	**22**
					221



Count of Record # Row Labels	Column Labels Likely	Not at all likely	Not very likely	Somewhat likely	Very likely	Grand Total
MoDL	29	7	26	32	22	116
Town of Bridgewater	7	2	4	9	7	29
Town of Lunenburg	6	2	5	12	17	42
Town of Mahone Bay	4	1	4	5	4	18
Grand Total	**46**	**12**	**39**	**58**	**50**	**205**

Likelihood to use transit	Not at all likely	Not very likely	Somewhat likely	Likely	Very likely	Total
MoDL	**29**	**7**	**26**	**32**	**22**	**116**
Town of Bridgewater	**7**	**2**	**4**	**9**	**7**	**29**
Town of Lunenburg	**6**	**2**	**5**	**12**	**17**	**42**
Town of Mahone Bay	**4**	**1**	**4**	**5**	**4**	**18**
	46	**12**	**39**	**58**	**50**	**205**



Appendix B

Survey Form

NOVA SCOTIA
Communities, Culture and Heritage

CPT
CITIZENS FOR PUBLIC TRANSIT

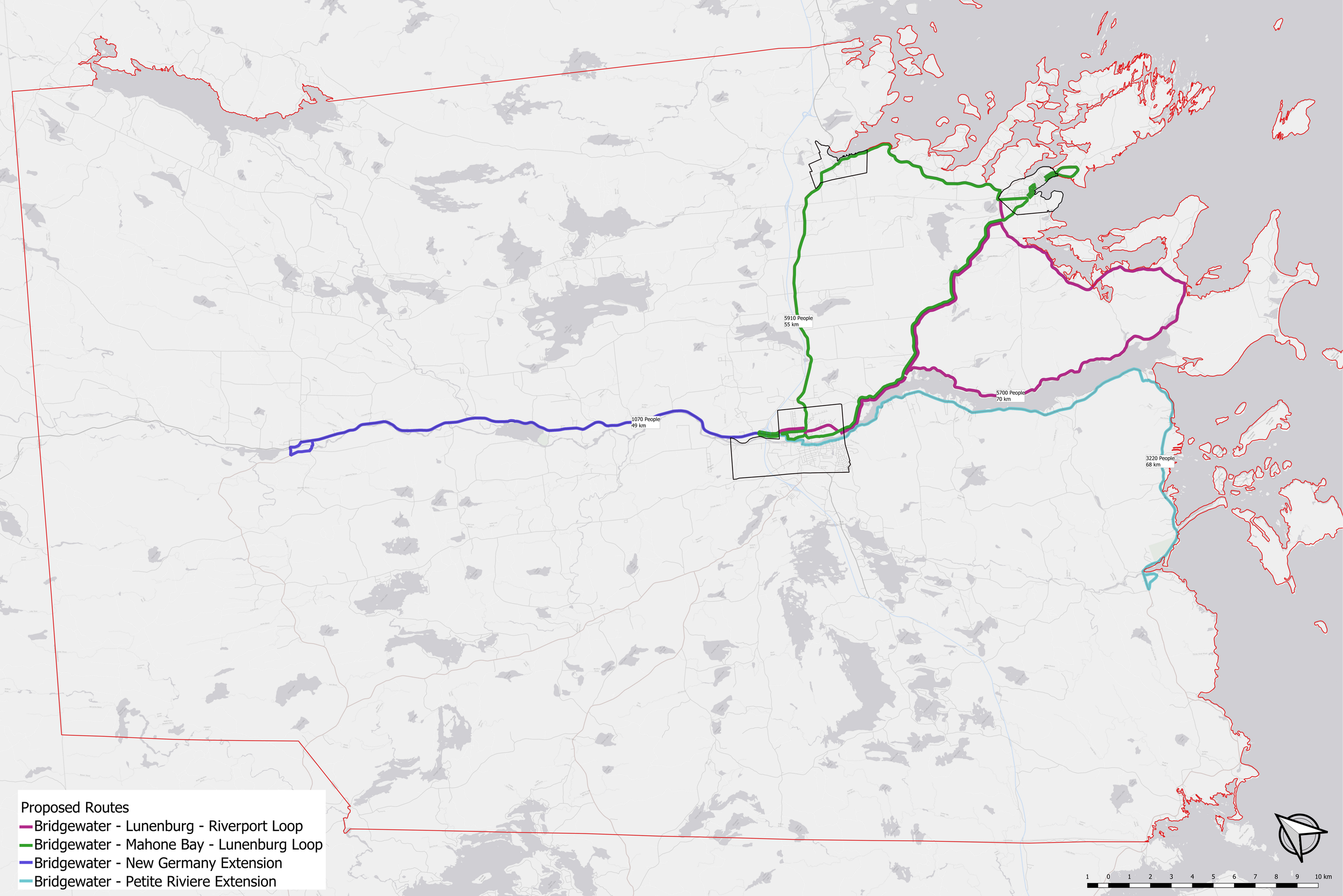
CBCL LIMITED
Consulting Engineers

Bus System for Lunenburg County – Survey

1. In which community do you live?					
☐ Town of Bridgewater	☐ Town of Lunenburg	☐ Town of Mahone Bay	☐ Municipality of the District of Lunenburg (MODL)	(Please specify **which MODL community you live in**)	
2. What is your primary mode of travel?					
☐ Car (Drive alone)	☐ Car passenger	☐ Bike	☐ Walk	☐ Other (Please specify)	
3. During the last month, roughly how many times per week did you travel for the following purposes?					
Work/school	Shopping	Entertainment, social and recreational activity	Personal errands (post office, medical appointments, dropping someone off)	Non-utilitarian (walking for exercise, dog-walking)	Other (Please specify)
4. How likely are you to ride public transportation, if available, in your community?					
☐ Not at all likely	☐ Not very likely	☐ Likely	☐ Somewhat likely	☐ Very likely	
5. How much are you willing to pay per trip for public transit?					
☐ $2	☐ $3 - $5	☐ $5 - $6	☐ more than $6		
6. What type of transit would you like to see in Lunenburg County?					
7. How can we connect communities by transit? (ex. Bridgewater to Mahone Bay)					
8. What features would you like to see in the service? (ex. coverage, flex schedule, bus technologies, apps)					
9. Any additional comments?					
10. What is your postal code?					

Appendix C

Route Options


5910 People
55 km
1070 People
49 km
5700 People
70 km
3220 People
68 km
Proposed Routes
Bridgewater - Lunenburg - Riverport Loop
Bridgewater - Mahone Bay - Lunenburg Loop
Bridgewater - New Germany Extension
Bridgewater - Petite Riviere Extension
1 0 1 2 3 4 5 6 7 8 9 10 km

Appendix D

Financial Assessment

Route	Length (km)	Average Speed (km/h)	Travel Time (hours)	Population 300m	Population % making trips	Average number of yearly trips per person	Likely Transit Split	Potential Yearly Transit Trips
Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	75.00	40	2	6460	66%	784	0.3%	10028
Bridgewater - Mahone Bay - Lunenburg Loop	55.00	40	1.5	5910	66%	784	0.3%	9174
Bridgewater - Lunenburg - Riverport Loop	70.00	40	1.75	5700	66%	784	0.3%	8848
Bridgewater - LaHave - Petite Rivière Extension	70.00	40	1.75	3220	66%	784	0.3%	4998
Bridgewater - New Germany Extension	50.00	40	1.25	1070	66%	784	0.3%	1661

Service Type	Yearly Trips per	Service Hours per Weekday	Service Hours in 5 Weekdays	Service Hour Saturday	Service Hour Sunday	Service Hour per week	Service Hour per year	Break Hour per weekday	Break Hour per week	Break Hour per Saturday	Break Hour per week	Break Hour per year	Dead-Head per year	Total Operating Hours per Year
Peak		7	35	7		42	2184	0.5	2.5	0.5	3.5	182	156	2158
Fixed		12	60	12		72	3744	1	5	1	7	364	312	3692
Extended		4	20	4		24	1248		0		0	0	156	1404

Vehicle Type	Capital Cost	Fuel Economy (litres / 100km)	Yearly Maintenance costs	Inspection and Insurance cost per year	Permit costs per year	Passenger capacity	Fare per trip
Standard Bus New	$ 500,000	42.77	$ 7,500	$ 25,000	$ 515	40	$ 3.50
Standard Bus Old	$ 45,000	45	$ 30,000	$ 20,000	$ 515	40	$ 3.50
Small Bus New	$ 100,000	30	$ 5,000	$ 15,000	$ 450	20	$ 3.50
Small Bus Old	$ 18,000	33.6	$ 20,000	$ 15,000	$ 450	20	$ 3.50
Community Bus New	$ 90,000	20	$ 2,500	$ 10,000	$ 250	15	$ 3.50
Community Bus Old	$ 15,000	25	$ 7,500	$ 10,000	$ 250	15	$ 3.50
Van New	$ 50,000	13.52	$ 1,000	$ 5,000	$ 50	8	$ 3.50
Van Old	$ 5,000	20	$ 2,000	$ 5,000	$ 50	8	$ 10.00

Driver Type	Wage	Benefits	Sick Time	Vacation	Total Hourly Cost	Uniform Cost	First Aid Training	Hours/Day	Salary	Yearly Cost
Full Time	$ 18	$ 1	$ 1	$ 1	$ 21	$ 350	$ 300	$ 8.5	$ 55,692	$ 56,342
Part Time	$ 18				$ 18	$ 250	$ 300	$ 5.5	$ 30,888	$ 31,438

	Year 1		Year 2		Year 3			Year 4				Year 5			
	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Lunenburg - Riverport Loop	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop	Bridgewater - LaHave - Petite Rivière Extension	Bridgewater - New Germany Extension
Service	Peak	Extended	Fixed	Fixed	Fixed	Fixed	Extended	Fixed	Fixed	Extended	Extended	Fixed	Fixed	Extended	Extended
Vehicle	Van New	Van New	Van New	Van New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New	Community Bus New	Community Bus New	Van New	Van New
Number of vehicles	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Number of stops	5	5	5	5	5	5	5	5	5	5	5	5	5	5	5
Number of full-time drivers	1		1	1	1	1		1	1			1	1		
Number of part-time drivers	1		1	1	1	1	1	1	1	1	1	1	1	1	1
Route Length (km)	55	75	55	70	55	75	70	55	75	70	50	55	75	70	50
Route Travel Time (hours)	1.50	2.00	1.50	1.75	1.50	2.00	1.75	1.50	2.00	1.75	1.25	1.50	2.00	1.75	1.25
Route Catchment Population (within 300m)	5910	6460	5910	5700	5910	6460	3220	5910	6460	3220	1070	5910	6460	3220	1070
Estimated Yearly Transit Ridership per Person	1.50	0.25	2.00	2.00	2.50	2.50	1.50	3.00	3.00	1.75	1.50	4.00	4.00	2.00	1.75
Estimated Yearly Transit Ridership	8865	1615	11820	11400	14775	16150	4830	17730	19380	5635	1605	23640	25840	6440	1873
Route Service Hours per Day	7.0	4.0	12	12	12	12	4.0	12	12	4.0	4.0	12	12	4.0	4.0
Route Operating Hours per Year (+ Dead-Head)	2158	1404	3692	3692	3692	3692	1404	3692	3692	1404	1404	3692	3692	1404	1404
Number of Route Runs per Day	4	2	8	6	8	6	2	8	6	2	3	8	6	2	3
Number of Route Runs per Year	1248	624	2496	1872	2496	1872	624	2496	1872	624	936	2496	1872	624	936
Route Annual km Travelled	68640	46800	137280	131040	137280	140400	43680	137280	140400	43680	46800	137280	140400	43680	46800
Vehicle Fare	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 3.50	$ 10.00	$ 10.00	$ 3.50	$ 3.50	$ 10.00	$ 10.00
Vehicle Fuel Economy (L/100km)	14	14	14	14	20	14	14	20	20	14	14	20	20	14	14
OPERATING COSTS															
Bus Drivers															
Wages, Benefits, Sick, First Aid	$	87,780.00	$ 87,780.00	$ 87,780.00	$ 87,780.00	$ 87,780.00	$ 31,438.00	$ 87,780.00	$ 87,780.00	$ 31,438.00	$ 31,438.00	$ 87,780.00	$ 87,780.00	$ 31,438.00	$ 31,438.00
Management															
Wages	$	50,000.00	$ 50,000.00	-	$ 50,000.00	-	-	$ 50,000.00	-	-	-	$ 50,000.00	-	-	-
Fees and Registrations	$	25,000.00	$ 25,000.00	-	$ 25,000.00	-	-	$ 25,000.00	-	-	-	$ 25,000.00	-	-	-
Communications	$	500.00	$ 500.00	-	$ 500.00	-	-	$ 500.00	-	-	-	$ 500.00	-	-	-
Professional Services	$	5,000.00	$ 5,000.00	-	$ 5,000.00	-	-	$ 5,000.00	-	-	-	$ 5,000.00	-	-	-
Advertising	$	15,000.00	$ 15,000.00	-	$ 15,000.00	-	-	$ 15,000.00	-	-	-	$ 15,000.00	-	-	-
Cleaning Supplies	$	240.00	$ 240.00	-	$ 240.00	-	-	$ 240.00	-	-	-	$ 240.00	-	-	-
Buses															
Parking	$	500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00	$ 500.00
Fuel price (c/L)	$ 7,888.11	$ 5,378.26	$ 15,776.22	$ 15,059.12	$ 23,337.60	$ 16,134.77	$ 5,019.71	$ 23,337.60	$ 23,868.00	$ 5,019.71	$ 5,378.26	$ 23,337.60	$ 23,868.00	$ 5,019.71	$ 5,378.26
Yearly Maintenance	$	1,000.00	$ 1,000.00	$ 1,000.00	$ 2,500.00	$ 1,000.00	$ 1,000.00	$ 2,500.00	$ 2,500.00	$ 1,000.00	$ 1,000.00	$ 2,500.00	$ 2,500.00	$ 1,000.00	$ 1,000.00
Inspection and Insurance cost per year	$	5,000.00	$ 5,000.00	$ 5,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00	$ 10,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00	$ 10,000.00	$ 10,000.00	$ 5,000.00	$ 5,000.00
Permits	$	50.00	$ 50.00	$ 50.00	$ 250.00	$ 50.00	$ 50.00	$ 250.00	$ 250.00	$ 50.00	$ 50.00	$ 250.00	$ 250.00	$ 50.00	$ 50.00
Bus Cleaning	$	5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
Bus Signage	$	1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
Advertising	$	50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00	$ 50.00
TOTAL OPERATING COSTS	**$**	**209,886.36**	**$ 212,396.22**	**$ 115,939.12**	**$ 226,657.60**	**$ 117,014.77**	**$ 49,557.71**	**$ 226,657.60**	**$ 131,448.00**	**$ 49,557.71**	**$ 49,916.26**	**$ 226,657.60**	**$ 131,448.00**	**$ 49,557.71**	**$ 49,916.26**
	$	**210,000.00**	**$**	**330,000.00**	**$**		**395,000.00**	**$**			**460,000.00**	**$**			**460,000.00**
CAPITAL COSTS															
Vehicle															
Capital Cost	$	50,000.00		$ 50,000.00	$ 90,000.00				$ 90,000.00						
Bus stop signage	$ 1,250.00	$ 1,250.00					$ 1,250.00				$ 1,250.00				
Radios	$	1,500.00		$ 1,500.00	$ 1,500.00				$ 1,500.00						
Tools	$	200.00		$ 200.00	$ 200.00				$ 200.00						
Fare Boxes	$	500.00		$ 500.00	$ 500.00				$ 500.00						
TOTAL CAPITAL COSTS	**$**	**54,700.00**	**$ -**	**$ 52,200.00**	**$ 92,200.00**	**$ -**	**$ 1,250.00**	**$ -**	**$ 92,200.00**	**$ -**	**$ 1,250.00**	**$ -**	**$ -**	**$ -**	**$ -**
	$	**55,000.00**	**$**	**55,000.00**	**$**		**95,000.00**	**$**			**95,000.00**	**$**			**-**
TOTAL COSTS (OPERATING + CAPITAL)	**$**	**264,586.36**	**$ 212,396.22**	**$ 168,139.12**	**$ 318,857.60**	**$ 117,014.77**	**$ 50,807.71**	**$ 226,657.60**	**$ 223,648.00**	**$ 49,557.71**	**$ 51,166.26**	**$ 226,657.60**	**$ 131,448.00**	**$ 49,557.71**	**$ 49,916.26**
	$	**265,000.00**	**$**	**385,000.00**	**$**		**490,000.00**	**$**			**555,000.00**	**$**			**460,000.00**
REVENUE															
Bus advertising (per bus, per month)	$ 1,800.00	$ -	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00	$ 1,800.00
Fare (Estimated Ridership)	$ 31,027.50	$ 5,652.50	$ 41,370.00	$ 39,900.00	$ 51,712.50	$ 56,525.00	$ 16,905.00	$ 62,055.00	$ 67,830.00	$ 56,350.00	$ 16,050.00	$ 82,740.00	$ 90,440.00	$ 64,400.00	$ 18,730.00
TOTAL REVENUE	**$**	**38,480.00**	**$ 43,170.00**	**$ 41,700.00**	**$ 53,512.50**	**$ 58,325.00**	**$ 18,705.00**	**$ 63,855.00**	**$ 69,630.00**	**$ 58,150.00**	**$ 17,850.00**	**$ 84,540.00**	**$ 92,240.00**	**$ 66,200.00**	**$ 20,530.00**
	$	**40,000.00**	**$**	**85,000.00**	**$**		**135,000.00**	**$**			**210,000.00**	**$**			**265,000.00**
NET COST (TOTAL REVENUE - TOTAL COSTS)	**-$226,106.36**		**-$169,226.22**	**-$126,439.12**	**-$265,345.10**	**-$58,689.77**	**-$32,102.71**	**-$162,802.60**	**-$154,018.00**	**$8,592.29**	**-$33,316.26**	**-$142,117.60**	**-$39,208.00**	**$16,642.29**	**-$29,386.26**
	-$230,000.00		**-$300,000.00**		**-$360,000.00**			**-$345,000.00**				**-$195,000.00**			



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Attachment B

Intermunicipal Service Agreement

Lunenburg Transit Authority

catch the LT

Dated:

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THE PARTIES HERETO AGREE AS FOLLOWS:

THE LUNENBURG TRANSIT AUTHORITY, HEREIN KNOWN AS THE AUTHORITY

1. The purpose of this agreement is to provide public transit services for the County of Lunenburg pursuant to section 55 of the Municipal Government Act.

2. This agreement is an agreement for the joint provision of services and facilities by the participating municipalities pursuant to section 60 of the *Municipal Government Act.*

3. The parties agree that public transit services for the County of Lunenburg shall be provided by the Lunenburg Transit Authority (LTA), as a Board representing each of the participating municipalities and being a separate body corporate.

PARTICIPATION MUNICIPALITIES

4. The participating municipalities in the Lunenburg Transit Authority shall be as follows:

Town of Lunenburg;
Town of Mahone Bay;
Town of Bridgewater;
Municipality of the District of Lunenburg;

and are hereinafter collectively referred to as "the parties".

AREA

5. The area for which the services may be provided by the Authority is the County of Lunenburg.

MEMBERS

6. a) There shall be no special qualifications for members of the Authority, other than as is provided in its by-laws, as attached.

b) The membership in the Authority shall total no less than five(5) members, as follows:

One (1) from the Town of Lunenburg;
One (1) from the Town of Mahone Bay;
One (1) from the Town of Bridgewater;
Two(2) from the Municipality of the District of Lunenburg.

c) Members shall be appointed annually by the Council of each participating municipality by the first day of December each year for a term of office of one year from December 1 to November 30.

d) Each party may also appoint an alternate member of the Authority who may vote in the place of the member during any absence.

e) In the event that a vacancy occurs, the Council appointing the member shall appoint a replacement within six weeks after the vacancy occurs.

f) The Authority shall pay to its members such remuneration as may be fixed by the Authority from time to time, and the Authority shall reimburse its members for travel and other necessary expenses incurred in connection with the work of the Authority, as agreed to from time to time by the Authority, unless such payments are disallowed by Provincial legislation.

CHAIR

g) The members shall elect a Chair from among their members who shall hold office until his/her term of office expires or until such time as a successor is elected.

h) The Authority may pay the Chair an allowance in addition to any remuneration that the Chair receives from the party that appointed the member to the Authority, provided such payments are not disallowed by Provincial Statute.

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VOTING

i) All members, including the Chair, shall vote on every question before the Authority except in the case of conflict of interest.

j) A majority of the members of the Authority constitutes a quorum.

DECISIONS

7. Any decision requiring the agreement of the parties hereto shall be decided by a majority of the participating municipalities. Decisions requiring consent of the parties according to this formula include: borrowing (clause 11(d)); the disposal of capital assets valued at more than one hundred thousand dollars ($100,000) (clause 12); approval of the annual operating plan and budget (clause 15); approval of supplementary budget estimates (clause 17); addition of new parties to this agreement (clause 24); dissolution of the Authority (clause 26); and alteration of this agreement (clause 30). The consent of a party is given by a resolution of the Council of that party.

8. Any decision requiring the agreement of the members of the Authority shall be decided by a majority of those members present unless otherwise stated.

OBJECTS

9. The object of the Lunenburg Transit Authority is to provide a regional public transit system for its area by:

a) the purchase of vehicles and operation of the service, directly or indirectly; or;

b) providing financial assistance to a person who will undertake to provide the services; or;

c) a combination of the methods referred to in clauses (a) and (b).

ACQUISITION OF CAPITAL ASSETS

10. a) Any capital asset created or acquired by the Lunenburg Transit Authority shall be owned by the Authority. Attached as Schedule A are the assets of the Lunenburg Transit Authority as of

_____ _____ _____

Month Day Year

b) The parties shall provide the necessary financing from their own resources needed to acquire or create capital assets on behalf of the Authority in the same proportions as the cost-sharing formula detailed in clause 14(a).

c) The Lunenburg Transit Authority shall have the power to establish a capital reserve for replacement or refurbishing of vehicles.

POWERS

11. Lunenburg Transit Authority may:

a) receive from any government or governmental body or agency grants of money or land and use, apply or convey them in accordance with the terms upon which they were made or for any purposes of the Authority that are not inconsistent with the grant;

b) accept gifts, assignments, devises and bequests of real and personal property and apply them to the general purposes of the Authority or to a specific purpose of the Authority;

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c) acquire real and personal property by deed, will, gift or lease or in any other manner and lease, sell or otherwise dispose of its property or any part thereof;

d) with the approval of a majority of the participating municipalities, borrow on the security of its real and personal property, or either of them or any part thereof, or any other security or without security such money as the Authority considers necessary and mortgage, pledge or otherwise charge its property or any part of it for the purpose of securing any money borrowed;

e) improve, enlarge, repair, alter, equip, service, insure and maintain any building or buildings and any other property owned or leased by it;

f) acquire or purchase materials, machinery, motor vehicles and plant deemed requisite or advisable for public transit services;

g) erect, acquire, purchase, alter, add to, improve, furnish or equip buildings or other facilities, for public transit services;

h) enter into contract or agreements to provide or to subsidize public transit services. The Authority may contract with any person, including a municipal unit and a municipal unit that is party to this agreement, for the provision of any service or facility necessary or advisable to carry out the responsibilities assigned to it by this agreement;

i) invest and deal with funds of the Lunenburg Transit Authority not immediately required for its purposes in the manner prescribed by the Province of Nova Scotia;

j) establish and collect user-pay fares from the public;

k) establish transit routes and schedules;

l) establish its own rules of procedure and make by-laws with respect to:

(i) meetings of the Lunenburg Transit Authority and its committees, the method of calling those meetings, their frequency and the conduct of business and rules of order and proceedings at meetings;

(ii) the annual election or appointment of officers of Lunenburg Transit Authority and the functions, duties and powers of the officers, including the functions, duties and powers of the Chair;

(iii) the filling of vacancies in the offices of the Lunenburg Transit Authority;

(iv) the qualifications of officers;

(v) vacating or termination of office in the Lunenburg Transit Authority;

(vi) the appointment or election of standing or special committees and their functions, duties and powers;

(vii) the adoption of a common seal and the execution by the Lunenburg Transit Authority of any deed, agreement, contract, negotiable instrument, security or other document;

(viii) the management of the property of the Lunenburg Transit Authority;

(ix) the conduct and duties of the officers and employees of the Lunenburg Transit Authority;

(x) any matter relating to the conduct of the business and affairs of the Lunenburg Transit Authority.

m) do such other acts and things as are incidental to the attainment of its object or the exercise of its powers.

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12. No capital asset valued at greater than one hundred thousand dollars ($100,000), shall be disposed of by Lunenburg Transit Authority, unless approved by the parties in accordance with clause 7.

GENERAL MANAGER AND PERSONNEL

13.a) The Lunenburg Transit Authority may appoint a person to be general manager.

b) The Authority may appoint or engage such officials and employees, and professional, scientific or technical experts as it considers advisable for the attainment of its objects or the exercise of its powers and may pay them such remuneration as the Authority from time to time determines.

OPERATIONAL COSTS

14.a) Upon implementation of this Agreement, the net operational costs of the Lunenburg Transit Authority (i.e. gross operating costs minus operating revenues) shall be paid by the parties according to shares based on the ratio of population served. The following are the proportions in which each of the participating municipalities shall contribute to provide the funds required to meet the approved operating costs of the Lunenburg Transit Authority:

MUNICIPALITY	POPULATION*	PERCENTAGE
Town of Lunenburg		
Town of Mahone Bay		
Town of Bridgewater		
Municipality of the District of Lunenburg		

As determined (e.g. Nova Scotia Community Counts of 2009 or more recent)

b) Alternate means of raising revenue, such as advertising revenues, fees, and/or other means shall be employed, as deemed appropriate or advisable by Lunenburg Transit Authority, to augment or replace the cost-sharing formula described in clause 14(a), provided that such charges or alternate means are consistent with the approved annual operating plan and budget.

c) Operating costs may include the following:

(i) wages and salaries for personnel employed directly by Lunenburg Transit Authority for the purposes of Lunenburg Transit Authority;

(ii) the payment of fees to contractors;

(iii) principal and interest charges on debts incurred by Lunenburg Transit Authority or the parties on behalf of Lunenburg Transit Authority;

(iv) maintenance and repair expenses for any vehicles or/and property operated by Lunenburg Transit Authority for the purposes of Lunenburg Transit Authority;

(v) traveling expenses properly incurred by employees or members of Lunenburg Transit Authority for the purposes of Lunenburg Transit Authority;

(vi) rentals of equipment whether from a party to the agreement or otherwise, including any applicable insurance cost, transportation cost, cost of loading and unloading, registration fees, cost of installation, dismantling and removal, repair and replacement (exclusive of repairs necessitated by defects when acquired);

(vii) expendable materials, supplies, light, power, heat, water, and tools except those customarily provided by trades people;

(viii) advertising, promotional, and educational costs;

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(ix) assessments under the Workers Compensation Act, employment insurance, Canada Pension Plan contributions, vacation pay, or paid vacations and other statutory requirements, sales and other taxes;

(x) other permissive employee benefits, as approved by Lunenburg Transit Authority;

(xi) administration costs of Lunenburg Transit Authority including allowance to the Chair, payment of staff, remuneration to members and reimbursement of expenses to the members, legal and audit fees and like costs;

(xii) payments into a capital reserve fund or funds provided that interest earned by the funds becomes part of the funds;

(xiii) premiums for liability, errors and omissions, equipment and other insurance policies; and

(xiv) other expenses deemed necessary provided they are consistent with this agreement.

OPERATION BUDGET

15. a) No later than 90 days before the beginning of the fiscal year, Lunenburg Transit Authority shall submit the proposed annual operating plan and budget to each of the parties for approval after having consulted with the parties in the development of the plan;

b) No later than 30 days before the beginning of the fiscal year, the parties shall consider and if deemed appropriate ratify, in accordance with clause 7, the annual operating plan and budget approved by Lunenburg Transit Authority.

c) To be implemented, the operating plan and budget requires the approval of the parties under clause 7.

16. a) The council of each of the participating municipalities shall pay to Lunenburg Transit Authority quarterly in advance one quarter of the municipality's share of the approved net operating costs of Kings Transit Authority.

b) Any party, which is more than thirty (30) days in arrears shall pay interest on the arrears at a rate to be determined from time to time by Lunenburg Transit Authority.

17. a) Supplementary budget estimates for capital and operating expenses must be approved, for recommendation to the parties, by a majority of the members of Lunenburg Transit Authority.

b) No later than 45 days following receipt of the recommendation from Lunenburg Transit Authority, supplementary budget estimates must be considered by the parties and, if deemed appropriate, approved in accordance with clause 7.

18. Lunenburg Transit Authority shall not expend funds in excess of the amounts approved in annual budget estimates or supplementary budget estimates, except in the case of an emergency and with the approval of all the members.

19. All fares and other revenues shall be set by Lunenburg Transit Authority and become part of its budget.

AUDITOR

20. a) Lunenburg Transit Authority shall, at each annual meeting, appoint an auditor who shall be a registered municipal auditor under section 457 of the *Municipal Government Act*.

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b) Lunenburg Transit Authority shall submit to the council of each of the participating municipalities audited financial statements for the preceding fiscal year, such statements to be submitted not later than the 30th day of June in each fiscal year.

c) Lunenburg Transit Authority shall, not later than the 30th day of June, also make an annual report to the councils of the participating, municipalities setting out its activities for the preceding fiscal year.

d) The accounts of Lunenburg Transit Authority shall be kept and reported on as required by the Municipal Accounting and Reporting Manual prescribed by the Minister of Housing and Municipal Affairs as from time to time amended.

21. The municipal units may apply for grants on behalf of Lunenburg Transit Authority for which the units are eligible but for which Lunenburg Transit Authority is not eligible. Any grants so acquired shall be credited to Lunenburg Transit Authority and shall be additional to the unit's share of the cost of Lunenburg Transit Authority providing that Lunenburg Transit Authority shall reimburse the unit according to the unit's share of the grant revenue.

22. The fiscal year of Lunenburg Transit Authority is the municipal fiscal year (April 1 – March 31).

BY-LAWS

23. The parties hereto agree to pass complementary by-laws prescribing conditions of use and protection of the property of Lunenburg Transit Authority, and for maintaining order thereon, as recommended by Lunenburg Transit Authority from time to time within the limits of the parties' respective legislated authority.

24. New parties may only be added to this agreement upon agreement of the parties in accordance with clause 7.

WITHDRAWAL OF PARTY

25. a) The council of any party wishing to withdraw from this agreement must give notice of withdrawal to the councils of the other parties, with a copy to the Authority, not less than one year prior to the intended withdrawal date, which shall be the end of the fiscal year of the year specified in the notice of withdrawal.

b) Any party withdrawing from this agreement remains responsible for its share of any liabilities of Lunenburg Transit Authority incurred to the date of the withdrawal and any severance, penalty or other costs necessarily incurred by Lunenburg Transit Authority as a result of the withdrawal.

c) Any party to this agreement, which exercises its right to withdraw from the agreement ceases to have any interest in any assets created or acquired by Lunenburg Transit Authority and any assets shall be distributed among the remaining parties upon dissolution of Lunenburg Transit Authority in accordance with clause 26.

DISSOLUTION

26. a) Lunenburg Transit Authority may only be dissolved upon agreement of a majority of the parties in accordance with clause 7.

b) Upon dissolution, Lunenburg Transit Authority may make arrangements for the liquidation and distribution of its assets in payment of its liabilities.

c) After all of the liabilities of Lunenburg Transit Authority have been paid, the balance shall be distributed to the remaining parties, and any deficit shall be paid by them, in proportion to the accumulated contributions to Lunenburg Transit Authority by the parties at time of dissolution.

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27. This agreement shall be in effect on April 1, 20__.

28. This agreement is governed by the law of Nova Scotia.

29. If any disagreement arises among the parties as to the proper interpretation of this agreement that cannot be resolved by mediation, the parties shall submit the area of disagreement to an arbitrator as provided by the *Arbitration Act*.

30. The parties agree that this is the entire agreement among the parties with respect to the regional provision of transit services in the County of Lunenburg, and that this agreement may only be altered by agreement in writing by the parties in accordance with clause 7.

IN WITNESS WHEREOF the parties hereto have executed this agreement by their respective officials, duly authorized on that behalf: on the day and year, as written on the next and last page, to be certified by the Registrar of Joint Stock Companies.

SEALED AND SIGNED
in the presence of:

⇔ **Town of Lunenburg**
⇔
⇔
⇔ Per:
⇔
⇔
⇔
⇔ Per:
⇔

Witness

Witness

⇔ **Town of Mahone Bay**
⇔
⇔
⇔ Per:
⇔
⇔
⇔
⇔ Per:
⇔

Witness

Witness

⇔ **Town of Bridgewater**
⇔
⇔
⇔ Per:
⇔
⇔
⇔
⇔ Per:
⇔

Witness

Witness

⇔ **Municipal District of Lunenburg**
⇔
⇔
⇔ Per:
⇔
⇔
⇔
⇔ Per:
⇔

Witness

Witness

CPT's Draft Only

THIS AGEEMENT is made this day ___ of _____ , 20__.

AMONG: **THE TOWN OF LUNENBURG**, a municipal body corporate;
THE TOWN OF MAHONE BAY, a municipal body corporate;
THE TOWN OF BRIDGEWATER, a municipal body corporate;
THE MUNICIPALITY OF THE DISTRICT OF LUNENBURG, a municipal body corporate.

I HEREBY CERTIFY that this is a true copy of a document filed in the office of the Registrar of Joint Stock Companies on the

___ day of _____, 20

_____
Registrar of Joint Stock Companies

Date: _____ day of _____, 20

CPT's Draft Only

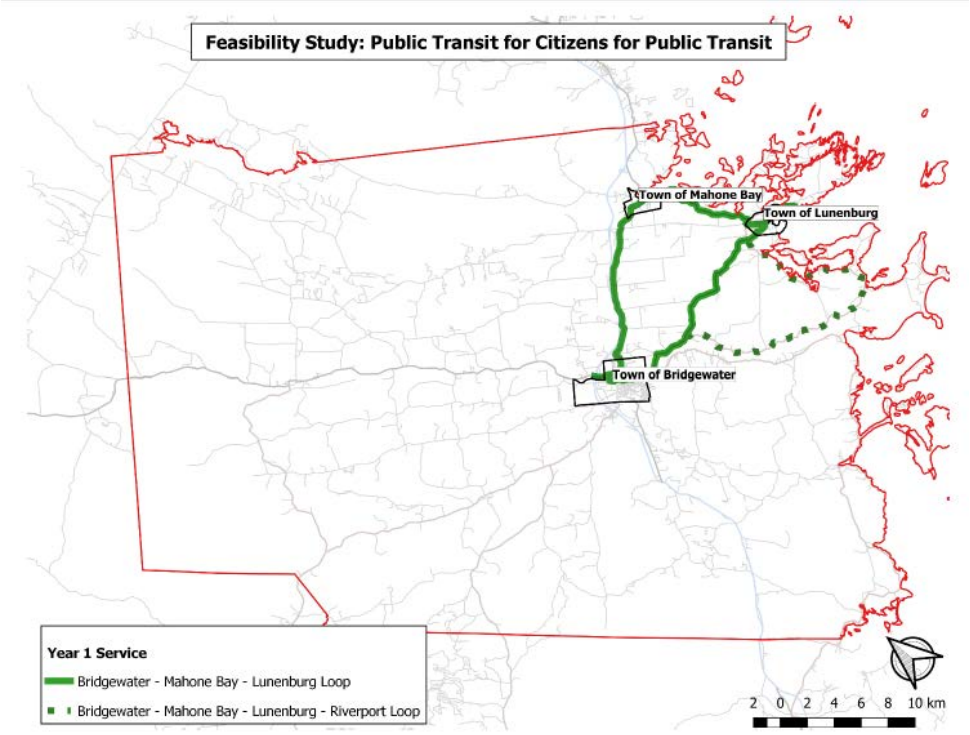
Attachment C

A Regional Transportation Model

What would a proposed Regional Transportation Service between Bridgewater, Mahone Bay and Lunenburg look like?

Information from CTP Report: One Year Pilot Project subject to funding:

Regional Transportation Service	
Route:	Bridgewater, Mahone Bay and Lunenburg Loop circular route with connections to Maritime Bus and Bridgewater Transit Services. On demand designated drop-off points for safety. (Based on four (4) round trips per day)
Type of Bus:	Wheelchair Accessible Community Bus
Fares:	$4.00 (CPT Plan suggests $3.50)
Anticipated Ridership:	8865
Potential Revenues:	$ 35,460
Capital Costs:	$ 55,000
Community Bus: $90,000 (New)	?
Drop-Off/Pick Up Points Improvements:	?
Operating Costs:	$210,000
Employees:	1
Office Space:	? – Donated?
Total Costs:	$265,000 +
Revenues:	$ 35,460
Annual Subsidy:	$229,540 +
Funding Sources (Pilot Projects):	To be considered by Transit Authority



	Year 1	
	Bridgewater - Mahone Bay - Lunenburg Loop	Bridgewater - Mahone Bay - Lunenburg - Riverport Loop
Service	Peak	Extended
Vehicle	Van New	Van New
Number of vehicles	1	
Number of stops	5	5
Number of full-time drivers	1	
Number of part-time drivers	1	
Route Length (km)	55	75
Route Travel Time (hours)	1.50	2.00
Route Catchment Population (within 300m)	5910	6460
Estimated Yearly Transit Ridership per Person	1.50	0.25
Estimated Yearly Transit Ridership	8865	1615
Route Service Hours per Day	7.0	4.0
Route Operating Hours per Year (+ Dead-Head)	2158	1404
Number of Route Runs per Day	4	2
Number of Route Runs per Year	1248	624
Route Annual km Travelled	68640	46800
Vehicle Fare	$ 3.50	$ 3.50
Vehicle Fuel Economy (L/100km)	14	14
TOTAL OPERATING COSTS	$	210,000.00
TOTAL CAPITAL COSTS	$	55,000.00
TOTAL COSTS (OPERATING + CAPITAL)	$	265,000.00
TOTAL REVENUE	$	40,000.00
NET COST (TOTAL REVENUE - TOTAL COSTS)	-$230,000.00	

Attachment D

Joint Transportation Committee

2014 Public Transportation Study

Municipality of the District of Lunenburg

Town of Lunenburg

Town of Mahone Bay

Town of Bridgewater

Transit Consulting Network

March 2014

Joint Transportation Committee Project Team

Project Manager	**Eric Hustvedt, Chair, Joint Transportation Committee**
Project Team	Councillor Michael Graves (Vice-Chair), Town of Bridgewater Councillor Jennifer McDonald, Town of Bridgewater Mayor Rachel Bailey, Town of Lunenburg Councillor Peter Mosher, Town of Lunenburg Mayor Joseph Feeney, Town of Mahone Bay Councillor Lynn Hennigar, Town of Mahone Bay Councillor Cathy Moore, District of Lunenburg

Transit Consulting Network Project Team

Principal and Project Manager	**Wally Beck, C.E.T., President**
Technical Team	Ron Mullins, Financial and Governance Charles Fitzsimmons, Specialized Transit Bernard Au, Senior Technical Support Kim Laursen, Administration & Quality Control

EXECUTIVE SUMMARY

Introduction

In 2007, the Joint Transportation Committee (JTC) was established in response to Citizens for Public Transit demand for public transportation. The JTC is represented by the District of Lunenburg, Town of Bridgewater, Town of Mahone Bay, and Town of Lunenburg who commissioned the Transit Consulting Network of Ontario to undertake a Public Transportation Study. There were seven deliverable documents (technical memorandums) that were presented and discussed at meetings of the JTC from January through March, 2014. The Purpose and Conclusions of each memorandum are summarized in this Executive Summary, followed by each Deliverable for more detailed review.

Summary of Recommendations

In order to have successful implementation of a public transportation service, there must be a public transportation Coordinator, or 'champion', in place that dedicates their time to working with residents, businesses, government agencies, and other service providers to develop a cost effective service. The markets to be focussed on

The new public transportation service can build on committed and established local expertise from qualified volunteers to help guide service delivery while the municipal partners can provide in-kind services to start and on an as-needed basis thereafter. During the early stages of developing the service, the municipalities should first take ownership and responsibility of the service on a temporary basis to get service started. During this period, efforts would be made to establish a non-profit public transportation organization that would then have full responsibility for the service. In this business model, the municipalities would still own the vehicles while the new Board of Directors of the service would be responsible for the day to day operation and planning. The Coordinator would then report to the Board of Directors.

The municipalities, perhaps through the Joint Services Board) would determine the level of service to be provided and the budget allocated. Given the number of funding programs available, the municipalities would assist the Board of Directors and Transit Coordinator in applying for grants and other subsidies that may be available.

Regardless of the business model selected, public transportation service can be a reality with committed local financial resources. And there is future flexibility in changing the governance structure over time. For example, if Option 4 (Public Municipal Transit) was selected to expedite the service start-up, it can evolve to Option 3 (Public Sector Ownership/ Private Sector or non-profit Management).

Transit Consulting Network has prepared seven Deliverable documents - six (6) technical memorandums, culminating with the development of the seventh technical memorandum - Business Model options. Each technical memorandum has been debated in sequence with members of the Joint Transportation Committee as well as other community stakeholders. The challenge following the study is now for each municipal Council to determine the level financial resources available today and in the future in order to develop a sustainable public transportation service as an integral component of the services they deliver.

DELIVERABLE #1: UPDATE OF 2009 TRANSIT FEASIBILITY STUDY

Purpose

A review of the 2009 *Public Transportation Feasibility Study* developed by HDR|iTRANS was undertaken to update the report recommendations based on different criteria put forth with this current study. The 2009 study culminated with recommendations driven by many factors such as meeting all trip requirements, reducing greenhouse gases and emissions, estimating the net present value of the investments, and ridership demand.

During the development of the *2009 Public Transportation Feasibility Study*, four Transit Focus Group meetings (Service Providers, Business, Student Transportation, Municipal Government) with a total of 39 community stakeholders attending were undertaken in April, 2009. A summary of the input received by each transit focus group were documented and are attached in Appendix A: Stakeholder Consultations - 2009 Transit Feasibility Study. The information can be used to understand the latent demand for public transportation service today.

The 2014 "Public Transportation Feasibility Study" assignment has a focus that is different.

The 2014 focus has been revised towards the 'dial-a-ride' model to determine what low-cost alternatives can be provided to residents that have no alternative to get from point A to B, particularly the disabled community, those unable to drive and those that do not own a vehicle. Further, the Joint Transportation Committee recognizes that the ability to age in place reduces the negative impact of out-migration of residents where communities are stronger with transit giving economic benefits to towns.

Conclusion

The 2009 study provided a blueprint to implement a fixed route transit system that focussed on all passenger categories and provided limited feeder service to rural community markets. The 2014 Public Transportation Study's market focus shifted to serve the physically disabled and those that are unable to drive or have access to a private automobile to access goods and services that are critical to their well-being and quality of life. The current study is more in line with a door-to-door or curb-to-curb service.

While the 2009 recommendations have a 'build it and they will come' approach, Transit Consulting Network and the Joint Transportation Committee are took a more conservative and affordable approach by first maximizing coordination of resources within the communities served. This would be attained through the implementation of an enhanced door-to-door or curb-to-curb service that is pre-booked (fixed schedule) to the extent possible.

DELIVERABLE #2 AND 3: CANADA-WIDE AND NOVA SCOTIA PEER REVIEW

Purpose

Transit Consulting Network (TCN) identified a number of similar-sized jurisdictions across Canada with specialized transit and has organized key comparative data into a peer review. This review used Canadian Urban Transit Association reporting statistics for rural systems in 2011 as well as information provided by local service providers. A comparison was made of the various operating, financial, rolling stock (e.g. # vehicles), performance, and financial data.

To better assist the Joint Transportation Committee (JTC) in determining what the expectations can be for public transportation today and into the future, TCN also reviewed other Nova Scotia public transportation systems in similar sized communities. The Nova Scotia public transportation systems provided more realistic comparisons since Provincial funding restrictions are more in-line with the study area than other Canadian jurisdictions where Provincial funding is far more generous.

Caution was used when assessing peer review statistics since operating environments can vary significantly from one jurisdiction to another. More importantly, statistics were reported from mature transit systems where many years and even decades of transit service have been in place. The peer review simply provided a high level understanding of transit service levels in other comparable jurisdictions. This helped the reader to understand transit industry statistics reported elsewhere for accountability, and identified the levels of local investment, which tend to drive the decision-making process.

Conclusions

The peer review data and analysis of similar-sized communities provided a glimpse of what the cost and demand for transit and specialized transit services are elsewhere. A key challenge for transit in the Region was the size and extent of the service area where many residents needed to travel over long distances. It can also take time to attain the efficiencies and effectiveness of the more established public transportation systems in the peer group. What is clear; however, is that communities, large and small, are making significant investments to support public transportation services.

Many, although not all, communities in Canada are able to draw on significant dedicated provincial funding and federal infrastructure funds to help offset the cost to local taxpayers. In the final analysis, it is up to the municipalities to first decide if public transportation is an essential service that must be provided to residents who otherwise would have little or no mobility, regardless of whether or not the senior levels of government are forthcoming with assistance. Secondly, the municipalities must then determine the extent of financial support it can provide to public transportation given the competing priorities of other municipal services and the need to minimize tax increases.

Public transportation does not operate at a profit and as such, adding a needed municipal service is a challenge when, put in simplistic terms, there would need to be a new ‘line budget item’ (e.g. transit) added to the municipality’s portfolio. To minimize the cost to local taxpayers and demonstrate fiscal

responsibility, there are external funding resources at the Provincial and Federal levels that the municipal units have investigated to offset local costs as addressed in Phase II of the study.

The Nova Scotia examples varied in size and scope of service but all have the commonality of accessible service within their rural Communities and all were dependent on the Province of Nova Scotia and their respective Municipalities. They cannot exist without this integral funding.

DELIVERABLE #4: ASSESSMENT OF TRANSIT OPPORTUNITIES

Purpose

This memo concluded Phase I of the study (Transit Feasibility Study/ Needs Assessment) by addressing the Proposed Service Delivery Model and Preliminary Budget based on the following:

- A summary of the findings to date
- The service concepts that have been supported
- The estimated costs of the service options
- How the service could be delivered on a go-forward basis

Initial high-level consideration was also given to funding in this memorandum but did not encompass implementation details and detailed planning.

Conclusions

Based on the peer review system data and other rural Nova Scotia studies, the need for a publicly funded transportation system is evident with the aid of external funding programs that exist to assist the municipalities. It was recommended that the Joint Transportation Committee initiate Phase 2: Business Development Plan to develop service and financial plans that maximizes external and local funding opportunities available, and develop a business model and governance structure that would be supported by all parties through consensus.

DELIVERABLE #5: GOVERNMENT PROGRAMS REVIEW

Purpose

There are a number of funding opportunities for public transportation initiatives within Nova Scotia, specifically this memo addressed the various opportunities for funding in the following sections:

1. Municipal
   - General Tax Levy
   - Area Rates
   - Debt through the Municipal Finance Corporation
   - Reserve Funding
2. Provincial
   - Nova Scotia Moves Grant
   - Nova Scotia Transit Research Incentive Program (NS TRIP)
   - Accessible Transportation Assistance Program (ATAP)
   - Community Transportation Assistance Program (CTAP)
3. Federal
   - Gas Tax Fund
   - Green Municipal Fund
   - New Building Canada Fund
4. Other Funding Opportunities
   - Other government agencies
   - Other volunteer agencies
   - Selling of advertising space

Conclusions

There are numerous funding programs at all levels of government to support public transportation, with existing not-for-profit agencies that can be approached to provide services or to take advantage of the services funded by the municipality. These avenues can be explored prior to service start-up and expanded upon as the public transportation system evolves. This points to the need to have a co-ordinator in place and for the municipal units to support the co-ordinator prior, during and after system start-up.

DELIVERABLE #6: FIVE-YEAR SERVICE AND FINANCIAL PLAN

Purpose

Building on feedback from previous Joint Transportation Committee meetings and Technical Memos 1-5 this memo addressed the subsequent two important planning aspects of service delivery and financial planning. The time frame for both is that of the preliminary Five (5) Year Period while acknowledging it may take 12 to 18 months for initial start-up.

At the February 20th Joint Transportation Committee Meeting discussion on the level of service for Dial-a-Ride was debated as was its corresponding level of Community Accessible Transportation Program (CTAP) funding. It was decided to provide two scenarios with the introduction of Dial-a-Ride service starting at a modest 60 hours of service per month with the second scenario providing more comprehensive coverage at 120 hours of service. It should be noted in Scenario 2, the effect on capital purchasing at this level of service is the need for two accessible vans for continuity of service (in case of breakdowns, routine service).

Conclusions

Transit Consulting Network developed a minimum service plan (Scenario 1) that is predicated upon a very modest start; however, it was recognized by the JTC that service should be more comprehensive when starting out (Scenario 2). In this respect, much will depend on the pre-design stage where the Transit Co-ordinator will work with the community at large, including non-for-profit organizations. The start-up cost during the first 6 months is estimated at $35,000 to cover the cost of the Coordinator, which may be funded through NS Trip for a net cost of $10,000 to the municipalities. Thereafter, total costs are estimated to range from about $90,000 to $112,000 per year with a net cost of about $40,000 to $92,000 per year thereafter, depending on the level of provincial funding available at the time.

Regardless of the service start-up levels, it will be important to tie service increases to ridership growth. In the end, there is a need for an affordable public transportation service that is considered both sustainable and 'feasible'. How the term feasible is defined should be determined through discussions that will need to take place between the participating municipalities following completion of this study.

DELIVERABLE #7: BUSINESS MODEL AND GOVERNANCE

Purpose

To this point in the study, two public transportation service plans have been developed for consideration of the municipal partners. Regardless of which service plan is selected, the District of Lunenburg and the Towns of Lunenburg, Mahone Bay and Bridgewater will need to decide on the following to effect successful implementation

1. BUSINESS MODEL – how the service is delivered
2. GOVERNANCE – how decisions are made on the service delivered

Business Model

In determining the business model, key areas have to be considered from:

- Customer client relationships/ focus
- Channels to reach out to stakeholders
- Revenue sources
- Cost Structure

As per Technical Memo #6 Five Year Service and Financial Plan, the concept of creating a full-time public transportation coordinator (herein referred to as Coordinator) was developed who would act as the main catalyst to champion the initiative from inception through implementation of the transit system, as well as the evolving responsibilities.

Governance

How decisions are made needs to be determined by the municipal partners. Although the desire for public transportation has been pursued by the community for many years, the only way that it can be a reality is to provide sustained funding at the local level while maximizing external revenue through fares, fundraising and securing external funding resources.

Conclusions

There were four business models that were reviewed with the JTC Committee, namely:

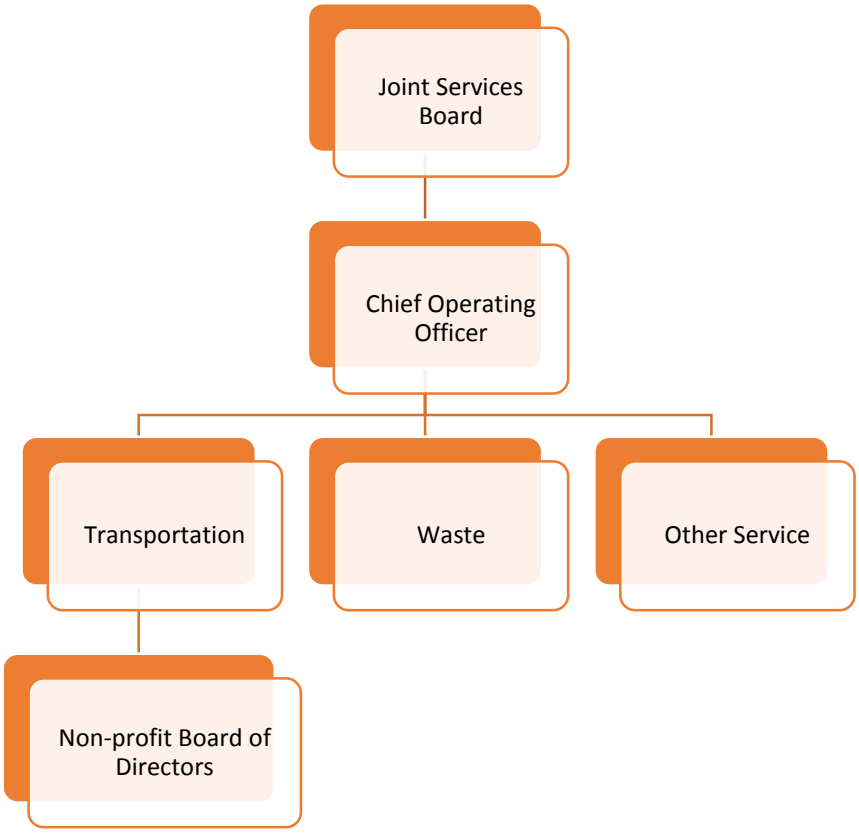
- Option 1: Private Municipal Transit
- Option 2: Private Sector Management and Public Governance
- Option 3: Private Sector (Non-Profit Agency) Management and Public Governance
- Option 4: Public Municipal Transit

During the course of previous Joint transportation Committee meetings, it was pointed out that there is a Joint Services Board (JSB) that was created by three Municipal Units - the County of Lunenburg, Town of Mahone Bay and Town Bridgewater. Since it is recommended that the ownership of public transportation assets be vested with the municipalities and operating funds be committed in a sustainable manner, the JSB model was used to ensure there is accountability of the municipal investments.

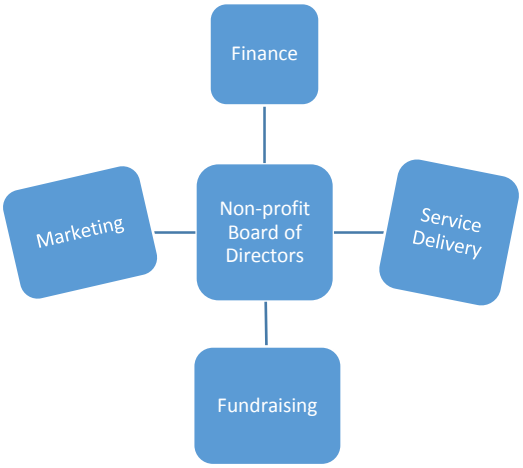
Recommended Business Model

It was determined that either of the latter two options (Options 3 and 4), both involving a role for the Joint Services Board, would be the best options to oversee public transportation in the JTC service area. These options are presented as follows:

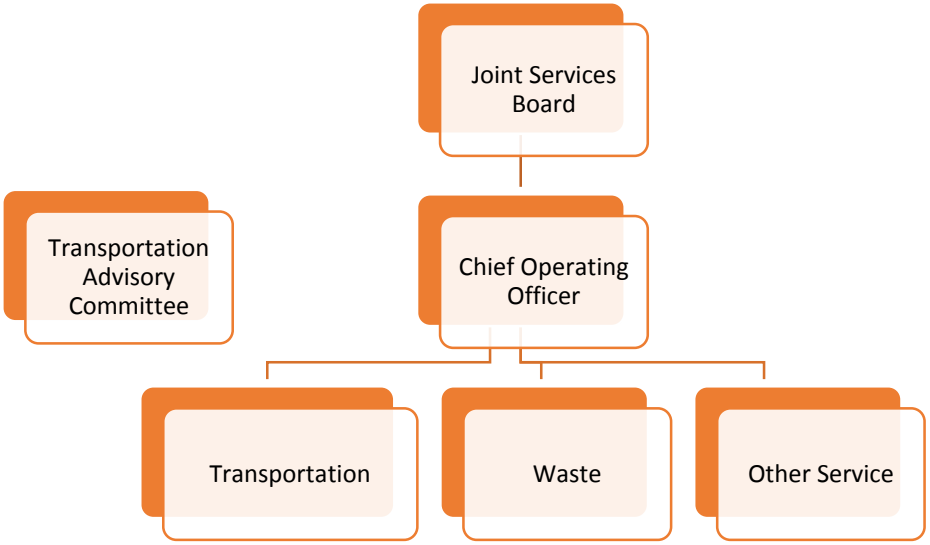
Option 3: Public Sector Ownership and Private Sector (Non-Profit) Management



Option 3 is viewed as a preferred option whereby the municipal partners would own transit assets and set service policies. The non-profit service provider would operate and manage the service within the budget framework determined by the Joint Services Board. It is the non-profit chair that would represent the interests of the community relative to service decisions. The Transportation Coordinator would be a support staff member and report to the non-profit board of directors.



Option 4: Public Municipal Transit



Option 4 represents an option where public transportation is 100% municipally owned and operated by the Joint Services Board and would have a reporting structure similar to the Waste service. A Transportation Advisory Committee could have political representation and address public transportation as one of its responsibilities since transportation includes all matters that are related to the movement of people and the movement of goods and services. The public transportation coordinator could report directly to the Chief Operating Officer on a temporary basis until the public transportation service has been developed and a non-profit board of directors has been established.

A Transportation Advisory Committee consisting of a future non-profit board of directors would be established to support the Transportation Coordinator when planning then rolling out the transit service.

Option 4 is suggested to be the start-up business model then evolve in to Option 3 at a future date and when the time is right.

SUMMARY AND NEXT STEPS

It is very clear that a coordinator will be needed to build a public transportation service. Unless the requirements can be met within existing staff resources for a full time commitment, a new position will need to be created. As with public transportation systems throughout Canada and Nova Scotia, the position must be complemented either by other skillsets within the municipal partners or from the community at large on a volunteer basis. A plan also needs to be in place that ensures there is continuity in the service should the coordinator vacate the position.

The new public transportation service can build on committed and established local volunteer expertise to help guide service delivery. The municipal partners can also play a supporting role by providing in-kind services when starting out then on an as-needed basis thereafter. By taking ownership of the assets and providing the service, the municipalities will maintain the level of accountability needed when dealing with constituents. And since the municipal units would have the necessary control through governance, the business model can be changed in the future, if deemed necessary.

Regardless which model is selected, public transportation service can be a reality with committed local financial resources. And there is future flexibility in changing the governance structure over time. For example, if Option 4 (Public Municipal Transit) was selected as a starting point to expedite the service start-up, future consideration can be given to Option 3 (Public Sector Ownership/ Private Sector Management).

Transit Consulting Network has delivered six (6) technical memorandums leading up to the development of the seventh technical memorandum - business model options. Each technical memorandum has been debated in sequence with members of the Joint Transportation Committee as well as other community stakeholders. The challenge following the study is now for each respective municipal Council to determine the level of financial funding available today and into the future in order to develop a sustainable public transportation service as an integral component of their delivered services. In this regard, public transportation is viewed by future customers to be an intra- and inter-jurisdictional service that is seamless.

People simply want to get from point A to point B by public transportation regardless of municipal jurisdiction; this much like roads in terms of function and in terms of requiring municipal financial investments so all residents can have affordable access to goods and services.

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DELIVERABLE #1: UPDATE OF 2009 PUBLIC TRANSIT FEASIBILITY STUDY

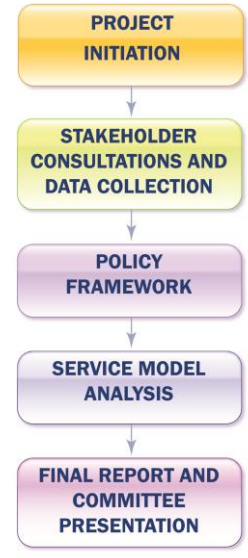
PURPOSE

The purpose of this memorandum is to review the 2009 *Public Transportation Feasibility Study* developed by HDR|iTRANS and to update the report recommendations based on different criteria. The 2009 study culminated with recommendations driven by many factors such as meeting all trip requirements, reducing greenhouse gases and emissions, estimating the net present value of the investments, and ridership demand. The 2014 "Public Transportation Feasibility Study" assignment has a focus that is different.

The 2014 focus has been revised towards the 'dial-a-ride' model to determine what low-cost alternatives can be provided to residents that have no alternative to get from A to B, particularly the disabled community, those unable to drive and those that do not own a vehicle. Further the Joint Transportation Committee recognizes that the ability to age in place reduces the negative impact of out-migration of residents where communities are stronger with transit giving economic benefits to towns.

OVERVIEW OF 2009 PUBLIC TRANSPORTATION FEASIBILITY STUDY

Determining what form transit service should take was the key objective of the 2009 study. The study followed a methodology that began with identifying high level order-of-magnitude service costs via a peer review, a description of the types of services that could be considered, and the corresponding vehicles that can be used.



2009 Study Work Plan

The 2009 study work plan followed a logical sequence of tasks whereby the community engagement process helped establish service priorities, involving four informal Transit Focus Groups (TFG), namely:

- Service Provider Transit Focus Group
- Business Focus Group
- Student Transportation Focus Group
- Municipal Government Focus Group

A summary of the TFG input is summarized in Appendix A: Stakeholder Consultations – 2009 Public Transportation Feasibility Study, which can be used to assess the latent demand for transit services in the region. It was determined by the Joint Transportation Committee that the input received from the focus group participants in 2009, combined with input received by committee members during the 2014 study project initiation meeting would be sufficient to complete Phase 1: Feasibility Study/ Needs Assessment.

Based on the 2009 focus group input, a policy framework was then developed to help determine the options that would be considered to meet the needs expressed by the participants of the focus groups. Four models were then short-listed:

- Model A Fixed Route Service
- Model B: Fixed Route + Feeder Service
- Model C: Pre-booked Services
- Model D: Fixed Route and Tendered Services

Each service model offered 120 hours of revenue service per week. Model D was ultimately selected, requiring two conventional transit vehicles connecting the towns of Lunenburg, Mahone Bay and Bridgewater. This was complemented by peak-only service between Bridgewater and Lunenburg while a fixed-route shared-ride taxi service would connect Petite Riviere and New Germany to Bridgewater two days per week. The routes are illustrated in Exhibit 1.

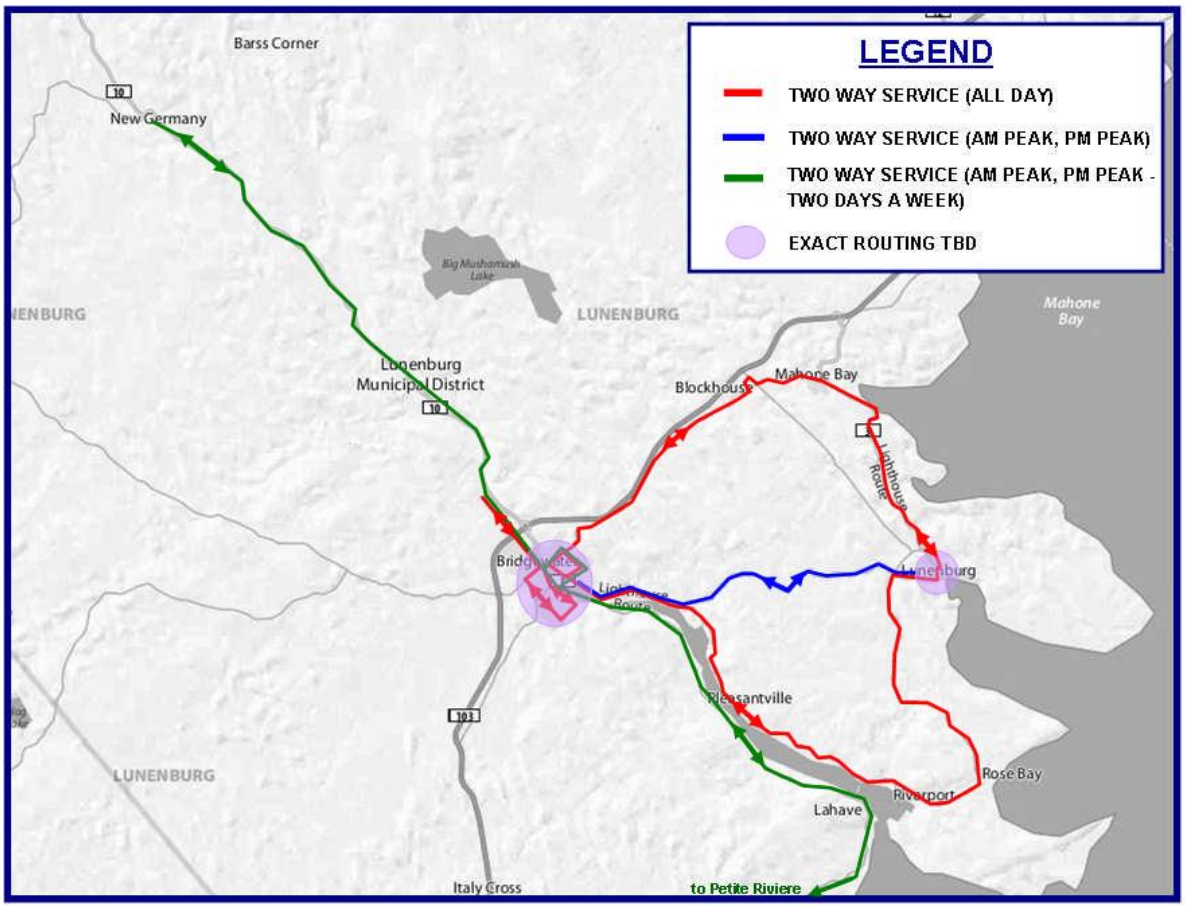


Exhibit 1: 2009 Proposed Route Network

REVISED PUBLIC TRANSPORTATION STRATEGY FOR 2014

Introduction

Transit Consulting Network (TCN) reviewed the key elements and recommendations of the 2009 HDR | iTRANS report in light of discussions held with the Joint Transportation Committee (JTC) meeting of December 19, 2013. Given the focus on the dial-a-ride service model, long term sustainability and the desire to serve the more critical public transportation needs of the Region – at least when starting out – that TCN consider more affordable options than the Model D recommended in the 2009 study.

Given the evolution of the public transportation industry since the 2009 study in vehicle design, the availability of low-cost technologies, the lessons learned across Canada and, more specifically in other Nova Scotia communities, the 2009 service strategies and options were revisited.

In essence, TCN has addressed 'what should be in place for a community-wide public transportation system' previously recommended in 2009 to 'what can reasonably be provided that meets the needs of those that have no other choice'. The 2009 Public Transportation Feasibility Study evaluated service design concepts and made recommendations relative to meeting the study terms of reference of 2008.

SERVICE OPTIONS ADDRESSED IN 2009 REPORT

The 2009 service options are described at a high-level below along with the 2009 report recommendations that were carried forward for more detailed analysis, which led to the selection of Model D. Based on the new terms of reference, the revised recommendation to be carried forward in 2014 has been highlighted.

Fixed Route Conventional Transit Service

- Wheelchair accessible buses to link Bridgewater, Mahone Bay and Lunenburg
- Large passenger capacity
- Fixed route and schedule
- Routes are relatively direct

2009 Recommendation: Applied during the service design model process
2014 Recommendation: Not to be considered at this time **(CHANGE)**

Community Bus Service

- Wheelchair accessible buses
- Mid-size buses
- Indirect routes with infrequent service

2009 Recommendation: Applied during the service design model process
2014 Recommendation: To be considered at this time where business case exists **(MODIFIED)**

Specialized Transit

- For residents unable to access or board regular transit (eligibility criteria required)
- Door-to-door wheelchair accessible van or bus service
- Minimum 24-hour reservation request

2009 Recommendation: Not applied during the service design model process
2014 Recommendation: To be considered at this time **(CHANGE)**

Dial-a-Ride Service

- Low demand areas
- Demand responsive door-to-door service with vehicles in-service regardless of demand
- Completely in response to requests on same day
- Can be timed to connect with conventional transit service
- Small buses or vans can be used; contracted shared-ride taxis could be considered
- Costs tend to be higher on a per passenger basis (fixed variable costs regardless of demand)

2009 Recommendation: Not considered during the service design model process
2014 Recommendation: To be considered **(CHANGE)**

Pre-booked Service

- Demand responsive door-to-door or curb-to-curb service
- Requests made 1 to 5 days in advance, completely in response to requests
- Pre-booking required similar to dial-a-ride

2009 Recommendation: Applied during the service design model process
2014 Recommendation: To be considered in conjunction with Dial-a-Ride service **(MODIFIED)**

Peak Period Shuttle Service

- Conventional transit service used during peaks only
- Accommodates work and school trips

2009 Recommendation: Applied during the service design model process
2014 Recommendation: Not to be considered **(CHANGE)**

Fixed-Route Shared-Ride Taxi

- Taxi operating on a fixed route and schedule
- Warranted where demand is low
- Taxis would connect with other fixed route bus services

2009 Recommendation: Applied during the service design model process
2014 Recommendation: To be considered as a pre-booked service **(MODIFIED)**

SERVICE OPTIONS TO BE ADDRESSED IN 2014

Based on best practices from past and current consulting assignments throughout Nova Scotia, across Canada and internationally, Transit Consulting Network suggests a new additional concept be considered. Although the recommendations of 2009 are still applicable, a more cautious 'walk before you run' approach can be found in a flexible service that builds on the more efficient fixed route option, namely, a **Fixed Flex-route** service. A fixed flex-route service combines the positive elements of a Dial-a-Ride service and a fixed route (service efficiency) to accommodating both needs.

The provincial funding rules for capital and operating costs are determined by the type of service provided and as such, impacts transit affordability at the local level. This is addressed in more detail during Phase 2 Business Development Plan.

A fixed flex-route requires a wheelchair accessible vehicle (large van or small- to medium-sized bus) that travels along a fixed route but has a built-in schedule to enable the vehicle to deviate up to 1 kilometre in order to pick up a passenger that is unable to walk to the bus route due to a disability. The vehicle would then pick up the passenger and return to the location where the deviation occurred. The deviation would be limited to about 5 minutes when picking up and up to 5 minutes when dropping off.

It is recommended to carry forward the following service concepts for more detailed review in an updated 2014 strategy**:**

- **Community Bus Service (where business case exists)**
- **Specialized Transit Service**
- **Pre-booked Service/ Dial-a-Ride**
- **Fixed Flex-route Service (where business case exists)**

Determining the vehicle type to serve a particular market can be a challenge. Although vans offer the greatest flexibility since they can provide door to door service, the capacity is restricted. For curb to curb service where demand is greater, a small- or medium-sized bus may be more appropriate.

The actual cost to own and operate public transportation vehicles vary little between light- and medium-duty buses and, potentially, large vans over the life cycle of a vehicle. Some buses will have a 7-year design life and others a 10-year life or greater, while large vans with limited capacity have about a 5-year life. Determining factors on the life cycle are the hours and kilometres travelled and maximum passenger loads, which are dictated by a vehicle's gross vehicle weight restriction.

On the operating efficiency perspective, low floor accessible vehicles perform far better than vans that have lifts. Boarding and exiting a bus using a ramp will take about one minute each while a lift will require about 5 minutes, which is far less efficient. Ramps will enable more passengers to be accommodated each hour and as such, a business case could exist for using buses over vans.

Existing Agency and Volunteer Services

Given the lack of a single publicly funded and coordinated transportation system, the gap is currently filled by volunteers, agencies (private and public sector) and, in some cases, seniors' residences that provide donated vehicle transportation. This is not unique, nor is it sufficient in meeting community needs.

Three local examples are Seniors Wheels operating in Bridgewater with a mini-bus equipped with a lift that was donated by the Kiwanis Club, and the On the Move service of the Victorian Order of Nurses (VON) operating in Mahone Bay, and LaHave Manor Corp. It was reported that the Department of Community Services has a budget of $100,000 per year to accommodate transportation while the South Shore Regional School Board has vehicles that may be available during off-peak periods. Volunteers receive 45 cents per kilometre to cover mileage expenses. Building on what is available rather than trying to replace it will be critical to affordability and sustainability.

By taking a coordinated approach, there is an opportunity to pool the existing local resources and maximize the return on every dollar spent before embarking on a new service. In this regard, whatever publicly funded transportation initiative is undertaken, it should not erode the volunteer-based services.

PUBLIC TRANSPORTATION SERVICE MODEL (PRELIMINARY – FOR DISCUSSION PURPOSES)

Transit Consulting Network has found that the appropriate business model (i.e. how service is delivered) and governance structure (i.e. how decisions are made) can vary between jurisdictions. For the purpose of addressing Phase 1 Feasibility Study and Needs Assessment, the final business model cannot be determined until the type of service(s) has been determined. In this regard, by understanding the demand through peer reviews, one can extrapolate to the local environment with some certainty.

In many jurisdictions, municipal grants are provided to not-for-profit agencies to provide public transportation, which is usually a door-to-door service. For the purpose of Phase 1, the following strategies should be carried forth to Phase 2 Business Plan Development:

Overall philosophy

- Build on the current services available
  - Volunteer agencies
  - Government agencies
  - Other service providers
- A centralized dispatch number (i.e. 'one stop shopping') to seek out the lowest cost per passenger trip
- Municipalities should have ownership of at least some transit capital assets
- Municipalities with reasonable public transit service should expect to be economically stronger than municipalities without transit
- Affordable access from rural communities to small urban centres provides better access to goods and services, which benefits businesses

Market to be served

- Disabled and non-disabled
- Consideration of a two-tier eligibility to start:
    - Door to door for disabled have 48-hour advanced booking requirement
    - Disabled required to meet eligibility criteria
    - All others can book within 24 hours, if seating available
- Vehicle type can evolve as demand between disabled and non-disabled market becomes more predictable
- Review opportunity to replace costly patient transfer ambulance service with profitable transit service. While saving Department of Health, profits can be realized by public transit to reduce the net cost of local service to the taxpayer (i.e. philosophy of only one taxpayer)

Build on existing service provider operations

- Economies of scale through significantly reduced overhead
- Existing agencies have experience and understanding of client base
- Low-cost monitoring technology makes any service model accountable

Pre-book/ subscription booking as many trips as possible

- Predictable and sustainable revenues (e.g. providing some school board service where costs are lower for the school board)
- Improved capability to match vehicle and service delivery method with demand
- Can accommodate cross-boundary travel, if required, at no additional cost to region

Fixed flex-route service complemented by Specialized Transit

- Potential to offer the lowest cost per trip
- Will help qualify for enhanced external funding
- Over time, fixed route service may be considered if business case exists

Transit fares

- Must be affordable but must also be realistic
- Fare by distance or zone fares are suggested
- Fares could be pegged at a cost that relates to the cost of fuel (e.g. $7 fare if the fuel cost to drive by private vehicle is $10)

Span of service

- May be limited to a few days per month for rural areas
- Increase service only as demand warrants and funds are available

Local funding

- Whatever cost-sharing is considered, it should reflect the total tax base since the service will be designed to accommodate all communities, residents and businesses
- Intent is to maximize external funding
- Federal gas tax funds should be considered for municipal portion of fleet capital costs (common practice across Canada); municipalities should consider ownership of rolling stock
- Municipalities should play a stronger role liaising with higher levels of government and coordinating services with other government and municipal agencies

Conclusion

The 2009 study provided a blueprint to implement a fixed route transit system that focussed on all passenger categories and provided limited feeder service to rural community markets. The 2014 Public Transportation Study has a different market focus, which is to serve the physically disabled and those that are unable to drive or have access to a private automobile to access goods and services that are critical to their well-being and quality of life. The latter is more in line with a door-to-door or curb-to-curb service.

While the 2009 recommendations have a 'build it and they will come' approach, Transit Consulting Network and the Joint Transportation Committee are taking a more conservative and affordable approach by first maximizing coordination of resources within the communities served. This would be attained through the implementation of an enhanced door-to-door or curb-to-curb service that is pre-booked (fixed schedule) to the extent possible.

Phase II Business Plan Development will help enable the Joint Transportation Committee to determine the most appropriate service/ services, how to introduce the service, and when to expand service as demand increases. Ultimately, the service plan will be dictated by available financial resources.

DELIVERABLE #2: TRANSIT AND SPECIALIZED TRANSIT PEER REVIEWS (CANADA)

INTRODUCTION

Transit Consulting Network (TCN) identified a number of similar-sized jurisdictions across Canada with specialized transit and has organized key comparative data into a peer review. This review uses Canadian Urban Transit Association reporting statistics for rural systems in 2011 as well as information provided by local service providers. A comparison was made of the various operating, financial, rolling stock (e.g. # vehicles), performance, and financial data.

To better assist the Joint Transportation Committee (JTC) in determining what the expectations can be for public transportation today and into the future, TCN also reviewed other Nova Scotia public transportation systems in similar sized communities (Memorandum #3). The Nova Scotian public transportation systems provide for more realistic comparisons since Provincial funding restrictions are more in-line with the study area than other Canadian jurisdictions where Provincial funding is far more generous.

Caution should be used when assessing peer review statistics since operating environments can vary significantly from one jurisdiction to another. More importantly, statistics are reported from mature transit systems where many years and even decades of transit service have been in place. The peer review simply provides a high level understanding of transit service levels in other comparable jurisdictions. This helps to understand transit industry statistics reported elsewhere for accountability, and the levels of local investment identified, which tend to the drive decision-making process.

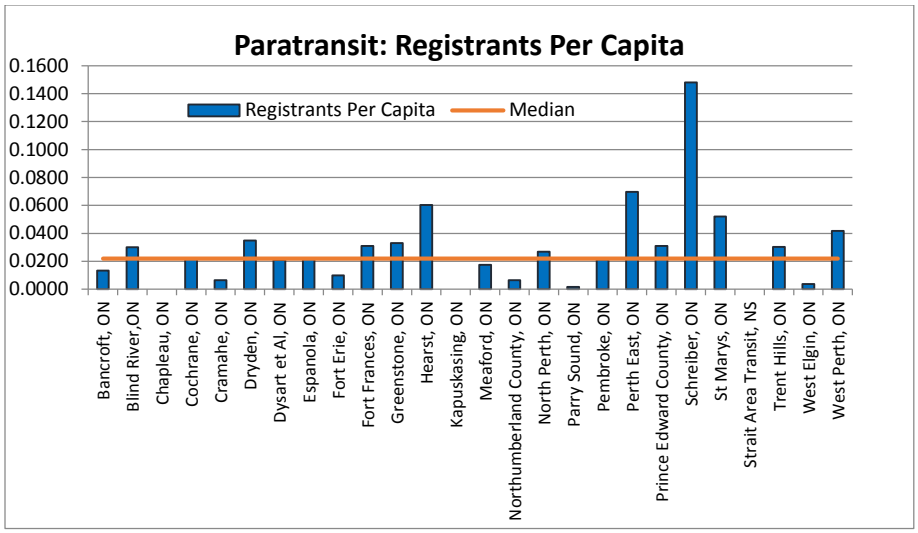
CANADA-WIDE SPECIALIZED TRANSIT PEER REVIEW

The jurisdictions that were selected for the Canada-wide Specialized Transit peer review were based on population and population densities. The District of Lunenburg and Towns of Lunenburg, Mahone Bay and Bridgewater have a combined population of about 35,000 which is at the upper limit of the jurisdictions selected.

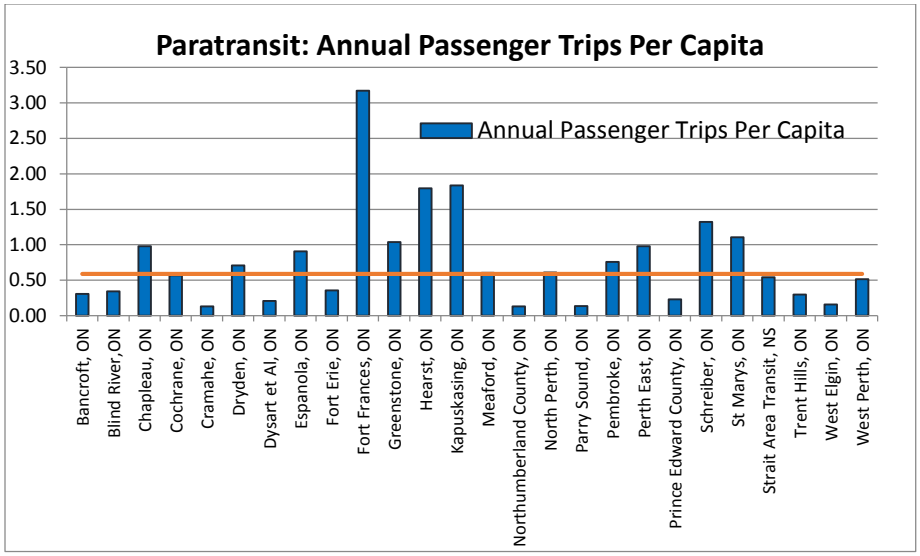
Location	Population	Size (sq km)	Density (pop / sq km)
District of Lunenburg, towns of Lunenburg, Mahone Bay and Bridgewater	*35,900*	*1,720*	*21*
Bancroft, ON	15,303	3,388.00	5
Blind River,ON	3,549	330.00	11
Chapleau, ON	2,072	13.50	153
Cochrane, ON	5,457	538.70	10
Cramahe, ON	24,632	1,030.40	24
Dryden, ON	7,615	65.20	117
Dysart et Al, ON	6,500	1,506.00	4
Espanola, ON	5,079	17.80	285
Fort Erie, ON	29,960	168.00	178
Fort Frances, ON	8,301	25.90	321
Greenstone, ON	5,000	3,000.00	2
Hearst, ON	6,113	841.00	7
Kapuskasing, ON	8,500	84.00	101
Meaford, ON	10,000	100.00	100
Northumberland County, ON	24,632	1,030.40	24
North Perth, ON	12,254	493.20	25
Parry Sound, ON	6,191	13.30	465
Pembroke, ON	20,000	91.20	219
Perth East, ON	12,000	171.00	70
Prince Edward County, ON	25,490	1,048.30	24
Schreiber, ON	2,526	187.80	13
St Marys, ON	10,749	530.20	20
Strait Area Transit, NS	21,960	1,244.00	18
Trent Hills, ON	12,500	509.50	25
West Elgin, ON	18,500	1,107.00	17
West Perth, ON	9,129	567.00	16
MEDIAN	9,565	501.35	24

Specialized Transit Peer Review Jurisdictions

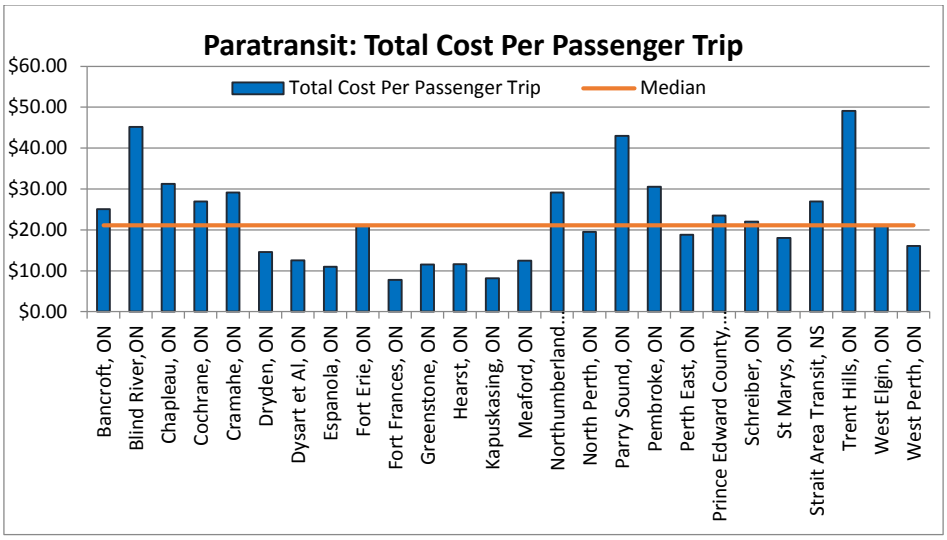
This table illustrates a number of municipalities where specialized transit is provided in areas with low population density. As a guide only, median values were calculated for each statistic with adjustments made where some transit system statistics were not reported.



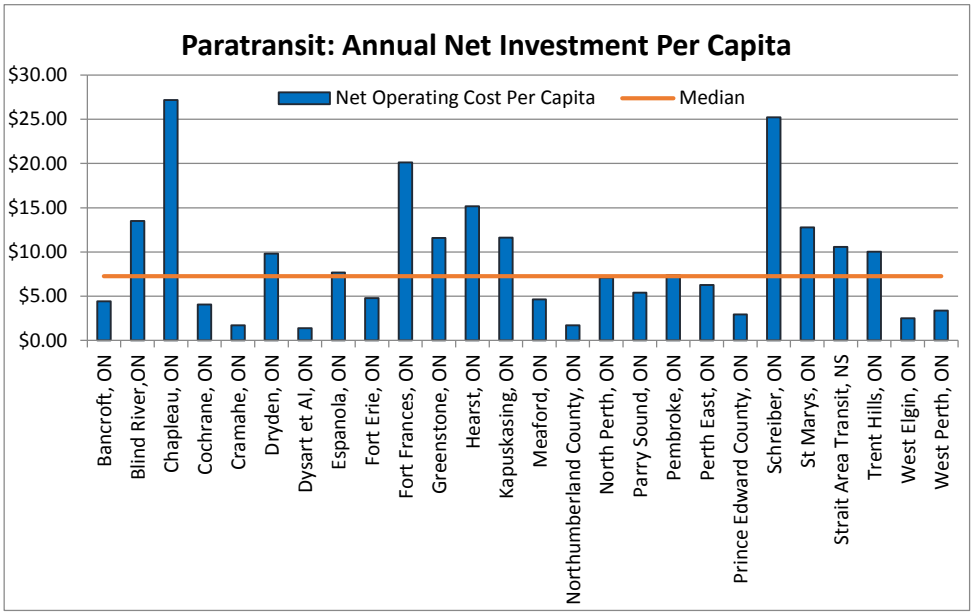
Registrants per Capita: The majority of Specialized Transit systems with door-to-door service have eligibility criteria that focus on registrants with physical disabilities that are unable to use fixed route transit. Using the median value of 0.021 registrants per capita, this would translate to about 754 residents in the Region that are unable to drive and would benefit from the door-to-door service. This will increase as the population ages.



Annual Passengers per Capita: The peer systems' Passengers per Capita value ranges from approximately 0.15 to over 3.1 passengers per capita with a median value of under 0.6 passengers per capita. This median value would translate to about 21,540 passengers per year in the Region for residents that have physical and cognitive disabilities; which will also increase as the population ages.



Total Cost per Trip: The median cost per passenger trip approximates $21. There are many factors affecting the cost, with distance being the prime consideration and the efficiency of the service (e.g. passengers carried/ hour).



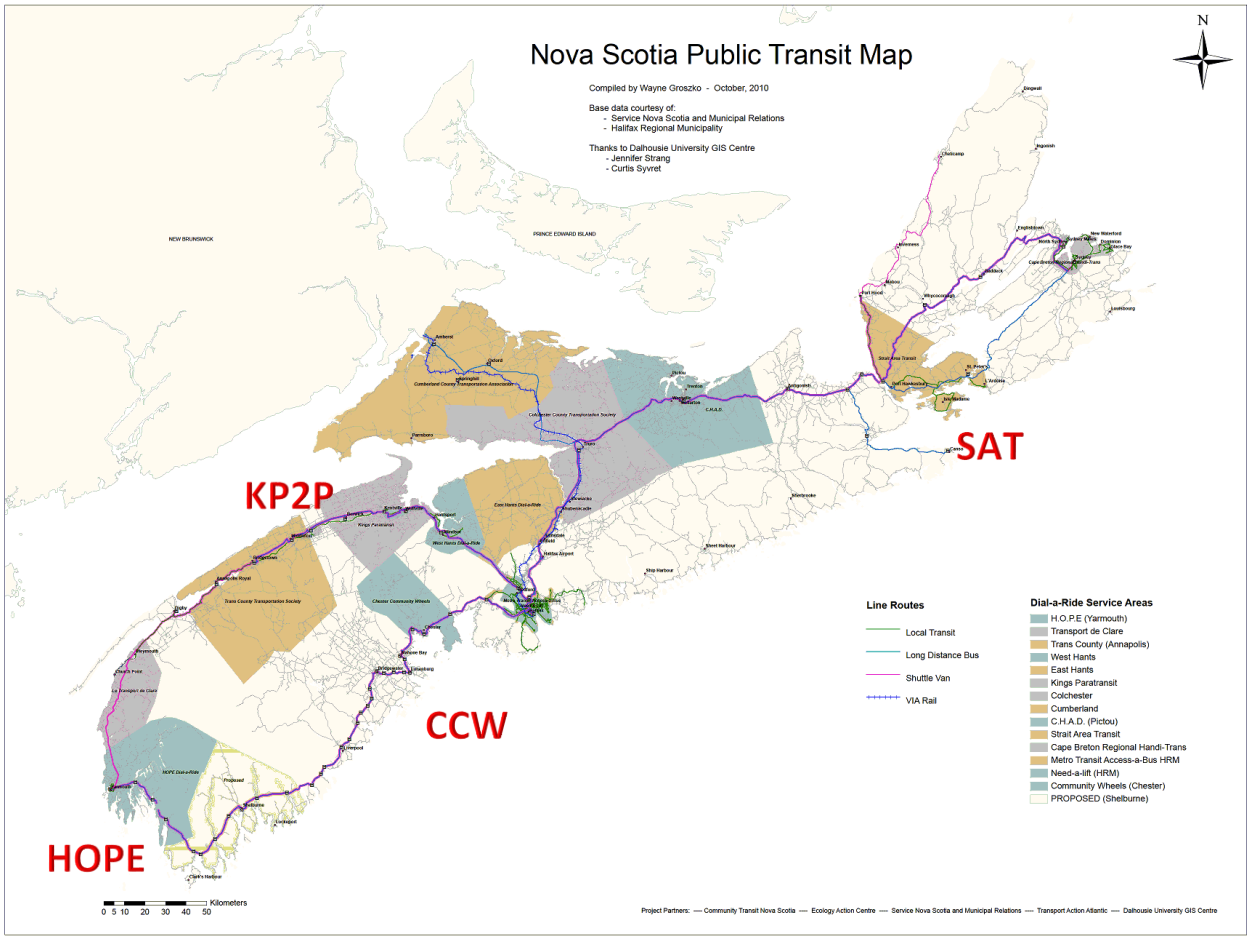
Annual Net Investment per Capita: (total cost less fare revenues and divided by the service area population). This value varies significantly from about $2 to a high of $18 with a median value of about $7.50. Applying the median value to the Region's service area would equate to about $270,000 per year! Given the focus of the 2014 study, the net investment will be on the lower end of the scale, especially since service would likely start small and, as mentioned earlier, recognize that external transit funding is minimal for Nova Scotia communities.

DELIVERABLE #3: REVIEW EXISTING SMALL & RURAL NS SERVICES

INTRODUCTION

While the Canada-wide per review provides an overview of the specialized transit services across Canada, there are a number of small services across Nova Scotia that are more relevant to this study, particularly the following:

▪ Chester Community Wheels (**CCW**)	▪ Strait Area Transit (**SAT**)
▪ Kings Point to Point (**KP2P**, formerly Kings Paratransit	▪ HOPE Dial-a-Ride (**HOPE**)



Source: Ecology Action Centre

These services operate point to point or door to door service for anyone requiring accessible transportation from the persons with disabilities or wheel chairs, seniors and those living in rural areas outside of any transit or taxi services. They tend to be small organizations with 2 to 6 vehicles with volunteers and paid drivers. All are governed independent organizations that have some municipal representation and are funded to some degree by municipal units with grants. Strait Area Transit offers

fixed route as well as demand responsive services and it should be noted that the figures used were from 2012/2013 prior to the recent reductions in service due to funding cuts.

These preceding examples operate within Nova Scotia from Chester, Yarmouth, Kings County and Port Hawkesbury will be analyzed within the following contexts:

1. Fleet makeup and size
2. Span of Service
3. Service Hours per Capita
4. Ridership Per Capita
5. Ridership Per Revenue Hour
6. Total Cost Per Hour
7. Net Cost per Capita
8. Business Model and Governance

1. Fleet Makeup and Size

	# Accessible Vehicles	# Non-accessible	Makeup	
			Vans	Buses
Chester Community Wheels	2	-	2	
HOPE Dial-a-Ride	3	2	5	
Kings Point to Point	6	2	5	3
Strait Area Transit	4	2	4	2

Typically, each service operates with wheelchair accessible vans and some larger buses that can accommodate more riders (from 11-24 passengers). Community Wheels in Chester is the smallest with 2 vehicles whereas Kings Point to Point is the largest of this group with 8 vehicles in total.

2. Span of Service

Organization	Service	Area
Chester Community Wheels	5 days a week	Municipality of Chester
HOPE Dial-a-Ride	5 days a week (715am-430pm M-F)	Yarmouth County
Kings Point to Point	7 days a week	Four all of Central and Eastern Kings County NS
Strait Area Transit	5 days a week (4.5 hours/day M-F)	Inverness, Port Hawkesbury, Richmond County,

Each service is primarily operating within its own specific municipal boundary and, for the most part, operates from Monday to Friday excepting Kings P2P which operates 7 days a week with notice.

3. Service Hours Per Capita

	Vehicle Service Hours	Population	Service Hours Per Capita
Chester Community Wheels	789	10535	0.07
HOPE Dial-a-Ride	7850	25275	0.31
Kings Point to Point	9174	35068	0.26
Strait Area Transit	6591	21960	0.30

HOPE Dial-a-Ride in Yarmouth has the best ratio of service hours to capita at 0.78 hours per person whereas Chester Community Wheels only has 0.07.

4. Ridership Per Capita

	Ridership	Population	Ridership Per Capita
Chester Community Wheels	2107	10535	0.20
HOPE Dial-a-Ride	16967	25275	0.67
Kings Point to Point	17367	35068	0.50
Strait Area Transit	12382	21960	0.56

Ridership per capita indicates how well a service is being used within a community given population density, geography and distances travelled. From this chart we can see that HOPE has great ridership usage given its small population which can be explained in part by its two school board contracts followed by Strait Area at 0.56 passengers per capita.

5. Ridership Per Revenue Hour

	Ridership	Service Hours	Ridership per Revenue Hour
Chester Community Wheels	2107	789	2.67
HOPE Dial-a-Ride	16967	7850	2.16
Kings Point to Point	17367	9174	1.89
Strait Area Transit	12382	6591	1.88

Chester Community Wheels has the greatest ridership per hour given its minimal service, carrying 2.67 passengers per hour followed by Hope, Kings and Strait Area Transit.

6. Total Cost Per Hour

	Operating Cost	Service Hours	Cost per Revenue Hour
Chester Community Wheels	$ 59,936	789	$ 75.96
HOPE Dial-a-Ride	$ 252,143	7850	$ 32.12
Kings Point to Point	$ 387,682	9174	$ 42.26
Strait Area Transit	$ 320,109	6591	$ 48.57

Chester Wheels has the highest cost per hour given the small number of hours it is operating at $75.96 per hour followed by SAT, Kings and HOPE. HOPE's reported costs of $172K did not include the coordinator and dispatcher, which is donated by the HOPE Centre (estimated at $80K). The low hourly cost is strongly influenced low reported administrative costs. fixed administrative costs usually remain constant whether there is 500 hours of service per month or 1,000 hours of service per month.

7. Net Cost Per Capita

	Net Surplus	Population	Net Revenue/Cost Per Capita
Chester Community Wheels	$ 10,005	10535	$ 0.95
HOPE Dial-a-Ride	($53,359)	25275	-$ 2.11
Kings Point to Point	$ 19,259	35068	$ 0.55
Strait Area Transit	$ 6,624	21960	$ 0.30

This chart shows whether there are net revenues versus a net cost per capita. We can see from this that service organizations revenues typically exceed costs with the exception of HOPE Dial-a-Ride whose net deficit results in cost of $2.11 per capita in 2013 if we include unreported costs for coordinator and dispatcher. The biggest impact on the net cost is passenger demand and the fare structure in place. Lower fares generate higher ridership, higher fares result in fewer customers. A balance must be struck.

8. Governance

Organization	Board	Municipal Councillors	Municipal Funding (grant
Chester Community Wheels	Community Members	No	$ 6,000
HOPE Dial-a-Ride	Community Members HOPE Centre	No	$ 10,000
Kings Point to Point	Community Members	Yes	$ 71,447
Strait Area Transit	Community Members	Yes	$ 71,729

These organizations are run by individual boards that in some cases have municipal council representation on them alongside members from the community. None are sole creatures of a municipal unit. Most are funded on a grant basis by their respective municipal units, which implies lack of permanency of funding on an annual basis.

The JTC board members were interested in the make-up of the nearby Kings Transit Authority (KTA) board of directors is responsible for Kings Transit and the specialized transit service, Kings Point to Point. There are also four municipal units (County + three towns) similar to the JTC service area (District + three Towns). The KTA Board of Director representation is summarized below for reference purposes.

Kings Transit Authority Board Members	# Members	%
Kings County	3	60%
Town of Wolfville	1	15%
Town of Kentville	1	20%
Town of Berwick	1	5%

PEER REVIEW CONCLUSION

The peer review data and analysis of similar-sized communities provides a glimpse of what the cost and demand for transit and specialized transit services are elsewhere. A key challenge for transit in the Region is the size and extent of the service area where many residents will need to travel over long distances. It can also take time to attain the efficiencies and effectiveness of the more established public transportation systems in the peer group. What is clear; however, is that communities, large and small, are making significant investments to maintain public transportation services.

Many, although not all, communities in Canada are able to draw on significant dedicated provincial funding and federal infrastructure funds to help offset the cost to local taxpayers. In the final analysis, it is up to the municipality to first decide if public transportation is an essential service that must be provided to residents who otherwise would have little or no mobility, regardless of whether or not the senior levels of government are forthcoming with assistance. Secondly, the municipality must then determine the extent of financial support it can provide to public transportation given the competing priorities of other municipal services and the need to minimize tax increases.

Public transportation does not operate at a profit and as such, adding a needed municipal service is a challenge when, put in simplistic terms, there would need to be a new 'line budget item' (e.g. transit) added to the municipality's portfolio. To minimize the cost to local taxpayers and demonstrate fiscal responsibility, there are external funding resources at the Provincial and Federal levels that the municipal units can investigate to offset local costs; this will be addressed in Phase II of the study.

The foregoing examples vary in size and scope of service but all have the commonality of accessible service within their rural Nova Scotian Communities and all are dependent on the Province of Nova Scotia and their respective Municipalities. They cannot exist without this integral funding.

OTHER NOVA SCOTIA TRANSIT STUDIES

There have been a number of transit studies conducted by Transit Consulting Network team members since 2008 that were used to help determine best practices, specifically:

- East Hants (2010)
- Yarmouth (2013-14: underway)
- Kings Transit/Kings Paratransit (2009)
- Strait Area Transit (SAT) (2013: final report submitted)
- Lunenburg (2008-2009)

All studies mention the need for provincial and municipal funding to support transit initiatives within Nova Scotia, recognizing the importance of transit to Nova Scotian Communities in terms of aging in place, economic development and mitigating the out-migration of youth.

LESSONS LEARNED

Lessons learned with the Nova Scotia jurisdictions have been summarized at a high-level as follows:

2009 Public Transportation Feasibility Study (District of Lunenburg)

- Cost prohibitive
- Specialized transit was not the focus
- Lower cost door-to-door or curb-to-curb service viewed as a more likely service to start
- Fixed route can be considered in the future

2010 East Hants/ Mt. Uniacke Feasibility Study

- Had the potential to connect Kings Transit Authority service to Halifax
- More focussed on commuter service to HRM
- Lack of support for using general tax levy (area rates were preferred)

2009 Kings Transit Authority (KTA) and Paratransit (Point to Point) Business Model:

- That Kings Paratransit be maintained as separate operations to Kings Transit given the vast service area, although liaison strengthened
- KTA route lengths are the largest in North America
- Customers drive from outside the KTA service area to take the KTA bus

2009 Transit Service Expansion Study - County of Annapolis, District of Digby, Town of Digby:

- Rural community requests were very modest (e.g. a day a week was fine)
- Low-cost feeder services to Kings Transit Authority (KTA) fixed routes
- Bus route extension into Digby business district (implemented 2012)
- Specialized door-to-door service could be operated by Transport de Clare
- The urban communities (e.g. Digby, etc.) would benefit from rural transportation

2013 Strait Area Transit (SAT) Operational Review – Counties of Richmond and Inverness, and Town of Port Hawkesbury

- One-way trips are as long as 3 hours
- High fares
- Excellent ridership growth story
- SAT ran out of funds due to inadequate budgeting
- More accountability required
- Specialized Transit service evolved into fixed route bus service due to demand (unique)
- School board maintained equipment at low cost
- Opportunities to increase charter business and patient transfers
- Access to education and hospitals a priority
- Accommodated college students and workers
- Town of Port Hawkesbury businesses benefit from Transit

2014 District of Yarmouth Transit Feasibility Study (Underway)

- HOPE Dial-a-Ride service (District area only)
- Excellent ridership growth story
- Fares are high
- About 85-90% to Town of Yarmouth is pre-booked
- HOPE Centre donates office and administration; therefore, lower cost! This can likely be continued given HOPE Centre's community presence and mission
- Need to add to fleet due to demand that cannot be met during peak periods
- Perception the service is only for seniors and the disabled

2011 Transport de Clare

- Volunteer-based (creates insurance risk issues)
- Provides service connection in Bear River with taxi
- Focus on partnerships (similar to HOPE) both within the Region and outside: Digby, Bear River, Kings Transit
- High cost to travel
- Perception the service is only for seniors and the disabled
- Senior administration is individual volunteer-based but cannot last

Transit Consulting Network will carry forward the applicable lessons learned to Phase 2 of the study.

DELIVERABLE #4: ASSESSMENT OF TRANSIT OPPORTUNITIES

PURPOSE

This memo concludes Phase I of the study (Transit Feasibility Study/ Needs Assessment) by addressing the Proposed Service Delivery Model and Preliminary Budget based on the following:

- A summary of the findings to date
- The service concepts that have been supported
- The estimated costs of the service options
- How the service could be delivered on a go-forward basis

Initial high-level consideration was also given to funding in this memorandum but does not encompass implementation details and detailed planning.

SERVICE DELIVERY MODEL

Based on the discussion of the January 9, 2014 Joint Transportation Committee meeting, there was general consensus for a starting point on how service should be delivered. Committee members endorsed the idea of the need for a transit co-ordinator to be hired that would 'champion' public transportation. This could be on behalf of, and report to, the municipal funding partner representatives of a proposed Joint Transportation Authority (JTA).

The co-ordinator could collaborate with existing service organizations, charities and community groups within the municipal units such as:

- Bridgewater Seniors Wheels
- VON on the Move
- LaHave Manor Corp
- Hillside Pines
- South Shore Regional School Board
- Other facilities with vehicles such as:
    - Rosedale Home for Special Care (New Germany)
    - Peter's Place (Pleasantville)
    - Mahone Bay Nursing Home (Mahone Bay)

The Transit Consulting Network suggests creating or assisting in the creation of a not-for-profit JTA that would work with and build upon the services and expertise available within the community today. In this regard, a co-ordinator could be retained similar to the Chester Wheels operation. The co-ordinator would be responsible for a central dispatching service designed to book trips at the lowest cost per passenger. Service should be provided to as many residents as possible in all municipal jurisdictions and as such, it should be financially supported through a 'regional' tax structure. Alternatively, consideration

could be given to working with one of the existing service providers where interest, ability and economies of scale can be realized.

To complement the JTA or other not-for-profit business model, it is suggested that some of the capital assets (e.g. a community bus, technology) be owned by the municipal units while service is contracted to the service provider(s). This hybrid business model sets the stage for maximizing accountability and it sends a message to residents that the municipal units are committed. The not-for-profit agency would then have access to municipal resources and expertise, and an enhanced ability to pursue external transit funding opportunities, all of which lends itself to a true partnership.

This central delivery concept, a brokerage, would be somewhat unique and creates the starting point for a more comprehensive and cost-effective service in the future.

Preliminary thoughts from the Transit Consulting Network are to operate a door-to-door and curb-to-curb service through the transit authority or an existing agency when volunteers cannot meet the need. This can be attained through a limited fixed flex-route service, which is a hybrid of a fixed route and a demand-responsive curb-to-curb service. This supports the recommendation that the Municipal units initially purchase an accessible low-floor community bus as well as up to two accessible vans in Year 1. This type of delivery model has both attributes of fixed and dial-a-ride services, while being more budget friendly, and does provide for the ability to carry more passengers than smaller vans.

To mitigate financial risk, it is suggested that a ‘walk before you run’ approach be applied. The JTA could work directly with the residents, through the co-ordinator, to design the service based on priorities established by the community and within the budget framework determined by the municipal units. Thereafter, hours of service can be increased as demand and budgets permit.

The key element of the service delivery is to pre-book as many markets as possible so that the revenue stream is consistent and sustained. As demand grows and additional service is required, the JTA could then approach all funding partners, accordingly, based on pre-set service expansion criteria, such as a ceiling being placed on unmet trips for the door-to-door service or passenger loads on the community bus exceeding a given standard.

Whether there are 500 hours of monthly service or 2,000 hours of monthly service, as long as the service reflects community priorities and is affordable, the community will take ownership and the plan is more likely to be effective.



At the core is the Transit Co-ordinator who would champion transit, organize, fundraise, and collaborate with service providers

PRELIMINARY BUDGETS

Based upon the service delivery model proposed, sample operating and capital budgets have been developed based on an initial service plan of 40 hours per month for a Fixed Flex-route service and 60 hours per month of door-to-door transit service, which are presented as follows for illustration purposes only:

OPERATING BUDGET	JTA Service			Year 1	Year 2	Year 3	Year 4	Year 5
	EXPENDITURES	Fixed Flex-route	Specialized Transit					
	Fixed Flex Service Hours per month	40		480	720	960	1,200	1,440
	Specialized Transit (Door to Door)		60	720	960	1,200	1,440	1,680
	Total Service Hours			1,200	1,680	2,160	2,640	3,120
	Fixed Costs							
	Transit co-ordinator and admin.			$ 70,000	$ 70,000	$ 70,000	$ 70,000	$ 70,000
	Variable Costs per Hour							
	Volunteer mileage-based costs			$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000
	Drivers Wages	$ 13.00	$ 13.00	$ 15,600	$ 21,840	$ 28,080	$ 34,320	$ 40,560
	Benefits	$ 3.00	$ 3.00	$ 3,600	$ 5,040	$ 6,480	$ 7,920	$ 9,360
	Fuel	$ 10.00	$ 7.00	$ 9,840	$ 13,920	$ 18,000	$ 22,080	$ 26,160
	Miscellaneous	$ 1.00	$ 1.00	$ 1,200	$ 1,680	$ 2,160	$ 2,640	$ 3,120
	Maintenance (Increase $1/yr in Yr 2)	$ 7.00	$ 5.00	$ 6,960	$ 9,840	$ 12,720	$ 15,600	$ 18,480
	Total Variable	$ 34.00	$ 29.00	$ 42,200	$ 57,320	$ 72,440	$ 87,560	$ 102,680
	TOTAL OPERATING COST			$ 112,200	$ 127,320	$ 142,440	$ 157,560	$ 172,680
	REVENUES							
	Passengers per hour							
	Fixed Flex Route	2		960	2,160	3,840	6,000	7,200
	Specialized Transit (Door to Door)		2	1,440	1,920	2,400	2,880	3,360
	Total Passengers			2,400	4,080	6,240	8,880	10,560
	Fares (avg $5)	$ 5.00		$ 12,000	$ 20,400	$ 31,200	$ 44,400	$ 52,800
	Other Revenues			$ 2,000	$ 2,000	$ 2,000	$ 2,000	$ 2,000
	TOTAL REVENUES			$ 14,000	$ 22,400	$ 33,200	$ 46,400	$ 54,800
	NET ANNUAL COST			**$98,200**	**$104,920**	**$109,240**	**$111,160**	**$117,880**

The sample operating budget above is based on an initial service to be determined by the Joint Transportation Authority. Costs are broken down between fixed and variable and based on hiring a transit coordinator who could be operate out of one of the municipal unit facilities.

The specialized transit/ door-to-door demand is estimated at 2 passengers per hour and is considered reasonable given peer review data reviewed during the study.

For the Fixed Flex-route service, a demand of 2 passengers per hour in the first year has been estimated and is considered reasonable when compared to other rural NS systems. This value is budgeted to increase incrementally by 1 passenger per hour each year until Year 4 where it would top off at 5 passengers per hour. Although this is above the norm, the service strategy being suggested is performance-based and builds on pre-booked demand as much as possible. This means that if the demand thresholds are not attained in a given year then service need not be expanded and the projected expenditures would reflect this, maintaining the sample budgeted deficit at about $100K to $117K per year, excluding inflation and without reflecting any external funding.

To support the sample operations plan, a minimum one 19-passenger accessible bus will need to be purchased at an estimated cost $150,000 plus two accessible vans at $60,000 each. If a local van(s) can be secured without funding (e.g. donated or have ownership transferred), the budget would be amended, accordingly. A spare vehicle has been budgeted in Year 3. It should be noted that actual costs may vary.

Capital Budget							
(1) Vehicles		Year 1	Year 2	Year 3	Year 4	Year 5	Totals
Vans	**Expansion**						
	Accessible vans (2 Year 1 + 1 Year 3)	$ 120,000		$ 60,000			$ 180,000
							$ -
Buses	**Expansion**						
	19 passenger/ 2 wheel-chair minimum	$ 150,000		$ 150,000			$ 300,000
							$ -
							$ -
	Total Vehicle Cost	$270,000	$ -	$ 210,000	$ -	$ -	$ 480,000
(2) Technology							
	GPS & Revenue Management	$ 40,000		$ 20,000			$ 60,000
	Radios	$ -					$ -
	Dispatch Software	$ 10,000					$ 10,000
	Total Technology Cost	$ 50,000					$ 50,000
	TOTAL CAPITAL	$320,000	$ -	$ 210,000	$ -	$ -	$ 530,000

POTENTIAL FUNDING SOURCES

There are a number of funding opportunities for both operating and capital that will be explored in Phase 2 of the project. The opportunities include federal Gas Tax Funding, debt financing, the NS Moves Grant, as well as Community Transportation Assistance Program (CTAP), and the Accessible Transportation Assistance Program (ATAP).

As an example, the CTAP funding of $1.80 per capita would equate to about $64,000 per year that could be put towards the transportation operation and would cover more than 50% of the operating budget presented or put towards additional service hours.

FEDERAL GAS TAX ALLOCATIONS FOR MUNICIPAL UNITS

There are a number of funding opportunities to off-set the cost to the municipalities for both operating and capital expenses that will be explored in Phase 2 of the project. For example, if the municipal units allocated a small portion of their federal gas tax funding on a sustainable basis, a capital reserve could be set up for vehicle expansion and replacement. Municipalities across Canada will dedicate from 0% to 100% of their Federal gas tax allocation to transit. In some cases, it could be increased in one year to cover one-time investments (e.g. a terminal or newer fleet) and then reduced in subsequent years.

Each of the municipal units allocate their gas tax according to their priorities and, in essence, the funds are ‘spoken for’ and as such, using any portion of the gas tax for transit rolling stock or other infrastructure would be new and require the need to re-balance priorities. If the municipal units have

ownership in transit rolling stock, it becomes just one category of equipment that can be replaced under the Federal gas tax program.

The 2013-2014 Federal gas tax allocation to the municipal units is shown below along with the impact a 2.0%, 2.5% and 3.0% dedicated tax to transit infrastructure would be.

Municipality	2013-14 Allocation	2%	2.5%	3%
Lunenburg (Municipality)	$1,331,919	$26,638	$33,298	$39,958
Lunenburg (Town)	$204,575	$4,092	$5,114	$6,137
Mahone Bay	$78,033	$1,561	$1,951	$2,341
Bridgewater	$686,842	$13,737	$17,171	$20,605
	$2,301,369	$46,027	$57,534	$69,041

Setting aside even a nominal amount each year can go a long way to providing a modest fleet start-up, expansion and replacement program. For example, if a 7-year life community bus priced at $150,000 and a two 5-year life accessible van were purchased over a five-ear period at $60,000 each, the annual cost of $54,000 would represent less than 2.5% of the entire gas tax allocation. Since a public transportation program would qualify for provincial funding (e.g. ATAP), the net cost to the municipal units would be even less.

Each municipal unit has its unique priorities and can choose to use gas tax for transit rolling stock and other transit infrastructure or it can choose not to use it. Regardless what funding is used, the bottom line is that municipal contributions will be needed for transit capital similar to the need to invest in other capital under municipal jurisdiction such as upgrading traffic signals, replacing landscaping equipment or building libraries.

RECOMMENDATION

Based on findings to date from the peer review system analysis, other recent rural Nova Scotia studies and the 2009 Public Transportation Feasibility Study, there is a need for a publicly funded transportation system and that external funding programs exist to assist the municipalities. It is recommended that the Joint Transportation Committee initiate Phase 2: Business Development Plan to develop a service plan and financial plan that maximizes external and local funding opportunities available, and develop a business model and governance structure that would be supported by all parties through consensus.

DELIVERABLE #5: GOVERNMENT PROGRAMS REVIEW

INTRODUCTION

There are a number of funding opportunities for public transportation initiatives within Nova Scotia, specifically this memo will address the various opportunities for funding in the following sections:

- Municipal
- Provincial
- Federal
- Other Funding Opportunities
- Summary

MUNICIPAL FUNDING SOURCES

Municipalities may consider a constrained number of avenues for funding both operating and capital expenditures for public transportation from:

- General Tax Levy
- Area Rates
- Debt through the Municipal Finance Corporation
- Reserve Funding

1.1. General Tax Levy

Municipalities may either fund public transportation on a) an annual grant application basis or b) decide to include public transportation as a line item within their yearly budgets much like police, fire protection and other services that are funded through property taxes.

a) Grants typically are applied for on an annual basis by an external service organization with no guarantee from one year to the next as to whether funding will be received. Ownership, operations etc. are solely the domain of the external organization requesting funding.
b) Having public transportation as a line item budget implies some sense of permanency notwithstanding budget pressures and priorities faced by municipalities. Funding amounts could potentially be larger than that of grants where ownership of assets and governance may play a role in budgeting.

1.2. Area Rates

In some jurisdictions, area rates are applied to those that have access to public transportation and, like the general tax levy, they pay whether or not they use the service.

Affordability is key to having a sustainable public transportation system in place and since transit does benefit all residents and businesses, spreading the tax support needed to operate the service (whether a sports facility of public transportation) over a larger tax base is viewed by municipalities across Canada as the most fair method of cost-sharing.

1.3. Debt Financing through the Municipal Finance Corporation

Municipalities may seek financing for purchases of equipment through the debenture process of the Municipal Finance Corporation which offers low financing rates as compared to the private sector.

1.4. Reserve Funding

Municipalities may either have operating or capital reserves from which to draw funds for their intended purposes such as capital purchases.

PROVINCIAL FUNDING

Provincially within Nova Scotia there are specific programs targeting public transportation with recent announcements such as the 'Choose How You Move' Sustainable Transportation Strategy launched in April 2013 which mentions the desire to continue funding transit initiatives that support this strategy. Specifically the following programs are provided currently:

1.1 Nova Scotia Moves Grant
1.2 Nova Scotia Transit Research Incentive Program (NS TRIP)
1.3 Accessible Transportation Assistance Program (ATAP)
1.4 Community Transportation Assistance Program (CTAP)

2.1. Nova Scotia Moves Grant

Municipal units may apply for funding grants through the NS Moves program to support local initiatives prior to this program expiring in 2015/2016.

- Grants will cover up to 50% of eligible costs, up to a maximum of $200,000.
- The program is generally seeking to fund initiatives of approximately 12 months in duration.
- However, for initiatives that need significant preparatory, development and evaluation time applications may be made for up to 30 months of funding.
- At least 50% of the total project cost (including in-kind contributions) must be covered by sources other than the Nova Scotia Moves program.

- At least 25% of the total project funding must come from a local contribution. Local means from within a community or within Nova Scotia, and could include resources from municipalities, community organizations, or businesses. It does not include funding from other provincial government departments.

Source: http://novascotia.ca/sustainabletransportation/nova-scotia-moves.asp

2.2. NS Transit Research Incentive Program (NS TRIP)

The Nova Scotia Transit Research Incentive Program (NS-TRIP) provides funding for transit projects that generate new and improved public transit services in rural areas and underserviced urban areas of the province.

Projects must be directly related to enhancing the service capacity of new or existing public transit organizations in Nova Scotia. The program provides cost sharing at various funding levels depending on the scope of the project. Please see program criteria for details. Funding is available for only one project per year per organization.

Funding ranges from $15,000 to $50,000 or 50 to 100% of the project

Applications can include but not limited to:

- Feasibility studies (100% to $15,000)
- Business Plans (75% to $15,000)
- Pre-Pilot, Pilot, Start-up Costs (75% from $25,000-$50,000)
- Marketing Strategies ($15,000)

Who Can Apply?

Applications accepted from:

- incorporated non-profit organization with public transit mandate
- municipalities (for underserviced areas only)
- public transit services owned by a municipality or a corporate entity on behalf of a municipality
- incorporated associations representing public transit service operators in Nova Scotia
- Union of Nova Scotia Municipalities (UNSM)

Who Can't Apply? Private companies providing transit
http://novascotia.ca/snsmr/municipal/funding/community/ns-transit-research-incentive.asp

Accessible Transportation Assistance Program (ATAP)

The Accessible Transportation Assistance Program provides capital funding to assist community and public transit organizations across the province in the purchase of accessible vehicles or the modification of existing vehicles. The program will provide up to 50 per cent (66% for first vehicle) of total capital cost to a maximum of $50,000 for new or $10,000 for used vehicles. If funding is available, taxi drivers may be eligible to receive funding for the cost of converting their van into an accessible vehicle up to a maximum of $15,000.

Eligible recipients include:

- non-profit community organizations or groups
- private sector with restrictions
- municipal public transit services
- private sector providing services on behalf of the municipality
- taxi drivers in areas not serviced by a door to door rural transportation organization

Based on best practices, taxi operators are playing an increasing role in the provision of specialized transportation. While taxi conversions have been the norm in the past to accommodate wheelchairs, vans can now be purchased with ramps direct from the manufacturer at an added capital cost that is at or below the cost to retrofit.

2.3. Community Transportation Assistance Program (CTAP)

CTAP covers a portion of the operating costs of a community-based inclusive pre-booked door to door transportation service. Services are developed and provided by non-profit organizations through partnerships by coordinating public, private, non-profit, and volunteer resources and services. Inclusive transportation services are community-based public transportation systems in rural Nova Scotia aimed at improving transportation service to disabled, elderly and low-income Nova Scotians who need transportation to and from medical appointments, education, and recreation opportunities. Fixed Flex routes have not been considered in the past and it remains to be seen if it would be approved here?

Non-profit community-based organizations (incorporated groups) involved in the delivery of inclusive transportation services in low-population density areas of the province. Applications are considered annually for funding within a fiscal year beginning April 1st and ending March 31st, subject to funding availability.

Source: www.gov.ns.ca/snsmr/municipal/funding/community/community-accessibility-program.asp

On April 1, 2012 the CTAP funding increased from $1.60 to $1.80 per capita. Based on the area population of 35,900 this equates to funding $64,620 per year.

It should be noted there will be a need to coordinate funding applications of the provincial programs.

FEDERAL

Three specific federal funding opportunities identified were:

3.1. Gas Tax Fund
3.2. Green Municipal Fund
3.3. New Building Canada Fund (NEW)

3.1. Federal Gas Tax Fund

The 5-cent per litre federal gas tax is provided municipalities across Canada as a sustainable revenue source to be used for capital investments only such as roads, water, equipment, and transit.

Of the $55,925,999 Federal Gas Tax Funds that the Province of Nova Scotia receives the municipalities are receiving the following for 2013/14:

Municipality	2013-14 Allocation
Lunenburg (Municipality)	$1,331,919
Lunenburg (Town)	$204,575
Mahone Bay	$78,033
Bridgewater	$686,842
	$2,301,369

Transit infrastructure projects such as vehicle purchases qualify as a 'transportation' investment similar to funds used for roadway infrastructure. Across Canada, municipalities vary significantly in terms of the amount of the federal gas tax is allocated to transit capital, ranging from 0% to 100%. Allocating a small portion of the annual federal gas tax (e.g. 2-5%) received by the municipal units can go a long way to making public transportation sustainable. Each municipality is free to set its priorities relative to how gas tax revenues are allocated. Since publicly funding transportation would be a new service, municipalities can choose to allocate some of its funding to transit, which is no different than any other municipally funded service. A key to sustainability in public transportation is to maintain a fleet expansion and replacement strategy, regardless whether the funding comes from gas taxes, the general tax base or a combination of the two.

3.2. Green Municipal Fund

Through GMF, Federation of Canadian Municipalities (FCM) funds three types of municipal environmental initiatives:

- Studies: Grants to conduct feasibility studies
- Projects: Below market loans, usually in combination with grants to implement capital projects

Funding is allocated in five sectors of municipal activity: brownfields, energy, transportation, and waste water.

Eligibility: GMF funding is available to all municipal governments and their partners* in eligible projects.*For Plans, only municipal governments and municipally owned corporations working in partnership with a municipal government are eligible for funding.

Eligible costs: Grants cover up to 50% of eligible costs for Plans, feasibility studies and field tests to a maximum of $175,000.

Below-market loans: Usually in combination with grants, cover up to 80% of eligible costs for capital projects. The loan maximum is $10 million, and the grant amount is set at up to 20% of the loan to a maximum of $1 million*.

*Grants are typically around 10% of the loan amount approved. High-scoring projects may be awarded the maximum 20% grant, without exceeding the $1 million grant limit per project.

Grants are available to both municipal governments and their partners in municipal projects.
Green Municipal Funding website: www.fcm.ca/home/programs/green-municipal-fund/about-gmf.htm

3.3. New Building Canada Fund

On February 13, 2014, the Government of Canada announced details of its new $47 billion new Building Canada Plan (NBCP). The NBCP replaces the existing Building Canada Plan which is set to expire on March 31, 2014.

Significant details surrounding the NBCF have now been announced. The Fund itself will include three primary components:

COMPONENT	**INVESTMENT/10 YEARS**
The National Infrastructure	$4 Billion
The Provincial/Territorial Infrastructure	$9 Billion
The Small Communities Fund	$1 Billion
TOTAL	$14 Billion

The National Infrastructure Component (NIC)

The NIC will be geared toward supporting infrastructure projects of national significance. Project funding will be determined on its merits by the Government of Canada alone. Given the details known to date of the NIC, significant municipal projects will be eligible under this component in the following areas:

- Highways and Major Roads
- Public Transit
- Rail Infrastructure
- Local and regional airports
- Port Infrastructure
- Intelligent Transportation Systems (ITS)
- Disaster Mitigation Infrastructure

The Provincial/Territorial Infrastructure Component (PTIC)

The PTIC will form the core funding ($9 billion over ten years) for municipal infrastructure projects under the NBCF. The PTIC has been designed to align with projects with strong economic benefits.

Eligible categories under the PTIC include

- Highways and major roads
- Public transit
- Drinking water
- Wastewater
- Solid waste management
- Green energy
- Innovation
- Connectivity and broadband
- Brownfield redevelopment
- Disaster mitigation infrastructure
- Local and regional airports
- Short-line rail
- Short-sea shipping
- Northern infrastructure (territories only)

The Small Communities Fund (SCF)

Continuing the trend from the previous BCF, the NBCF will include a dedicated envelope targeted toward rural and remote communities through the SCF. This $1 billion component of the NBCF will provide targeted funding for communities with populations under 100,000. The PTIC and SCF share eligibility categories. Communities under the population threshold will also retain the option of applying for federal funding under the PTIC and NIC.

This is certainly an important inclusion within the NBCF to recognize the unique challenges that rural, remote and northern communities face in providing infrastructure in their communities. The inclusion of the SCF within the Fund is welcomed by FCM.

Note: It is thought that unlike the Gas Tax Fund, this program will be application based, reviewed by committee against set criteria including provincial and federal interests. Competition will be stiff amongst the municipalities for funding of public transit, which was added as a category (Service Nova Scotia and Municipal Relations). Source: Federation of Canadian Municipalities

OTHER FUNDING OPPORTUNITIES

Outside of the municipal realm relative to funding are programs that can be pursued to minimize the impact on municipal financial resources. To this end, Transit Consulting Network has identified working closely with the not-for-profit sector as well as other provincial ministries where funds are set aside for transportation. For example, in the Municipality of Prince Edward County, Ontario the Women's Institute donated a total of $90,000 towards public transportation service over the first few years of operation to complement the funding provided by the municipality. In Yarmouth, the HOPE Centre provides the administration and dispatching needed to operate the HOPE Dial-a-Ride service at no cost to the municipalities; this is valued at $50,000 to $70,000.

Other provincial agencies that fund transportation such as the Ministry of Health and the Ministry of Education can also be approached to work with the municipal units to provide transportation in lieu of existing services. For example, if non-emergency patient transfers could be provided by public transportation instead of ambulance, there could be significant savings to the Ministry of Health while the public transportation agency could realize a profit, which would reduce the net cost of service locally.

At some point other opportunities to raise revenue such as selling advertising space may be pursued once the service is well known and established.

SUMMARY

The various funding programs available are summarized in the following table:

Funding Program	Operating	Capital	Characteristices
Funding Program	Operating	Capital	Key Characteristics
Provincial			
NS TRIP	✓		Studies, Plans, Pre-pilot and pilot funding($15K-$50K)
ATAP		✓	Provides Capital funding to max $50K new vehicle, $10K used
CTAP	✓		Provides operational funding at $1.80 per Capita dependin on service level
NS MOVES		✓	Expires 2015/16, 50% max to $200K, for transportation solutions
Federal			
Gas Tax Fund		✓	Municipal Infrastructure $2.3M received annually by the four units
Green Municipal Fund	✓	✓	Studies, Loans, Plans, Max $175K
NBCF		✓	Infrastructure

There are numerous funding programs at all levels of government to support public transportation whether services are provided directly by the municipality or a third party. These funding avenues can be explored, with assistance provided by municipal staff, prior to service start-up and expanded upon as the public transportation system evolves. This points to the need to have a co-ordinator in place and for the municipal units to support the co-ordinator prior to, during and after system start-up. To maximize the funding available, the timing of the applications and which programs to pursue first will need to be determined as a next step.

DELIVERABLE #6: FIVE-YEAR SERVICE AND FINANCIAL PLAN

INTRODUCTION

Building on feedback from previous Joint Transportation Committee meetings and Technical Memos 1-5 this memo addresses the subsequent two important planning aspects of service delivery and financial planning. The time frame for both is that of the preliminary Five (5) Year Period while acknowledging it may take 12 to 18 months for initial start-up.

At the February 20th Joint Transportation Committee Meeting, the level of Dial-a-Ride service was debated and the corresponding level of Community Accessible Transportation Program (CTAP) funding. It was decided to provide two scenarios with the introduction of Dial-a-Ride service starting at a modest 60 hours of service per month with the second scenario providing more comprehensive coverage at 120 hours of service. It should be noted in Scenario 2, the effect on capital purchasing at this level of service is the need for two accessible vans for continuity of service (in case of breakdowns, routine service).

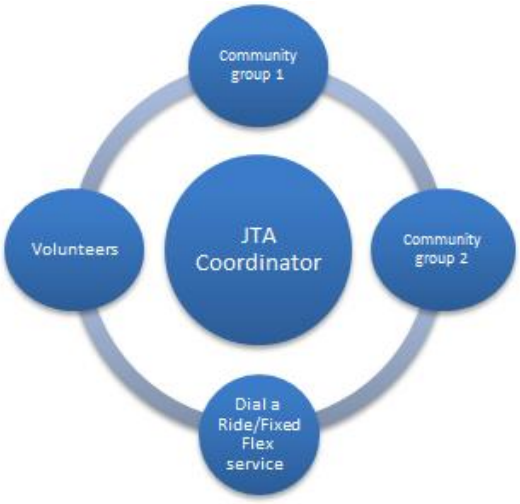
SERVICE PLAN PROPOSED SERVICES

1.1. Hiring Joint Transportation Coordinator
1.2. Adding Peak Dial-a-Ride Service
1.3. Adding a Fixed Flex Route Community Bus

1.1 HIRING A JOINT TRANSIT AUTHORITY COORDINATOR

At the February 20th JTC meeting, it was suggested that the Coordinator be hired mid-way through Year 1 in order to plan the design and implement the service, marshal support, market the service, lobby for pool of volunteers, etc. Having the position filled would maximize the opportunity for success.

Discussions during previous Joint Transportation Committee meetings resulted in the recognition that a coordinator position was needed on a full time basis versus part time given lessons learned at Chester Wheels and elsewhere. It was felt that this position would act as the 'champion' or catalyst that would enable the committee to successfully plan, implement and grow a new transit service for the community.



1.2 A FIRST START: DIAL-A-RIDE SERVICE

It is projected to take approximately 12-18 months to plan and implement any service with the recommendation of starting the coordinator position mid-way through Year 1 (pre-pilot) with the goal of introducing a Dial-a-Ride service beginning in Year 2 as a pilot service under the following two scenarios:

1. Adding 15 hours of weekday van service (60 hours per month) viewed as a safer course of action in the 'walk before you run' philosophy. The introduction of service would be in Year 2 with 720 hours of service in this first full year. Subsequent years see an increase of 20 hours per month each year (80, 100 and 120 hours per month in Years 3-5). Given the latent demand that exists and this conservative approach, the capital budget reflects the purchase of one accessible van where it is probable that one will be sufficient within the first few years, while the coordinator would work with other service organizations and government agencies to meet public transportation needs at the lowest cost within the budgets available.
2. Adding 30 hours of weekday service or 120 hours per month which would require two accessible vans versus one under Scenario 1 (without subsequent service increases planned at this time). It was felt that by offering this increased level of service the community would be better served and would receive enhanced funding from CTAP.

Both scenarios include the introduction of the Fixed Flex Route service to complement the Dial-a-Ride service in Year 3. The key will be to meet the latent demand that is not being met today by existing agencies, to potentially reallocate agency dollars so that they serve more people within their funding framework, and to grow the service based on a sustainable and predictable revenues to ensure financial targets are met on a year to year basis.

It should be clear; however, that modest investments must be made by participating municipalities since the volunteer sector and existing service providers meet the needs of their 'eligible' customers, while the municipalities will need to accommodate the rest of the population. In this regard, the co-ordinator should strive to accommodate both markets where capacity exists. Eliminating operating and funding silos can go a long way to improved efficiency (carry more with the same) and effectiveness (increasing ridership).

1.3 ADDING FIXED FLEX ROUTE COMMUNITY BUS

In the third year of service, it is suggested that the Joint Transportation Authority create a fixed flex-route community bus service to link between most communities within the municipalities of the District of Lunenburg and the Towns of Mahone Bay, Lunenburg and Bridgewater. The amount of service hours would be nominal to start at 40 hours per month then increased annually by 20 hours per month thereafter or as budgets permit. Starting in the third year allows for the purchasing of a larger community bus that can take some time to plan from issuing a Request for Proposals to placing the order to receiving the vehicle. It will also allow for the Dial-a-Ride service to gain traction and allow for any operational kinks to be worked ahead of this next step.

As the Dial-a-Ride demand becomes more predictable and a business case evolves, the community bus can then be introduced. As an example, if there is a significant demand at month-end, which coincides with monthly retirement incomes, a community bus can follow a pre-set schedule and pick up the same number of passengers that two or more vans would normally be needed.

FINANCIAL PLANNING

In determining the financial plan for the following five years, information from the peer reviews as well as the JTC's endorsement of the transit coordinator were used as a basis to estimate the following for budgeting purposes:

2.1 Fixed Costs
2.2 Variable Costs
2.3 Five Year Operating Budget
2.4 Municipal Funding
2.5 Five Year Capital Budget

2.1 FIXED COSTS

Fixed operating expenses are those costs incurred regardless of the level of service provided. These costs are summarized below:

Coordinator Sal& Ben	$	55,000
Insurance	$	2,000
Rent	$	5,000
Licensing	$	469
Accounting	$	1,500
Communications, Marketing	$	6,000
	$	69,969

Rent is included here to be conservative even though it is expected that one of the municipal units would house the Transit Authority office for dispatching and running of the service. Communications represents the costs of cell phones as well as a marketing strategy.

Insurance will change with the addition of a community bus in Year 3 at an estimated $3,000 (which includes licensing).

2.2 VARIABLE OPERATING COSTS

Variable operating expenses are those expenses that are incurred for each hour of service, namely, driver wages and benefits, miscellaneous, maintenance, and fuel costs.

Driver Wages & Benefits

Driver wage and benefits expense are pegged at $13 + $3 per hour which is considered low for the transit industry given the need to attract quality employees and to maximize employee retention but recognizes the economic reality of rural Nova Scotia.

Fuel and Maintenance

Operating costs will slightly vary between the two types of service being recommended where the smaller van consumes less fuel than a larger 15 passenger bus and is cheaper to maintain.

Recommended budget:

- $5.00 per hour for maintenance for Dial-a-Ride and $7.00 per hour for Fixed Flex-route service
- $7.00 per hour for fuel for Dial-a-Ride service and $10.00 per hour for community bus for Fixed Flex-route service

Volunteer Mileage Stipends

Given the 'walk before you run' approach to service growth, it is suggested that volunteers from the community be used to augment the start-up of service by providing additional transportation for those areas not feasibly covered. A small budget of $5,000 is proposed to pay Volunteers their mileage for offering additional transportation for their community. This may grow in time along with the service.

As discussed at the February 20th JTC meeting, the mileage paid to volunteers has to reflect any additional insurance coverage costs that may be legally required for Volunteers to transport passengers.

2.3 FIVE YEAR OPERATING BUDGET

Notwithstanding the Scenario chosen by the Joint Transportation Authority (JTA); it must be recognized that demand may increase more than budgets will allow and as such, priorities must be established. It will be the job of the co-ordinator to work with the community to establish the priorities and the areas to be served. In this regard, the co-coordinator will need to track 'unfulfilled' trip requests and bring them to the attention of the municipalities.

Based on an initial start-up of 12-18 months using the JTA transit coordinator as the foundation upon which to build a service with the budget presented as follows:

Year 1 (Pre-Pilot)

- Hire Transit Co-ordinator mid-year
- Apply for NS TRIP Pre-pilot funding for co-ordinator and office expenses ($35,000 * 75% is greater than $25K; therefore, $25K sought)
- Develop marketing and communications for the public
- Locate Office, accounting and administrative support
- Develop governance model, reporting structure and cost sharing formula
- Initiate discussions with Province to apply for NS Trip funding for Year 2 pilot

Year 2 (Pilot Service Introduced)

- Start with door-to-door service; however, curb-to-curb service would be the default, that is, only provide door-to-door service for those that are unable to walk to the curb.
    - **Scenario 1-** 15 hours per week (60 hours per month, 720 hours annually), increasing 20 hours per month per year
    - **Scenario 2-** 30 hours per week (120 hours per month, 1440 hours annually)
- Apply for NS Trip Pilot funding to a maximum of $50,000 in Year 2 and $25,000 in Year 3.
- Plan for purchase of Community Bus and issue RFP/ Tender.

Year 3

- Design service and develop marketing, communications, and branding plan strategies
- Start Fixed Flex Route service at 10 hours per week (40 hours per month), perhaps 1 day per week, increasing annually by 20 hours per month per year.
- Apply for CTAP funding for start of Year 3 for Dial-A-Ride service (Scenario 1 is similar to Chester Wheels in terms of hours and CTAP funding sought, while Scenario 2 would seek full CTAP funding at $1.80 per capita).

Years 4 and 5

- Expand service as demand grows and budgets permit

It should be noted that capital and operating costs are estimates only based on recent pricing received and are provided for budgeting purposes only. Actual costs may vary due to normal cost increases, final vehicle specifications, warrant requirements, fuel costs, etc. The Coordinator and municipalities will also need to work closely with the Province to determine the most appropriate funding programs to pursue.

SCENARIO 1 (Low service hours)

OPERATING BUDGET			Year 1	Year 2	Year 3	Year 4	Year 5
	EXPENDITURES	**Fixed Flex-route**	6 months				
	Fixed Flex Service Hours per month		-	-	480	720	960
				-			
	Dial A Ride Service (specialized)		-	**720**	**960**	**1,200**	**1,440**
	Total Service Hours		-	720	1,440	1,920	2,400
	Fixed Costs						
	Transit co-ordinator and admin.		$ 35,000	$ 73,000	$ 73,000	$ 73,000	$ 73,000
	Variable Costs per Hour						
	Volunteer mileage-based costs		$ -	$ 5,000	$ 5,000	$ 5,000	$ 5,000
	Drivers Wages	$ 13.00	$ -	$ 9,360	$ 18,720	$ 24,960	$ 31,200
	Benefits	$ 3.00	$ -	$ 2,160	$ 4,320	$ 5,760	$ 7,200
	Fuel	$ 10.00	$ -	$ 5,040	$ 11,520	$ 15,600	$ 19,680
	Miscellaneous	$ 1.00	$ -	$ 720	$ 1,440	$ 1,920	$ 2,400
	Maintenance (Increase $1/yr in Yr 2)	$ 7.00	$ -	$ 3,600	$ 8,160	$ 11,040	$ 13,920
	Total Variable	$ 34.00	$ -	$ 25,880	$ 49,160	$ 64,280	$ 79,400
	TOTAL OPERATING COST		$ 35,000	$ 98,880	$ 122,160	$ 137,280	$ 152,400
	REVENUES		**Year 1**	**Year 2**	**Year 3**	**Year 4**	**Year 5**
	Passengers per hour						
	Fixed Flex Route	2	-	-	1,920	3,600	4,800
	Specialized Transit (Door to Door)		-	1,440	1,920	2,400	2,880
	Total Passengers		-	1,440	3,840	6,000	7,680
	Fares (avg $5)	$ 5.00	$ -	$ 7,200	$ 19,200	$ 30,000	$ 38,400
	Other Revenues		$ -	$ 2,000	$ 2,000	$ 2,000	$ 2,000
	TOTAL REVENUES		$ -	$ 9,200	$ 21,200	$ 32,000	$ 40,400
	NET ANNUAL COST		**$35,000**	**$89,680**	**$100,960**	**$105,280**	**$112,000**
	Funding						
	NS TRIP PRE-Pilot		$ 25,000				
	NS TRIP Pilot			$ 50,000	$ 25,000		
	CTAP				$ 42,600	$ 53,300	$ 64,000
	Municipal Funding		$ 10,000	$ 39,680	$ 33,360	$ 51,980	$ 48,000
			$35,000	**$89,680**	**$100,960**	**$105,280**	**$112,000**

In the first year a transit coordinator is hired, an office is found, followed by planning and design of service. Costs are estimated at half that of the fixed costs on an annual basis. With Pre-pilot funding from the province the expected net Municipal Funding is $10,000 for Year 1. The costs increase as we see the operations start in Year 2 from $89,680 with the introduction of 60 hours of month Dial-a-Ride Service under this scenario. Since service hours are minimal to start, the full population-based CTAP funding would not be realized until Year 5.

SCENARIO 2 (Higher service hours)

OPERATING BUDGET				Year 1	Year 2	Year 3	Year 4	Year 5
	EXPENDITURES	Fixed Flex-route	Specialized Transit	6 months				
	Fixed Flex Service Hours per month			-	-	480	720	960
	Dial A Ride Service (specialized)			-	**1,440**	**1,440**	**1,440**	**1,440**
	Total Service Hours			-	1,440	1,920	2,160	2,400
	Fixed Costs							
	Transit co-ordinator and admin.			$ 35,000	$ 73,000	$ 73,000	$ 73,000	$ 73,000
	Variable Costs per Hour							
	Volunteer mileage-based costs			$ -	$ 5,000	$ 5,000	$ 5,000	$ 5,000
	Drivers Wages	$ 13.00	$ 13.00	$ -	$ 18,720	$ 24,960	$ 28,080	$ 31,200
	Benefits	$ 3.00	$ 3.00	$ -	$ 4,320	$ 5,760	$ 6,480	$ 7,200
	Fuel	$ 10.00	$ 7.00	$ -	$ 10,080	$ 14,880	$ 17,280	$ 19,680
	Miscellaneous	$ 1.00	$ 1.00	$ -	$ 1,440	$ 1,920	$ 2,160	$ 2,400
	Maintenance (Increase $1/yr in Yr 2)	$ 7.00	$ 5.00	$ -	$ 7,200	$ 10,560	$ 12,240	$ 13,920
	Total Variable	$ 34.00	$ 29.00	$ -	$ 46,760	$ 63,080	$ 71,240	$ 79,400
	TOTAL OPERATING COST			$ 35,000	$ 119,760	$ 136,080	$ 144,240	$ 152,400
	REVENUES			Year 1	Year 2	Year 3	Year 4	Year 5
	Passengers per hour							
	Fixed Flex Route	2		-	-	1,920	3,600	4,800
	Specialized Transit (Door to Door)		2	-	2,880	2,880	2,880	2,880
	Total Passengers			-	2,880	4,800	6,480	7,680
	Fares (avg $5)	$ 5.00		$ -	$ 14,400	$ 24,000	$ 32,400	$ 38,400
	Other Revenues			$ -	$ 2,000	$ 2,000	$ 2,000	$ 2,000
	TOTAL REVENUES			$ -	$ 16,400	$ 26,000	$ 34,400	$ 40,400
	NET ANNUAL COST			**$35,000**	**$103,360**	**$110,080**	**$109,840**	**$112,000**
	Funding							
	NS TRIP PRE-Pilot			$ 25,000				
	NS TRIP Pilot				$ 50,000	$ 25,000		
	CTAP					$ 64,000	$ 64,000	$ 64,000
	Municipal Funding			$ 10,000	$ 53,360	$ 21,080	$ 45,840	$ 48,000
				$35,000	**$103,360**	**$110,080**	**$109,840**	**$112,000**

With 120 hours of monthly service, the budgets will be increased over Scenario 1; however, with the increased CTAP funding, the net municipal funding is lower than Scenario 1 in Years 3 to 5 where all of the 4 municipal units should have adequate coverage.

2.4 MUNICIPAL FUNDING

The level of funding from each of the municipal partners will need to be determined. For illustration purposes only, if we use the percentage of GST funding received and population percentages of each municipal unit, an average percentage was calculated to suggest the funding split. The District of Lunenburg would be the highest at 63.24%, followed by the Town of Bridgewater at 26.18%, the Town of Lunenburg at 7.6%, and the Town of Mahone Bay at 2.98%, which is illustrated in the following table.

	GAS TAX		POPn		Average
Lunenburg (Municipality)	$1,331,919	57.88%	25,118	68.60%	**63.24%**
Lunenburg (Town)	$204,575	8.89%	2,313	6.32%	**7.60%**
Mahone Bay	$78,033	3.39%	943	2.58%	**2.98%**
Bridgewater	$686,842	29.84%	8,241	22.51%	**26.18%**
	$2,301,369		36,615		

With the average allocation arrived at for each unit, the net subsidy for each jurisdiction was then calculated for the following table.

SCENARIO 1

	Average	Year 1	Year 2	Year 3	Year 4	Year 5
Lunenburg (Municipality)	63.24%	$ 6,324	$ 25,093	$ 21,096	$ 32,871	$ 30,354
Lunenburg (Town)	7.60%	$ 760	$ 3,017	$ 2,536	$ 3,952	$ 3,650
Mahone Bay	2.98%	$ 298	$ 1,184	$ 995	$ 1,551	$ 1,432
Bridgewater	26.18%	$ 2,618	$ 10,387	$ 8,732	$ 13,606	$ 12,565
	Total	$ 10,000	$ 39,680	$ 33,360	$ 51,980	$ 48,000

In the first year the District of Lunenburg will need to budget approximately $6,324, the Town of Bridgewater at $2,618, the Town of Lunenburg $760, and the Town of Mahone Bay $298. Scenario 1's municipal subsidies are higher than Scenario 2 until Year 5 where it is expected that full CTAP funding will be received.

SCENARIO 2

	Average	Year 1	Year 2	Year 3	Year 4	Year 5
Lunenburg (Municipality)	63.24%	$ 6,324	$ 33,744	$ 13,331	$ 28,988	$ 30,354
Lunenburg (Town)	7.60%	$ 760	$ 4,057	$ 1,603	$ 3,485	$ 3,650
Mahone Bay	2.98%	$ 298	$ 1,592	$ 629	$ 1,367	$ 1,432
Bridgewater	26.18%	$ 2,618	$ 13,968	$ 5,518	$ 11,999	$ 12,565
	Total	$ 10,000	$ 53,360	$ 21,080	$ 45,840	$ 48,000

Under Scenario 2 it is suggested that applications be made to secure CTAP funding at $1.80 per capita or $64,000 per year starting in Year 3. With the assumption of receiving these Provincial funding requests, the expected municipal funding required starts at $10,000 and increases to $48,000 in Year 5. It should be noted this net municipal funding does not factor in any additional other revenue such as advertising and pre-booked services that may reduce this subsidy.

2.5 FIVE YEAR CAPITAL BUDGET

Capital Budget		Year 1	Year 2	Year 3	Year 4	Year 5	Totals
(1) Vehicles							
Vans	**Expansion**						
	Accessible vans	$ 92,000					$ 92,000
							$ -
Buses	**Expansion**						
	19 passenger/ 2 wheel-chair minimum		$ 125,000				$ 125,000
							$ -
							$ -
	Total Vehicle Cost	$ 92,000	$125,000	$ -	$ -	$ -	$ 217,000
(2) Technology							
	GPS & Revenue Management	$ 40,000		$ -			$ 40,000
	Radios	$ -					$ -
	Dispatch Software	$ 10,000					$ 10,000
	Total Technology Cost	$ 50,000	$ -	$ -	$ -	$ -	$ 50,000
	TOTAL CAPITAL	$ 142,000	$125,000	$ -	$ -	$ -	$ 267,000
FUNDING							
	ATAP (66% of $46K 1st vehicle); max $50K 2nd veh.)	$ 30,360	$ 50,000	$ -	$ -	$ -	$ 80,360
	NS Moves (50% technology)	$ 25,000		$ -	$ -	$ -	$ 25,000
	MUNICIPAL	$ 86,640	$ 75,000	$ -	$ -	$ -	$ 161,640
		$ 142,000	$125,000	$ -	$ -	$ -	$ 267,000

This budget reflects the need for two accessible vans (one van would be a spare vehicle) under Scenario 2 at 120 hours of monthly service, reflecting potential ATAP vehicle purchase funding and NS Moves funding for the technology recommended. Purchasing of the vehicles is planned for the year preceding the start-up of both the Dial-a-Ride and Fixed Flex Route services. This allows for adequate time for procurement and delivery.

Funding

The potential funding received from the Province will depend on what program is applied for in a specific timeline for specific items such as vehicles or technology. This will have to be determined by the municipalities as they move forward with the introduction of the pre-pilot phase in Year 1. For illustrative purposes with the assumption that the JTAC applies for funding from both the ATAP (Years 1 and 2) and NS Move programs (Year 1), the municipal units would be responsible for $86,640 in year 1, and $75,000 in Year 2. Application for funding will need to be initiated and confirmed as soon as possible.

SUMMARY OF 5-YEAR SERVICE AND FINANCIAL PLAN

Transit Consulting Network developed a minimum service plan (Scenario 1) that is predicated upon a modest start; however, it was recognized by the JTC that service should be more comprehensive when starting out (Scenario 2). In this respect, much will depend on the pre-design stage where the Transit Co-ordinator will work with the community at large, including non-for-profit organizations. Regardless of the service start-up levels, it will be important to tie service growth with ridership growth.

In the end, there is a need for an affordable public transportation service that is considered both sustainable and 'feasible'. How the term feasible is defined is to be determined through discussions that will need to take place between the participating municipalities following completion of the study.

DELIVERABLE #7: BUSINESS MODEL AND GOVERNANCE

INRODUCTION

To this point in the study, two public transportation service plans have been developed for consideration of the municipal partners. Regardless of which service plan is selected, the District of Lunenburg and the Towns of Lunenburg, Mahone Bay and Bridgewater will need to decide on the following to effect successful implementation

2. BUSINESS MODEL – how the service is delivered
3. GOVERNANCE – how decisions are made on the service delivered

BUSINESS MODEL

In determining the business model, key areas have to be considered from:

Customer client relationships/ focus:

- Who do we serve?
- How is that accomplished?

Channels to reach out to stakeholders:

- Communications
- Marketing, Branding
- Central contact telephone number

Revenue sources:

- Local grants
- External funding
- Fundraising
- Setting fares

Cost Structure:

- Setting up budgets and budget strategies
- Cost-sharing formula between municipal units
- In-kind municipal services (administration office, advisory services)

As per Technical Memo #6 Five Year Service and Financial Plan, the concept of creating a full-time public transportation coordinator (herein referred to as Coordinator) was developed who would act as the main catalyst to champion the initiative from inception through implementation of the transit system, as well as the evolving responsibilities.

Transportation can be defined as the movement of people and goods through various modalities whereas public transportation (transit) is solely defined as moving people.

The position should be filled mid-way through Year 1 and the responsibilities consist of the following:

Coordinator	Service planning	Driver Training
		Performance Monitoring
	Marketing	
	Budgeting	
	Municipal Liasion	Funding Applications
		Vehicle Ownership
	Community Engagement	

The business model is fairly straight forward. Van service will need to be provided to start and community bus service is to be considered for implementation about a year later. Prior to the first hour of service taking place, numerous activities will need to take place then maintained on an on-going basis. Although a Transit Co-coordinator can be the catalyst, the coordinator cannot be expected to be all things to all people. In this regard, there are many areas of expertise that can be provided by the community at-large through volunteering to assist the coordinator.

In many not-for-profit and municipally owned public transportation organizations, volunteers can play an integral role such as setting operating policy, assist with fund-raising, recommending short-term investments for surpluses, developing and monitoring budgets, marketing and promotions, and developing a consisting 15-second community message that clearly tells the story. Until a community group is established, the municipal partners should assist the Coordinator in getting started and helping the coordinator build a volunteer base.

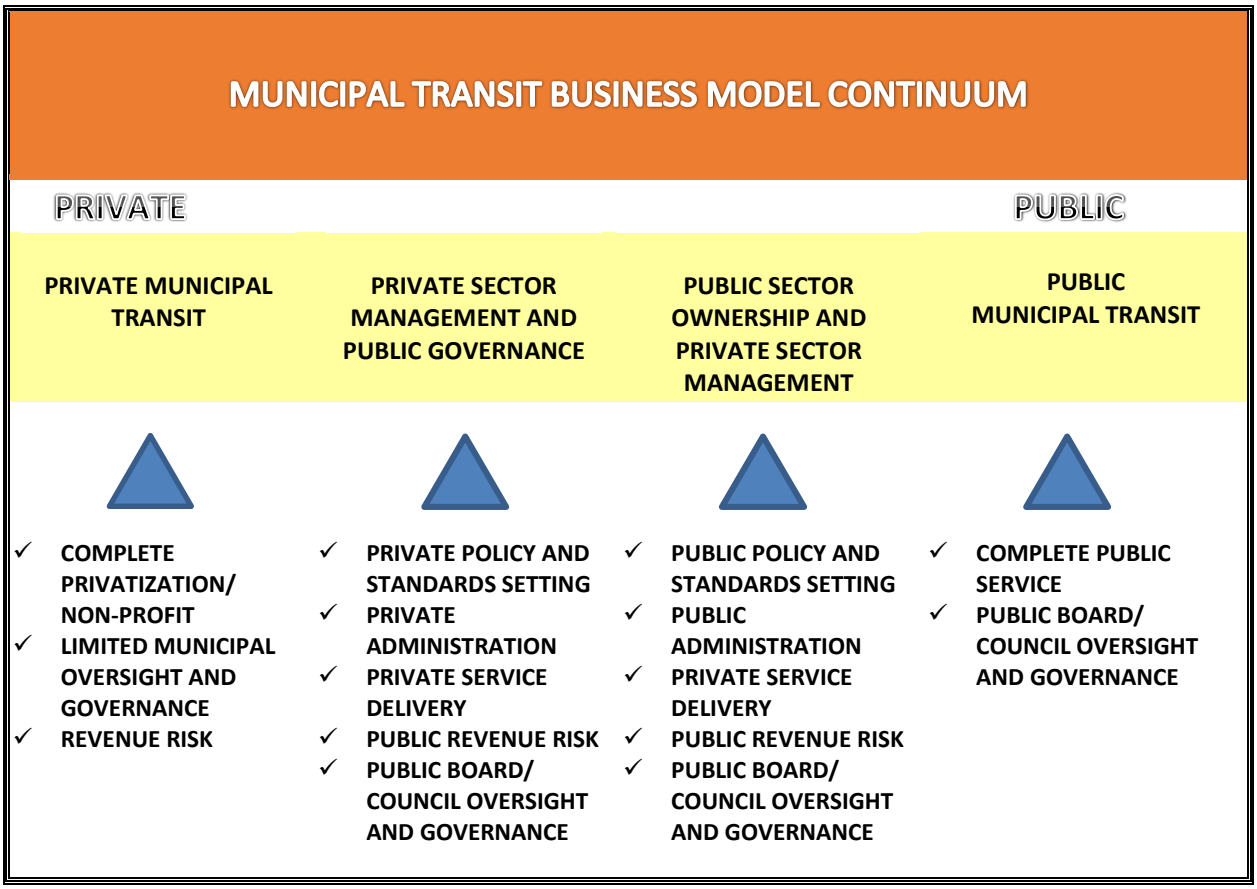
The JTA Coordinator's tasks would entail an extensive community outreach program to market the service with the assistance of the municipalities through low-cost marketing initiatives such as:

- Branding (e.g. naming the service)
- Website development
- Newsletter releases
- Community correspondence
- Setting up meetings with volunteer agencies and government organizations
- Etc.

Governance

How decisions are made needs to be determined by the municipal partners. Although the desire for public transportation has been pursued by the community for many years, the only way that it can be a reality is to provide sustained funding at the local level while maximizing external revenue through fares, fundraising and securing external funding resources.

Typically there are four distinct options to consider in the provision of transit services within a community.



Private Municipal Transit

Under the private/ non-profit model, all capital assets, overall management of the service, as well as operation and maintenance of the vehicles belong to the private/ non-profit organization, as governed by a contract with the municipality, which is vested with the exclusive right to operate public transportation, and delegates this right to the contract holder. The private sector/ not-for-profit agency is responsible for setting policy and standards, the day to day operation, and assumes all revenue risk since it must work within the funds available. Governance and oversight is provided by the municipal partners through an exclusivity contract with the service provider (i.e. no one else can compete with the exception of existing volunteer agencies).

The non-profit model is similar in that the agency/ service provider has the same risks as any other private municipal transit system that operates exclusively in a given territory. For example, HOPE Dial-a-Ride in Yarmouth is a not-for-profit organization that survives on provincial funding and local donations to provide community transit services and is only one of the HOPE Centre's programs.

Private Sector Management and Public Governance

Under this model, the local authority delegates all functions, including policy and planning, management, operations, and maintenance to a contractual service provider. The local authority is responsible for subsidizing operating deficits. Capital investments are made by the contractor, and recovered through the contract. High-level oversight and governance are most often the responsibility of the municipal Council, or a publicly appointed Board or Commission, through a contract administrator.

Public Sector Ownership / Private Sector Management

Under this model, the local authority owns the assets and the responsibility to provide transit service. The model ensures transit management and planning functions are retained but delegates actual operations and maintenance to a contractual service provider. The local authority is responsible for subsidizing all operating deficits. Oversight and governance are exercised by the regional or municipal council, or by a publicly appointed Board or Commission. Either the transit authority or the contractor may own some or all of the assets. This is usually determined by the rules governing capital grants for transit.

Public Municipal Transit

This is probably the most common municipal transit business model in North America. All aspects of the transit service are directly operated by the regional or municipal Council. In some cases, an autonomous transit commission or authority is created. All assets are publicly owned; all planning, and most if not all operations and maintenance functions are performed by public sector employees.

RECOMMENDED GOVERNANCE MODEL

During the course of previous Joint transportation Committee meetings, it was pointed out that there is a Joint Services Board (JSB) that was created by three Municipal Units - the County of Lunenburg, Town of Mahone Bay and Town Bridgewater. Since it is recommended that the ownership of public transportation vehicles be vested with the municipalities and operating funds be committed in a sustainable manner, there will be a need to ensure there is accountability of the municipal investments.

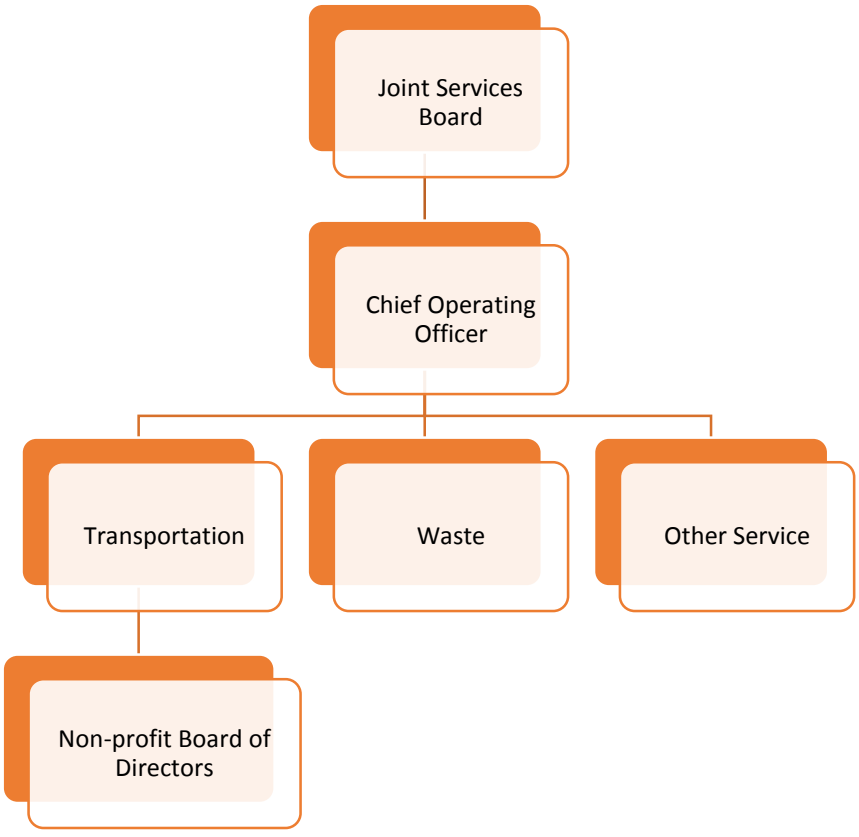
There are two distinct avenues to provide public transportation in the JTC service area, both using the existing Joint Services Board to build on or emulate as follows:

2.1.1. Private Sector Management and Public Governance

2.1.2. Public Municipal Transit

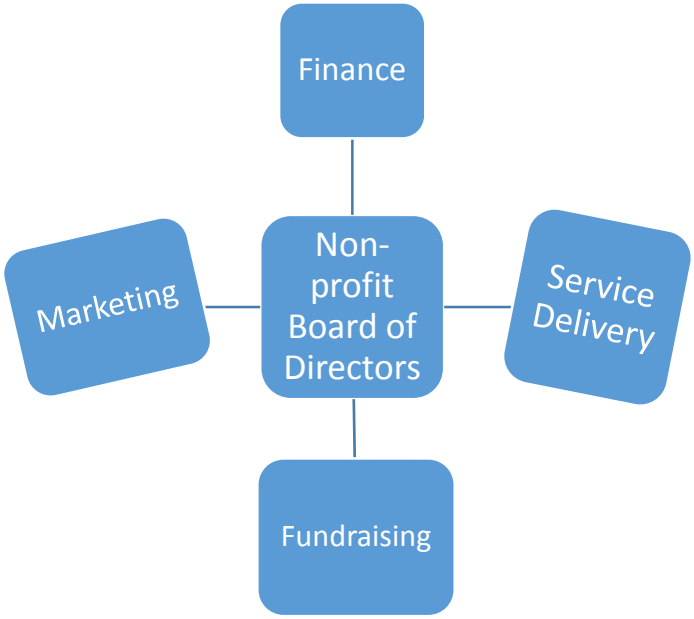
2.1.1. Option 3: Public Sector Ownership/ Private Sector Management

In this model, assets such as vehicles would be would be owned by the municipal partners and the private sector/ non-profit agency would operate the service. To protect municipal investments and to maximize the focus of every dollar towards meeting community needs, a non-profit volunteer agency can be established with the help of the Coordinator that builds on the presence of the JSB through a Transportation Advisory Committee (TAC). The agency would consist of a volunteer-based Board of Directors to support the Coordinator, while the TAC would provide the governance needed to protect municipal investments and ensure coordination of services and funding.



While the non-profit agency would be responsible for day to day operations, planning, budgeting, and, most important, customer service, they can report to the TAC, which would then bring the public transportation interests to the JSB for their information, debate and decision-making, when required. By doing so, the public transportation service can be viewed as being a regional service much like other services addressed by the JSB. The Coordinator would work directly with the not-for-profit agency and present to the TAC, as required.

Sample Not-for-Profit Organizational Chart



Advantages:

- Municipal control of policy and standards
- Separate agency providing service.
- Abilty of fund raising through donations to non-profit agency

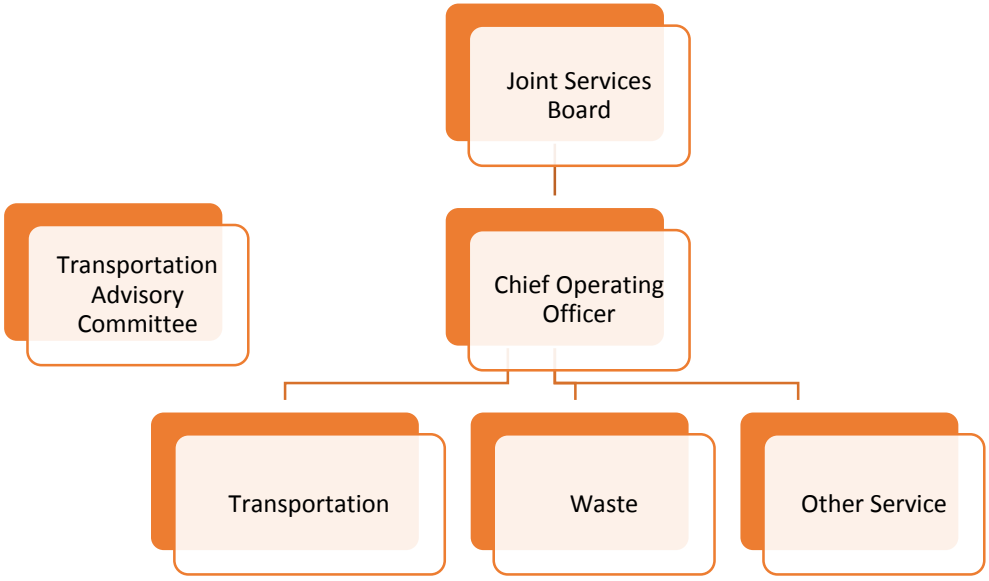
Disadvantages:

- May take longer than 18 months to establish this agency with their own board of volunteers, terms of reference etc.

2.1.2. Option 4: Public Municipal Transit

The second business model and governance structure considered is the creation of a municipal public transportation organization that falls under the existing Joint Services Board. The board, as an authority, would be responsible for member services. Since the Town of Lunenburg is not a member, a separate contract could be negotiated with the Town to provide service to their residents and businesses.

In the future and with the help of the advisory committee, an outreach program through the establishment of a user group could be created to provide input to service priorities that would be brought forward to the appropriate committee. This would be important during the early stages of service delivery when meetings would be frequent then taper off to about every 6 months.



Advantages:

- More expedient to implement
- Direct accountability to municipal units
- Ease of funding applications
- Ability to contract out to private sector/ non-profit agency in the future

Disadvantages:

- Fundraising can be challenging since 100% municipally owned and operated

SUMMARY

It is very clear that a coordinator will be needed to build a public transportation service. Unless the requirements can be met within existing staff resources for a full time commitment, a new position will need to be created. As with public transportation systems throughout Canada and Nova Scotia, the position must be complemented either by other skillsets within the municipal partners or from the community at large on a volunteer basis. A plan also needs to be in place that ensures there is continuity in the service should the coordinator vacate the position.

The new public transportation service can build on committed and established local expertise to help guide service delivery while the municipal partners can provide in-kind services to start then on an as-needed basis thereafter. Since it is recommended that the ownership of public transportation assets be vested with the municipalities and operating funds be committed in a sustainable manner, the JSB model was used to ensure there is accountability of the municipal investments.

Regardless which model is selected, public transportation service can be a reality with committed local financial resources. And there is future flexibility in changing the governance structure over time. For example, if Option 4 (Public Municipal Transit) was selected as a starting point to expedite the service start-up, future consideration can be given to Option 3 (Public Sector Ownership/ Private Sector Management).

Transit Consulting Network has delivered six (6) technical memorandums leading up to the development of the seventh technical memorandum - business model options. Each technical memorandum has been debated in sequence with members of the Joint Transportation Committee as well as other community stakeholders.

The challenge following the study is now for each municipal Council to determine the level of financial resources available today and in the future in order to develop a sustainable public transportation service as an integral component of the services delivered. In this regard, public transportation is viewed by future customers to be an intra- and inter-jurisdictional service that is seamless. People simply want to get from A to B by public transportation regardless of municipal jurisdiction much like roads in terms of function and in terms of requiring municipal financial investments so all residents can now have affordable access to goods and services.

NEXT STEPS

Give the preceding deliverables compiled within this study, Transit Consulting Network suggests the following next steps:

- Reaffirm need for public transportation service
- Confirm intent to provide service
- Confirm municipal participants and cost-sharing formula
- Confirm budget estimates and approve in principle
- Hire coordinator and provide office space and administrative support
- Community outreach and branding/ marketing of service
- Work with Coordinator to apply for external funding
- Finalize budget and procure equipment

There are numerous lessons learned and a concerted effort in mitigating financial risk for the municipal funding partners inherent in this study, which provides for a more conservative start than the 2009 Public Transportation Feasibility Study. Service plans and budgets are considered to be conservative to start then can be expanded over time as public transportation becomes an integrated component of regional quality of life.

Appendix A

Stakeholder Consultations 2009 Public Transportation Feasibility Study

1. STAKEHOLDER CONSULTATIONS

Stakeholder consultations are important in the transit planning process, as it allows all parties involved to identify strengths and to voice issues with public transportation issues. HDR | iTRANS conducted stakeholder consultations in the form of Transit Focus Groups [TFG].

1.1 Purpose

The purpose of the Initial Stakeholder Consultations was to:

- Educate community representatives
- Establish study expectations
- Identify issues, constraints and opportunities
- Identify data requirements needed to complete the study

1.2 Methodology and Attendees

There were a total of four (4) informal round table TFG meetings held on April 14 and 15, 2009 with 39 participants. HDR | iTRANS met with the following:

Service Provider Transit Focus Group

Sandra Meister, Community Wheels.
Earl Lantz, Senior Wheels.
Leslie Taylor, VON.
Vicki Hirtle, Mahone Bay Centre.
Barb Carthew, Community Links.
Randy Acker, Community Services.
Debby Williams, Family Support Centre.
Wendy McVeigh, Continuing Care.
Annemarie MacLeod, CMHA.
Donna Sutton, South Shore Health.
Heather Hopkins, South Shore Health.
Bill Snyder, Citizens for Public Transit.
Ron Frampton, Riverport.
Ron Mullins, Kings Transit.

Student Transportation Focus Group

Steve Prest, SSRSB Student Services.
Barry Butler, SSRSB Operations.
Chuck McClelland, Bridgewater HS.
Charles Williamson, Parkview EC.
Craig Collins, NS Community College.

Business Focus Group

Tina Connors, LQRDA.
Dwayne Baker, Walmart.
Jean MacLean, Resolve.
Hans Pedersen, Abitibi-Bowater.
Melanie Williams, HB Studios.
Patty Slade, Composites Atlantic.
Barry Bolivar, Michelin.
Joanne Brown, Highliner.
Sandra Richards, Bridgewater Chamber.
Norm Hazlett, Citizens for Public Transit.

Municipal Government Focus Group

Mayor Joe Feeney, Mahone Bay.
Jim Smith, Bridgewater.
Mayor Laurence Mawhinney, Lunenburg.
Bea Renton, Lunenburg.
Mayor Don Downe, MODL.
Tammy Wilson, MODL.
Marvin MacDonald, Service NS.
Georgina Dimock, Service NS.
Colleen Paton, Conserve NS.
Darcy McBain, NS Transportation.

1.3 Preliminary Findings

1.3.1 Service Provider Transit Focus Group

The Service Provider focus group was attended by 13 representatives of publicly funded service agencies and not-for-profit agencies that provide specialized public transportation services to residents. A representative from Kings Transit was also present, as they operate a regional transit service nearest to the study area. For the most part, the issues and challenges raised by those who contributed to the discussion were similar. The discussions revealed the following information:

Senior Wheels [Bridgewater]
- 18 volunteer drivers use an 8-12 passenger bus equipped with a wheelchair lift
- Eligibility of customers: seniors over 60 years of age and to those that are disabled, requiring a doctor's note (does not disclose the nature of the illness for privacy reasons)
- Operate Bridgewater area only - does not cross established boundaries of town + 7km radius.
- Operate Monday through Saturday, 8:00am through 5:00pm
- 800 trips taken monthly (20 to 30 wheelchair customers)
- Budget of $50,000 per year and a donated $70,000 vehicle from Kiwanis
- Free service; however, the bus donation box can generally cover related cost of fuel
- Dispatching services is provided by a business call-in centre (incoming call then referred to appropriate volunteer driver)
- A 2-day reservation is required when booking trips

Victoria Order of Nurses [Lunenburg]
- Regular passenger van donated by Rotary
- Van is parked in Block House, serves Mahone Bay and Lunenburg area of District
- 25 volunteer drivers
- Medical trips are first priority of service
- Service provided Tuesday, Wednesday, Thursday
- VON administration takes the bookings (one day advance booking required)
- $16,000 annual budget for operation, excludes the vehicle capital cost

Community Wheels [Chester]
- 2 day advance booking for local trips (1 week preferred)
- Trips can also be booked for trips to Halifax and Kentville
- Donations provided for local services
- own Administration does the bookings & dispatching function

Family Support Centre [Bridgewater]
- Volunteer drivers use their own vehicles
- Fundraising supports the service
- Wednesday recognized as the busiest day
- Family Support -identified users, for various specified trip purposes

Community Services [Lunenburg / Bridgewater]
- Service to local area, plus provides some trips outside of the District
- 10 volunteer drivers use their own vehicle
- Services oriented for child-related support programs

- Minimum $2M required for vehicle liability insurance
- Volunteers are compensated at government km rate + 2 cents
- 47,000 km driven per year (approximately a $25,000 cost to Department)
- Income Assistance requests number 25 per day
- Administrative co-ordinator books the trips, refers to volunteer driver
- One day advance booking required

Harbour House [Bridgewater]
- Volunteer drivers use their own vehicle
- Clients require evening transportation for programs
- Bookings undertaken by administration

Community Links
- Concern that lack of public transportation is forcing older residents to move
- The ability to age-in-place in communities is becoming more difficult, especially as elderly residents (indeed all residents) will not be able to drive at some point.
- Mid-day service required for those who are stay at home spouses / lack own car

Citizens for Public Transit
- Transit is a requirement for residents to access to skills training, family support centre, etc.

Challenges

As the population ages, the demand for medical-based trips related to clinical visits (e.g. diabetes and dialysis) is expected to continue to grow significantly. This demand will impact on the existing volunteer-managed transit programs.

It was very clear that volunteers play a significant role in the community's existing transportation services. Current support systems are highly dependent on donations, independent fund raising and volunteerism. Each agency has their own set of self-determined needs and priorities. A consensus on coordination of their services may be a difficult objective to reach. There has been little or no co-ordination of transportation services within and between the not-for-profit or the public sector funded services (when asked, this particular TFG was the first time that the majority of group participants have all met together at one time.)

Commentators outlined there were approximately 200 volunteer / community groups within the Mahone Bay – Lunenburg – Bridgewater triangle, and an additional 100 groups in the other rural areas of the District. This presented a challenge, since the information provided by this small focus group – in terms of local community input - would be limited, although the information provided was sufficient to enable some conclusions to be drawn. This volunteer force, although quite large, is aging. Many local community volunteers may not drive, or do not necessarily have access to a vehicle, yet it is the capacity of local volunteers that often mitigated the financial demands of public sector services. With fewer volunteers available, or limited by transportation, there will be pressure on government to provide services normally provided by the volunteer community.

Well-identified transportation services are located in the urban areas of the provinces, which provide a challenge of perception for the local region, in terms of attracting new population. As the area's population is not high growth, the region will rely increasingly on attracting new residents, or face decline in both residents and business. New residents will increasingly come from areas where transit is a customary local service, and will be less attracted in a region without competitive services.

Residents are walking great distances or are hitch-hiking to access services.

Opportunities

There is recognition that there is overlap in the services provided, such as dispatching of existing transportation services (volunteer and funded services). There appears to be a willingness to work together.

This TFG recognized / supported the concept of a transit service linking the communities, as it would help fill the gap in meeting various needs. Initial routes linking Lunenburg, Mahone Bay and Bridgewater was supported in addition to a potential work trip link to New Germany. It was considered that more rural communities might be satisfied with initial services that enable them to travel to the larger centres on selected days.

There are public transportation budgets already in place today within certain Departments that could help operational costs.

Kings Transit is willing to discuss the opportunity to provide public transportation service, if the region wishes to take the next step.

Preliminary Suggestions Discussed

A more centralized dispatching service may be feasible. (e.g. 'one-stop shopping')

Keep volunteer-run vehicles within the communities served.

Introduction of subsidized taxis was identified as an option (known as Taxi Scrip) for service in the more outlying areas.

Reduce the use of more costly ambulance services for some trips, if the service can be provided by a lower cost service. Savings can then be used to support local public transportation.

1.3.2 Business Focus Group

The business focus group consisted of 10 representatives of major employers in the local region, summarized as follows:

Resolve (Call Centre w/ 485 employees (350 'seats') in Bridgewater)

- 85% of workers on site between 11:00am - 9:00pm, or 1:00pm - 8:00pm.
- 20 to 40 hires per month

Michelin (Manufacturing w/ 1,150 employees in Bridgewater)

- 24 x 7 operation
- Employees reside throughout the region - no concentration in any particular community
- Some crews on 12hr shift [7-7] other shifts on 8hr [8:00am - 4:00pm - 12:00pm]
- Recognition some workers already vanpool from outlying areas.

Abitibi Bowater (Mill w/ 170 employees in Dayspring)

- Shifts vary but predominantly 7:00am – 7:00pm shift
- Consider that industrial employees are less likely to use transit; however, it is recognized that the option should be there, as the cost of operating cars increases.

Walmart (Retail w/ 200 employees at Exit 12 Bridgewater)

- Shifts start at 7:00am then start or end at 3:30pm, 5:00pm and 10:30pm
- Student populations begin shifts at 3:30pm and 5:00pm
- The availability of transit services was identified as a need for retail employees, more so than any perceived need for drawing shoppers.

HB Studios (Software Development w/ 83 employees in Lunenburg)

- Some of the employees recruited to community are new immigrants, tend to come from countries where transit is a given and many are not able to drive.
- Over a third of employees travel from Bridgewater every day for 9-5 workdays.

Composite Atlantic (Plastics w/ 350 employees in Lunenburg)

- Shifts begin at 7:00am and 3:30pm
- Similar to HB Studios, a portion of the workforce travels over from Bridgewater.

TFG Highlights

Concern was expressed by the Chamber of Commerce relative to impact on commercial taxes. Concern also expressed as to the potential take-up in what was perceived as a middle-class community with no culture of public transit services.

It was recognized that it could take a number of years before transit reaches its potential, and that investment would be more long-term. The need for service was stronger for the typical weekday, since it is perceived the 'family car' is more available on weekends. It was recognized that families with one auto must depend on that auto to take other trips after the work day; the availability of transit would mitigate this need Transit provides employee family members with the ability to travel without needing a 2nd or 3rd car.

There are recognized environmental benefits to the community in considering transit. The availability of transit also adds to the quality of life, which may result in attracting employees to the community

The need for sidewalks at Highway 103 / Exit 12 overpass was identified as a safety issue. Transit service could help to provide the safer link needed.

1.3.3 Student Transportation Focus Group

A separate meeting was held with five representatives of the area School Board, High Schools, and with the Community College. The following information was provided:

NS Community College (Bridgewater)

- The college has one- and two-year programs. Currently 500 students enrolled, with another 100 expected in enrolment growth.
- Majority of students reside in the county (approximately 80%)
- Some students are forced to move into Bridgewater due to lack of any transit.
- College students are getting younger and as such, are less likely to own their own car.

High Schools (Bridgewater and Parkview)

- School bussing provided if walk distance is beyond 3.0 km for both Bridgewater Junior and Senior high schools, grades 7 to 12 (elementary school students have a 1.6km criteria)
- 850 students in Parkview HS and 450 in Bayview HS
- Lunenburg grades 10-12 students (69) will be transferring to Parkview (80%) and Bridgewater (20%) next year.
- School Board indicated it would be amenable to discussing the option of seeing students being able to be transported by public transit rather than yellow school bus.
- School board owns and operates its own 16-passenger wheelchair accessible vehicle
- The school board employs 120 bus drivers (92 regular, 28 on call)
- Drivers are paid $18.81 per hour + benefits

Both college and high school

- There is recognition that students depend on family members and friends after school to travel to work or stay at school for activities
- Lack of public transportation is a barrier to activities and employment after school
- Many students drive to school since there is no alternative
- Recognition that investment in student car ownership would decrease if convenient public transit is available to them.

1.3.4 Municipal Transit Focus Group

HDR | iTRANS met with elected officials and senior staff of the four municipalities, and departmental representatives from the Province of Nova Scotia. The purpose of the meeting was to provide a study overview, summarize initial TFG discussions, and to provide reasonable expectations with respect to study outcomes. HDR | iTRANS outlined a peer review of similar sized municipalities across Canada, specifically focused on the level of financial commitment that can be expected for operating local transit services (both conventional and specialized). Kings County was included in the review. This comparative analysis helped to identify the order-of-magnitude costs early on in the study process, setting the stage for any future recommendations.

The TFG discussed the need for the study to include an assessment of best practices in governance, in terms of the strengths / weaknesses of when multiple partners are involved in meeting operational costs (i.e. municipal-owned / arm's length authority / third party service provider).

Concern was raised about the degree of potential transit ridership, in relation to the anticipated costs of service. Communities in this region have a history of independence, and of neighbours helping neighbours, as part of their culture. This cultural background would deter successful transit operation. As such, there was a need for this study to outline to local officials what degree of ridership / cost of service might be expected, as there was skepticism to see increases to local commercial tax rates for services that were not particularly well used. HDR | iTRANS indicated that it would like take a 'high school generation' to change travel habits and have transit become a service that is depended on as an alternative.

Past financial support from the provincial government has only been towards capital costs on a project-by-project basis. There was some discussion as to whether future policies and supports might be structured differently.

Attachment E

Municipality of the District of Lunenburg

Public Transportation Feasibility Study

Final Report







HDR | iTRANS

SNC·LAVALIN

December 2009

Project #5312

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EXECUTIVE SUMMARY

The Municipality of the District of Lunenburg, the Towns of Bridgewater, Lunenburg, and Mahone Bay (collectively called the Region) commissioned HDR | iTRANS to conduct a *Public Transportation Feasibility Study*. The early stakeholder consultations clearly revealed that there was a need for a publicly funded transportation service. To determine what form the service should take was the key objective of the study.

The next step was to identify and estimate the resources required to provide a public transportation service. In effect, this will allow the Councils of the four aforementioned Municipalities to determine if an investment in Public Transportation is warranted within their jurisdiction and to confirm their participation in a subsequent *Implementation Plan*.

The study follows a methodology that begins with identifying high level order of magnitude service and costs via a peer review, a description of the types of services that could be considered, and the corresponding vehicles that can be used. The study continues with an assessment of four service models against six criteria: demand, governance, cost, marketing, environmental and economic benefits. And it concludes with an objective evaluation, leading to the selection of a preferred service model.

Through the process identified, the following service framework was supported:

- **Fixed Route Service**: A scheduled fixed route service, regardless of the routing, better meets the Region's requirements than a demand response service.
- **System Are Coverage**: Greater service area coverage via a fixed route service with multiple routes best allows the Region to provide mobility to those seeking transportation.
- **Demand**: At full service implementation in Year 5, approximately 45,000 passengers per annum will board a bus or van in the Region. This equates to an average of 8 passengers per vehicle per hour (greater in the peak hours than the off-peak hours).
- **Governance**: The availability of Provincial or Federal funds will determine the Region's preferred governance model. Without funding, it is most cost effective to contract the provision and operation of vehicles to a private operator. With funding, vehicles can be purchased by the Region and operated by a private operator.
  - Regardless of which governance model is selected, a service agreement and financial agreement is required to outline the roles and responsibilities of all participating Municipalities.
- **Cost**: In the worst case scenario, the Net Present Value of capital and net operating cash flows over 5 years would equate to negative $900,000, This figure would be lessened should Provincial or Federal funding become available.

The study recommendations are summarized as follows:

- Collectively begin discussions with Provincial and Federal agencies to determine the availability of capital funding for new vehicle purchases
- Once the preceding is determined, prepare an *Implementation Plan* to identify the appropriate governance model, service and financial agreements, precise routing, schedule, bus stops and shelters and marketing program

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1. INTRODUCTION

The Municipality of the District of Lunenburg (25,000 population), Town of Bridgewater, Town of Lunenburg, and Town of Mahone Bay is comprised of 13 districts that are a mix of urban and rural communities over a large area (1,800 km^2). The Municipal District surrounds the towns of Bridgewater (8,000 population), Lunenburg (2,300 population) and Mahone Bay (1,000 population) and includes the smaller communities of Blockhouse, Dayspring, Hebbville, New Germany, Petite Riviere, Riverport, and West LeHave. This mix of urban and rural communities over a large area results in varying transportation needs and expectations.

1.1 Purpose

The purpose of this study is to determine the resources required to provide a preferred public transportation service model to the Municipality of the District of Lunenburg, the towns of Bridgewater, Lunenburg, Mahone Bay and other smaller communities in the Region.

It is recognized by both the Region's Project Team and the Consultants that the determination of the financial feasibility of a public transportation system lies with the District's and Municipalities' respective councils.

1.2 Methodology

The methodology applied to conduct the study is seen in **Exhibit 1**. These study tasks allow for the:

- Collection of information,
- Review of multiple transit service concepts,
- Identification of four (4) service models and
- Evaluation of them against six criteria; demand, governance, cost, marketing, environmental and economic.

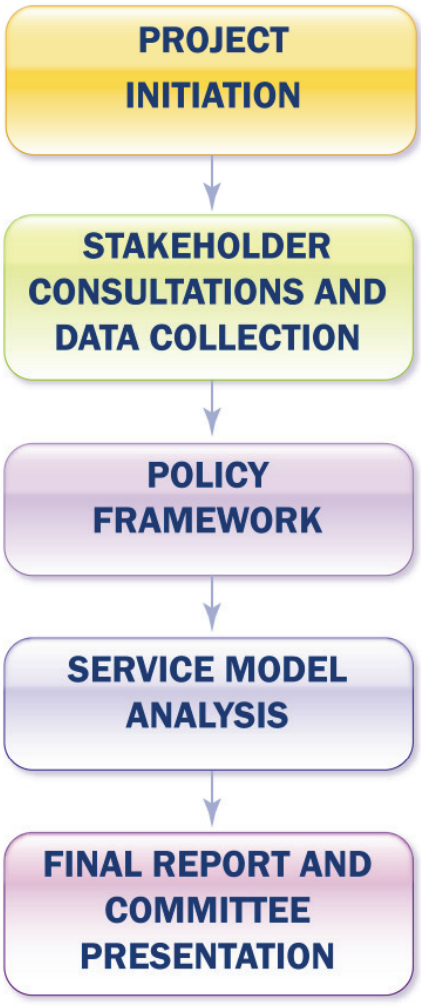


Exhibit 1: Study Methodology

2. PEER REVIEW

HDR | iTRANS identified a number of similar-sized municipalities across Canada in a peer review to assist the communities in the Lunenburg region ('the Region') in determining what expectations are for public transit today and for the future. Two separate peer reviews were carried out; one for conventional transit and another for specialized / wheelchair accessible transit.

Caution should be used when assessing peer review statistics since the densities and topography can vary significantly from one Municipality to another, or the maturity of transit systems can vary significantly. The more important aspect of peer reviews is to provide a high level understanding of the transit service levels in other jurisdictions and the levels of municipal investment, which will drive the next steps. The next step is to develop service priorities then select the service model(s) that is most appropriate to meet the priorities established.

2.1 Purpose

The purpose of a peer review is to assist the Region and its stakeholders in assessing itself against its peers, thereby establishing reasonable expectations for service, both in the present and the future. This will be done during the initial stages of the study.

2.2 Methodology

This review uses data from the same dataset used to produce the Canadian Urban Transit Association's (CUTA) 2007 Canadian and Ontario Transit Fact Book for conventional and specialized transit systems. HDR | iTRANS compared various operating, financial, and performance data among municipalities with a population of 20,000 to 34,000.

The median value of each of the peer review statistics was used as a basis to help establish reasonable expectations for stakeholders during the initial TFG consultations.

2.3 Conventional Transit Peer Review

Table 1 provides a comparison of key annual statistics in similar sized municipalities, with the Region. It should be noted that statistics for rural transit systems, as proposed in this Public Transportation Feasibility Study, is limited and the following list of similar sized municipalities reflect a "best fit". For this reason, Kings Transit has been included in the peer review despite a population which is greater than the aforementioned 20,000 to 34,000.

As seen in **Table 1**, a municipal population and service area population is identified. The difference between the two is that the municipal population identifies the total population within the municipality. The service area population, as defined by CUTA, identifies the population within "*the built-up area of the municipality receiving regular transit service; 400 metres from a service route*". This service area population is seen in **Table 1** and is the basis for the per capita statistics in **Exhibit 2**, **Exhibit 3** and **Exhibit 6**.

Table 1: 2007 Conventional Transit Peer Review

TRANSIT SYSTEM	MUNICIPAL POPULATION	SERVICE AREA POPULATION	SERVICE AREA (square km)	POPULATION DENSITY (service area people per square km)	VEHICLES	REVENUE HOURS	REVENUE KILOMETRES	RIDERSHIP	REVENUE COST RATIO	NET COST PER MUNICIPAL CAPITA	NET COST PER SERVICE AREA CAPITA
Kings County	101,268	51,500	360	143	12	50,400	1,624,000	390,500	51%	$9.49	$18.67
Clarence-Rockland	20,000	14,000	23	609	16	14,667	373,333	238,848	61%	$38.52	$55.02
Owen Sound	22,000	22,000	24	917	5	13,598	315,661	263,400	39%	$26.07	$26.07
Orangeville	27,576	27,576	14	1,970	4	9,516	227,600	91,782	31%	$11.64	$11.64
Leamington	28,833	17,200	10	1,720	2	2,186	58,104	15,600	36%	$2.89	$4.84
Airdrie	28,927	28,927	33	877	5	9,170	200,000	19,132	11%	$16.61	$16.61
Woodstock	35,000	35,000	52	673	10	21,336	433,800	263,235	29%	$27.80	$27.80
Stratford	30,000	30,000	19	1,579	15	30,369	549,244	610,380	34%	$46.10	$46.10
Orillia	30,856	30,856	29	1,064	7	14,866	281,457	264,893	41%	$18.95	$18.95
Moose Jaw	32,132	32,132	47	684	7	13,758	321,648	390,388	34%	$19.87	$19.87
Prince Albert	35,000	34,000	18	1,889	10	18,005	360,000	301,656	23%	$18.99	$19.55
MEDIAN	29,464	29,464	24	990	7	14,213	318,655	263,318	34%	$18.99	$19.55
AVERAGE	29,032	27,169	27	1,198	8	14,747	312,085	245,931	34%	$21.54	$24.10

Exhibit 2 through **Exhibit 6** graphically illustrates a number of indicators and conclusions that can be drawn from the comparisons made. Although far more detailed statistics are available, the information required to guide the study are high level in nature as explained in the forgoing.

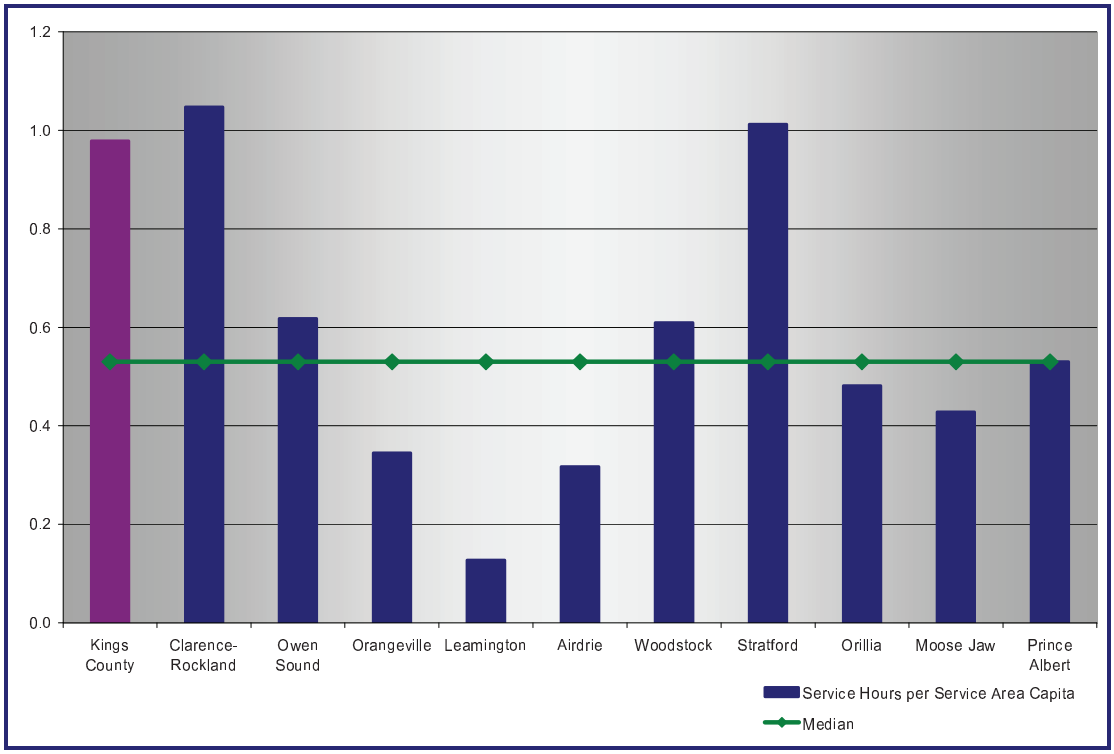


Exhibit 2: Annual Service Hours per Capita

As seen in **Exhibit 2**, Annual Service Hours per Capita range from 0.1 hours to 1.0 hours, with a median value of 0.53. Kings Transit of Nova Scotia is one of the most invested in Transit, with almost 1.0 Service Hour per Service Area Capita, which is similar to larger, more established systems across Canada.

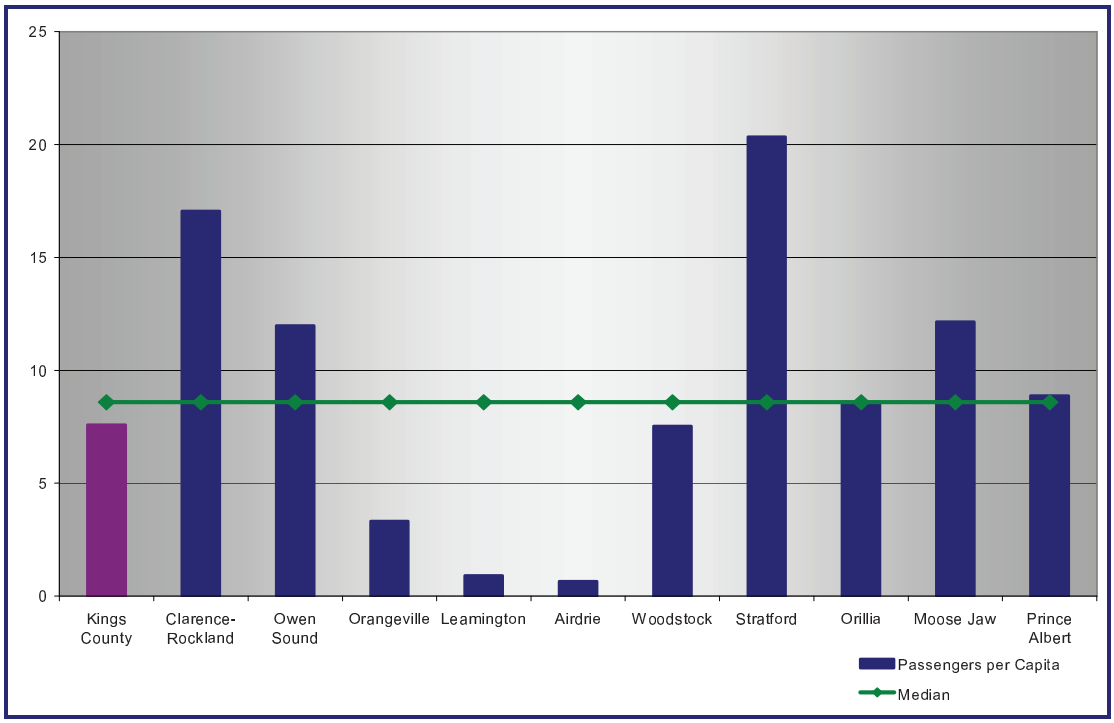


Exhibit 3: Passengers per Capita

As seen in **Exhibit 3**, Passengers per Capita per annum range from 0.5 to 20.0, with a median value of 8.6 passengers per capita, while Kings Transit's is 7.6.

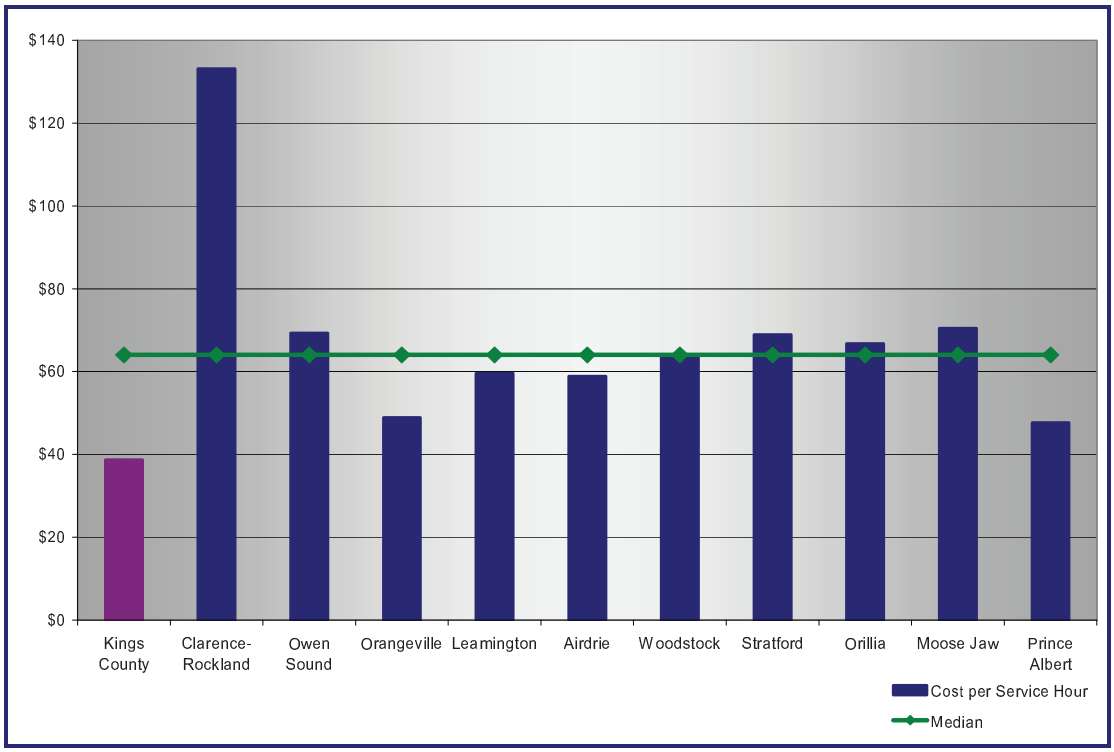


Exhibit 4: Cost per Service Hour

The Cost per Service Hour ranges from approximately $40 per hour to $130 per hour with a median value of $64 per hour. Kings Transit is the lowest in the peer group, which could partly explain why a relatively higher service is provided.

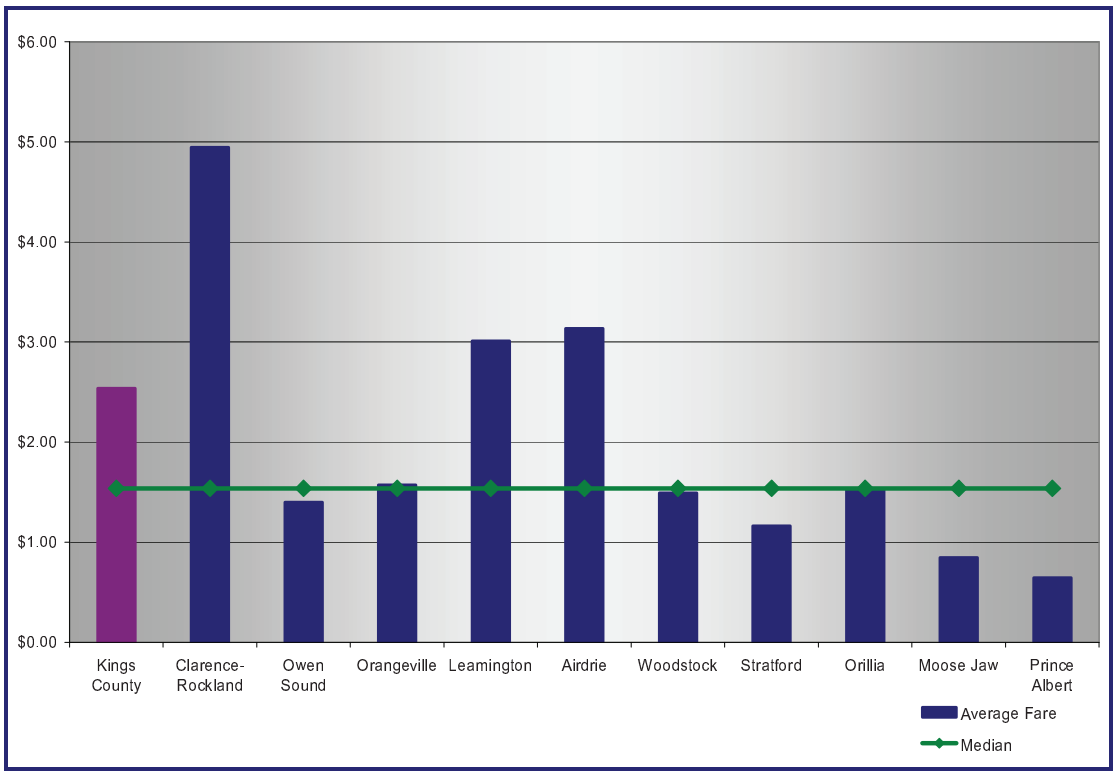


Exhibit 5: Average Fare

The Average Fare is calculated by dividing revenues received by passengers. Since bus fares may differ by passenger classification (adults, seniors, students, etc.) or the distance travelled, an average is taken. As seen in Exhibit 5, the peer review data ranges from approximately $0.60 to $5.00 with a median value of $1.53. Kings Transit is relatively high; however, longer distances are travelled and as such, higher bus fares are to be expected.

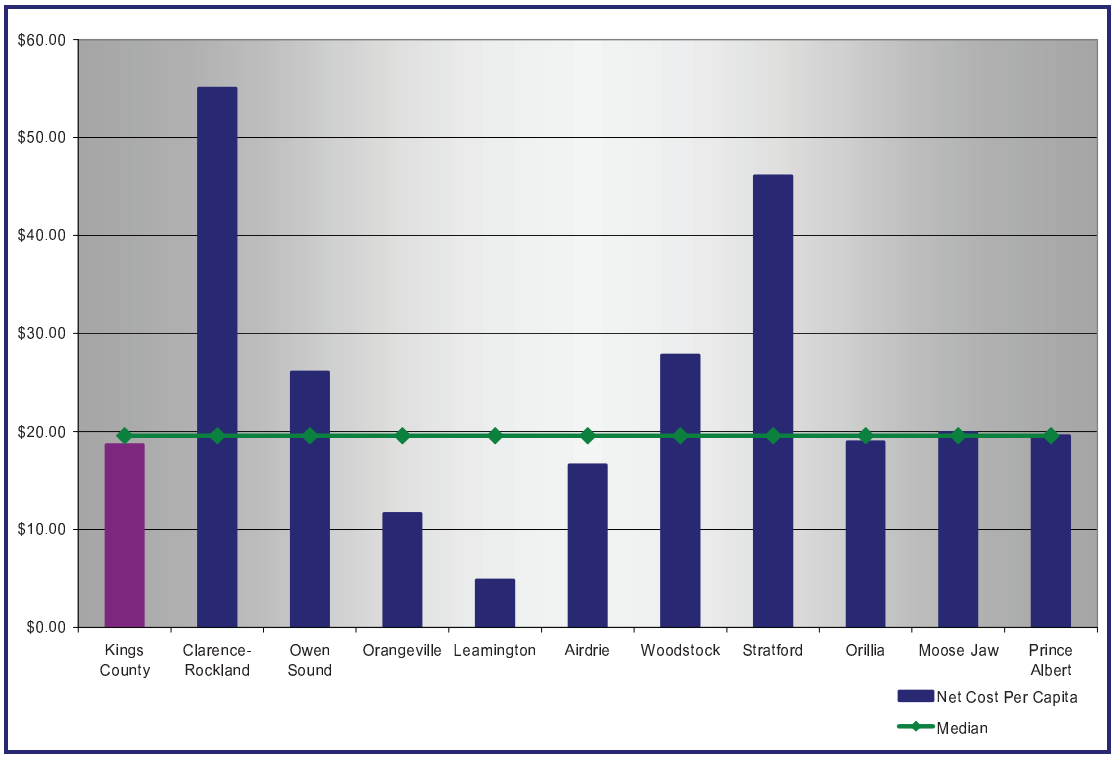


Exhibit 6: Net Cost per Capita

The Net Investment (total cost less revenues) per Capita (service area population) varies significantly, ranging from approximately $5 to $55 with a median value of approximately $20. The level of investment primarily depends on the level of transit service provided, which is commonly measured in annual service hours per capita. Kings Transit's net cost per capita is $18.67 in the service area and $9.49 if all residents are considered.

2.4 Specialized Transit Peer Review

Table 2 provides a comparison of annual key statistics in similar sized municipalities to the Region.

Table 2: 2007 Specialized Transit Peer Review

TRANSIT SYSTEM	SERVICE AREA POPULATION	SERVICE AREA (square km)	POPULATION DENSITY	VEHICLES	REGISTRANTS	% WHEELCHAIR	ANNUAL TRIPS	REVENUE COST RATIO	COST PER TRIP	NET COST PER CAPITA	TRIPS PER CAPITA
Renfrew	20,000	2,293	9	8	750	40%	20,664	69%	$19.02	$6.18	1.0
Pembroke	21,000	92	230	4	367	47%	15,562	32%	$10.74	$5.39	0.7
Owen Sound	22,000	24	928	1	380	46%	4,881	12%	$24.98	$4.90	0.2
Whitehorse	24,473	416	59	2	385	17%	7,837	2%	$45.53	$14.31	0.3
Prince Edward County	25,496	1,048	24	1	293	15%	896	7%	$98.35	$3.21	0.0
Airdrie	28,927	33	874	2	337		5,754	10%	$20.30	$3.62	0.2
Fort Erie	29,925	168	178	3	673	16%	10,733	12%	$16.79	$5.38	0.4
Orillia	30,856	29	1,071	1	394	71%	6,046	16%	$17.30	$2.77	0.2
Stratford	32,000	22	1,461	5	590	53%	16,607	16%	$9.29	$7.55	0.5
Woodstock	35,000	51	684	1	751		26,269	30%	$0.00	$4.89	0.8
Rocky View District	35,000	2,500	14	10	320	21%	13,640	65%	$33.26	$4.58	0.4
MEDIAN	28,927	92	230	2	385	40%	10,733	16%	$19.02	$4.90	0.4
AVERAGE	27,698	607	503	3	476	36%	11,717	25%	$26.87	$5.71	0.4

Exhibit 7 through **Exhibit 9** graphically illustrates a number of the indicators and conclusions that can be drawn from the comparisons made.

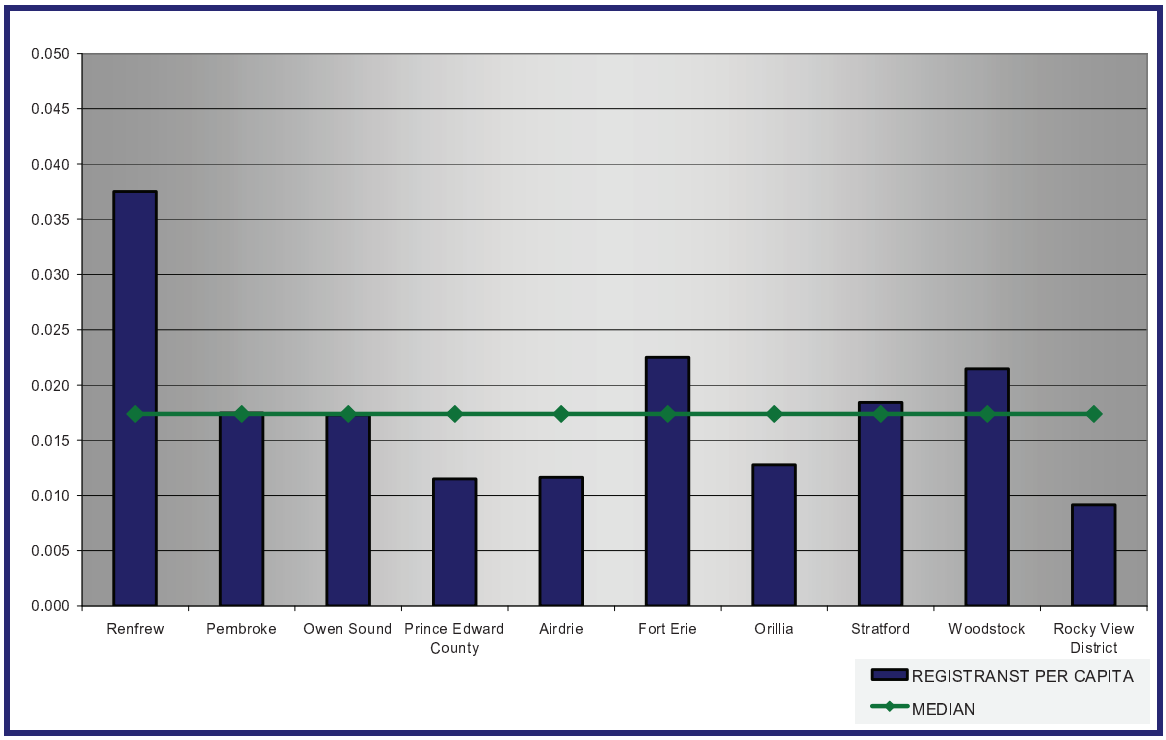


Exhibit 7: Registrants per Capita

The number of registrants for specialized transit service is dictated by the eligibility criteria in a municipality. Eligibility refers to those that qualify for using the door-to-door wheelchair accessible transit service, based on locally established criteria. The median value indicates that 1.75% of the population is registered. This will increase as the population continues to age since the physical ability to drive becomes more prevalent.

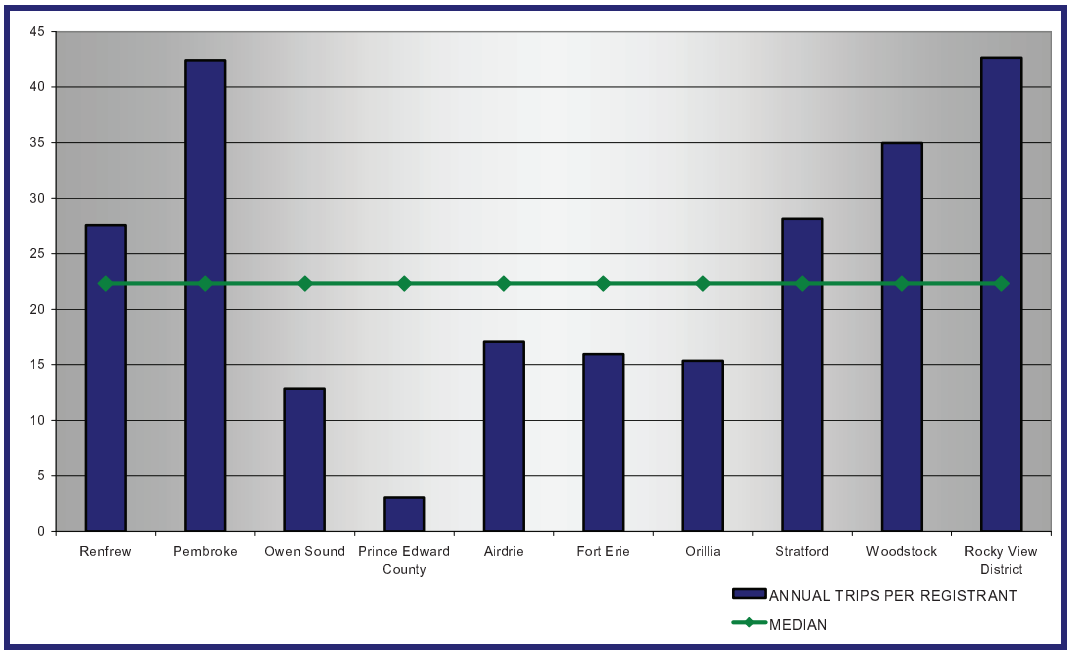


Exhibit 8: Trips per Registrant

The number of trips taken by customers of specialized transit varies depending on the amount of service available, the degree of the disability individual travel needs, and availability of family members or volunteers to meet their travel needs. The median value is 20 trips per registrant, which will vary depending on the maturity of the service. For example, the Municipality of Prince Edward County in Ontario initiated a part time service in 2007 and is increasing service as planned over a 5-year period.

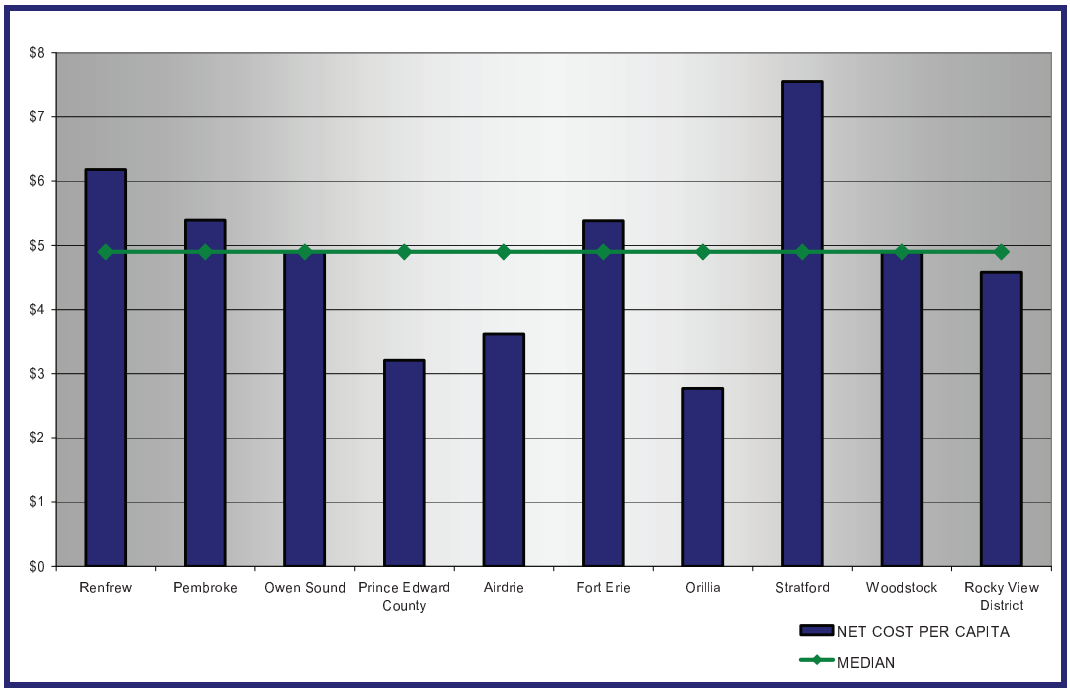


Exhibit 9: Net Cost per Capita

Many factors impact the Net Investment (Cost) per Capita to support specialized transit service in a community. The peer review revealed that the range can be significant – from $2.77 to $14.31 per capita; however, the median value of $4.90 per capita provides a guide that can be followed when establishing reasonable expectations.

2.5 Community Investment in Public Transportation

Based on the Conventional Transit and Specialized Transit peer reviews, the median investment per capita was $20.00 and $4.90, respectively, for a total of $24.90 (2007 dollars). To put this into perspective, if the investment was applied in the Lunenburg Region, the average cost per service area capita would approximate to $26.40 in 2010 (based on a 2% annual inflation), which is far less than the cost of a tank of gas each year.

The next step in the Study is to identify service priorities and policies through the development of a policy framework based on the stakeholder input received and best practices. Subsequent to this is the identification of the final service delivery models that were identified in the study terms of reference, which will be refined and short-listed by the Project Steering Committee.

3. STAKEHOLDER CONSULTATIONS

Stakeholder consultations are important in the transit planning process, as it allows all parties involved to identify needs, issues and opportunities. HDR | iTRANS conducted stakeholder consultations in the form of informal round-table Transit Focus Group (TFG) meetings.

3.1 Purpose

The purpose of the Initial Stakeholder Consultations was to:

- Educate community representatives
- Establish study expectations
- Identify issues, constraints, and opportunities
- Identify data requirements needed to complete the study

3.2 Methodology and Attendees

There were a total of four TFG meetings held on April 14 and 15, 2009 with a total of 39 participants:

1. Service Provider Transit Focus Group
2. Business Focus Group
3. Student Transportation Focus Group
4. Municipal Government Focus Group

3.3 Preliminary Findings

A number of preliminary observations, opportunities, and constraints were prepared in a document and supplied to the Steering Committee for input to be used as a basis for further consultations. The details of the consultations are provided in **Appendix A** and summarized below:

- Service Provider Focus Group
  - As the population ages, the demand for medical-based related trips is expected to continue to grow and challenge existing volunteer-managed transit programs.
  - Current support systems are highly dependant on donations, independent fundraising, and volunteerism. Each agency has their own set of self-determined needs and priorities. A consensus on coordination of their services may be a difficult objective to reach.
  - Residents are walking great distances or hitch-hiking to access services.
  - Support the concept of a transit service linking the communities of the Core Area (defined as the area between and including: Lunenburg, Mahone Bay and Bridgewater) in addition to a potential work trip link to New Germany.
  - There are public transportation budgets already in place today within certain Departments that could help operational costs.
  - Introduction of subsidized taxis was identified as an option (known as Taxi Scrip or fixed route shared ride taxi) for service in the more outlying areas.

- Business Focus Group
  - Concern was expressed by the Chamber of Commerce relating to the impact on commercial taxes.
  - It was recognized that it could take a number of years before transit reaches its potential, and that investment would be more long-term. The need for service was stronger for the typical weekday, since it is perceived that the 'family car' is more available on weekends.
  - There are recognized environmental benefits to the community in considering transit. The availability of transit also adds to the quality of life, which may result in attracting employees to the community.
- Student Transportation Focus Group
  - There is recognition that students depend on family members and friends after school to travel to work or stay at school for activities.
  - Lack of public transportation is a barrier to activities and employment after school
  - Many students drive to school since there is no alternative.
  - Recognition that investment in student car ownership would decrease if convenient public transit is available to them.
- Municipal Transit Focus Group
  - Concern was raised about the degree of potential transit ridership, in relation to the anticipated costs of service.
  - Past financial support from the provincial government has only been towards capital costs on a project-by-project basis. There was some discussion as to whether future policies and supports might be structured differently.

The input from the TFG consultations were used as input to the next step, namely, the development of service priorities.

4. POLICY FRAMEWORK

Based on the feedback up to this point in the study as well as our direct experience and industry best practices, HDR | iTRANS developed a set of service priorities and policies. The Policy Framework is simply a guide that establishes minimum requirements in terms of service levels (days and hours of operation, frequency of service, service coverage, etc.) and expected performance. That being said, since a service in the Region would be a start-up service, it is recognized that it may take several years before performance targets are reached.

The priorities and policies are designed to reflect a balance between meeting public transportation needs and ensuring affordability for each service. It should be clear that public transportation cannot be all things to all people and that what will be provided is based on priorities that reflect overall objectives and fiscal responsibility. The policy framework addresses:

- Service policies (hours of service, frequency of service, and days of operation)
- Performance measures and service efficiency / effectiveness
- Financial policies

4.1 Service Priorities

Based on input from the municipalities and stakeholders as identified in the TFGs, a set of service priorities emerged. These service priorities placed importance on different elements of potential transit service. Service priorities are required as they provide the big picture vision of what stakeholders expect from public transit. The following lists the Region's transit service philosophies and priorities:

- **Service Philosophies:**
  - Provision of mobility to those seeking transportation
  - Compete with the automobile
  - Minimize trip times
  - Cost effectiveness

- **Service Area Priorities:**
  - Core Area:
    - Core Area is defined by the land that includes the land within the borders of Highway 103 to the north, the Atlantic Ocean to the east and south and the LaHave River to the west. It includes the communities of Mahone Bay, Lunenburg, Riverport, Bridgewater, and Blockhouse.
  - Non-Core Area:
    - Non-Core Area is defined by the remaining land within the Municipal District of Lunenburg and includes the communities along the western side of the LaHave River estuary and New Germany.
  - Service to employment centres in the Core Area
  - Service to institutional centres (schools, hospitals, municipal buildings) in the Core Area
  - Service to retail centres (shopping, groceries) in the Core Area

- **Service Hours Priorities:**
  - Peak period service
    - AM peak period (6:00 AM to 10:00 AM)
    - PM peak period service (2:00 PM to 6:00 PM)
  - Off-peak service
    - Mid-day (10:00 AM to 2:00 PM)
    - Evening (6:00 PM to 10:00 PM)

Service Day Priorities
- Weekday
- Saturday
- Sunday

Service Market Priorities
- Core Area trip market (day / time sensitive)
- Work-trip market (day / time sensitive)
- School-trip market (day / time sensitive)
- Shopping / Leisure-trip market

The proceeding service policies support the aforementioned service priorities.

4.2 Service Policies

Transit service policies provide general policy direction for the Region to follow with respect to the provision of transit service.

4.2.1 Service Standards

Transit service standards are needed to the Region in determining if or when transit service will be provided, how often it will be provided, and how it will be provided through:
- A framework for making rational decisions on the level and quality of service in the community.
- Increased public awareness of the philosophy of service and growth.
- A strong commitment by Council to maintain service standards within the context of balancing social and environmental objectives with fiscal responsibility.
- A high degree of acceptance for transit expenditures since the decision-making process will be perceived as fair.

Through the TFGs, analysis, and the consensus-building process that HDR | iTRANS advocated throughout the study thus far, a number of goals and objectives have been developed.

Service Goals

To provide a public transit service as a viable alternative to the automobile, the Region must:
- Improve the quality of life of residents who do not have access to an automobile.

- Meet the travel demand generated by various target markets in the employment, academic, commercial, medical, and service industries.
- Recognize that transit is an integral component of sustainable growth.

Performance Goals

Transit performance targets have been established for the Region for Year 5 of the service. The targets are derived from the preceding Peer Review exercise. The Peer Review identifies Kings Transit's performance indicators. These performance indicators are used as a preliminary benchmark. The performance targets identified can be adjusted, as required, and are designed to be slightly out of reach to ensure ridership growth initiatives are balanced with fiscal responsibility. The performance targets are:

- **Effectiveness**: To build transit use to 8 passengers per capita by Year 5
- **Efficiency**: To increase service utilization to 8 passengers per hour by Year 5
- **Financial**: To invest $18.00 per capita in transit service by Year 5

Service Area Objective

The Region should provide service to provide mobility to those seeking transportation to employment centres, major institutions (hospitals, medical centres), and shopping centres.

Service Objective

The minimum frequency of service and service hours to be provided shall be adequate to meet the various target markets within the community.

5. SERVICE MODEL CONCEPTS

The following section describes types of transit service model concepts. These service model concepts, either in isolation or in conjunction with others, will be applied to the service model design process.

5.1 Fixed Route Conventional Transit Service

Conventional Transit is the most common public transportation service operated in towns and cities where buses operate along a fixed route that follows a public timetable. Service is generally provided along main roadways where key destinations are located. Routes tend to be as direct as possible to minimize travel time and, therefore, be more competitive with the automobile for the work and school trip. Buses are generally heavy-duty in design and range in size from 9.2 (30-foot), 10.2 (25-foot) to 12.2 (40-foot) metre buses, but the most common is a 12.2 metre (40-foot) bus. King's County operates heavy-duty vehicles.

Since the early 1990s, most new transit buses are of the low-floor design. By eliminating interior steps in the doorways, low floor buses makes access easier and faster for all passengers, reduces passenger tripping and falling accidents, and eliminates the need for a lift for the boarding and alighting of wheelchair and scooter passengers.

In summary, Conventional Transit Service has the following characteristics:

- Wheelchair accessible buses
- Fixed routes and reliable schedules
- Service tends to be more frequent during the peak periods
- Designed for peak passenger loads to accommodate the work and school trip, and are able to accommodate typical off-peak service with less frequent service for other trip purposes such as shopping, leisure, medical, and personal business

Recommendation: To be applied during the service model design exercise.

5.2 Fixed Route Community Bus Service

Community bus service is a form of fixed route service that is a sub-type of Conventional Transit, which is adapted to address the travel and mobility needs of senior citizens as well as accommodating other citizens. Community bus routes are laid to link major origins and destinations for non-work-based such as trips linking seniors' residences, shopping centres, recreational facilities, and medical buildings. Unlike Conventional Transit, community bus routes frequently use lower-tier roadways and locate stops as close as possible to building entrances so as to minimize walking distances for passengers.

The driver is trained to provide boarding and alighting assistance to passengers, and has the time to do so because the scheduled speed of the community bus route is slower than a Conventional Transit route. Interior seating is often configured in rows, rather than around the perimeter of the vehicle, which makes it easier for people to have conversations and

socialize. Having the seats close together also provides more hand holds when moving down the aisle.

Routes are generally indirect, with longer average travel times, as is appropriate to a passenger market for whom directness of travel and frequency of service are not as important as ease of access, minimized walking, and the availability of driver assistance. Community buses usually permit passengers to request to be let off between stops, and allow passengers to hail the bus and get on board at any safe location along the route. Service frequencies tend to be less than Conventional Transit, typically provided on an hourly basis or even every two hours. Community buses usually operate at off-peak periods, and sometimes replace a Conventional Transit route in larger systems during that time. A smaller Conventional Transit vehicle can be used as a community bus to service areas (e.g. seniors' centres) where a larger vehicle would have difficulty accessing; however, total operating cost savings are marginal when compared to conventional transit vehicles.

Recommendation: To be applied during the service model design exercise.

5.3 Demand-Responsive Dial-a-Ride Buses

Dial-a-Ride Service is a demand-responsive door-to-door service whereby residents call into a dispatch centre or driver cell phone to request service. A van or small bus is then sent to pick them up. Service can be completely in response to requests, or can be structured to operate on a frequency basis (e.g. every hour). In that case, the requester is given the next available time the vehicle can arrive to pick him or her up, and an approximate arrival time at destination. Similar to a fixed route shared-ride taxi, a Dial-A-Bus customer would be able to transfer to a Conventional Transit route, if necessary, to complete a long trip. On the return trip, the process is the same, the customer is also required to call and request the trip.

Dial-a-Ride Service is generally used in place of Conventional Transit in areas where population is sparse and demand for service is low. The need to request each trip and wait for the next available time can make it less convenient for the customer; however, this is offset by the convenience of door-to-door service, especially during inclement weather.

Dial-a-Ride may either compete directly with the taxi industry or be offered using taxi vehicles. Costs per passenger can be significantly higher than other low-cost services.

Recommendation: Not to be considered during service model design exercise.

5.4 Pre-booked Service

Pre-booked service is a door-to-door transit service whereby residents call into schedule a request for transit service, typically anywhere between one (1) to five (5) days in advance. Upon the scheduled date of service, a van or small bus is sent to pick up the customer. Similar to a fixed route shared-ride taxi and a Dial-A-Bus customer, a pre-booked service customer would be able to transfer to a Conventional Transit route, if necessary, to complete

a long trip. On the return trip, the process is the same, the customer is also required to call and request the trip.

Pre-booked service is generally used in place of Conventional Transit in areas where population is sparse and demand for service is low. The need to request each trip, days in advance, makes it less convenient for the customer; however, this is offset by the convenience of door-to-door service, especially during inclement weather.

Recommendation: To be applied during the service model design exercise.

5.5 Car- and Van-pool Options

Car- and Van-Pool services are effective where a significant number of people in one area need transportation to another area, such as a commercial, business or industrial area. Pooling requires matching people with similar start and end work times in close proximity to each other. Given the sparse population density of the Region of Lunenburg, this option would have success only in identified pockets of high demand. Further, the rural nature of the community lends itself to car- and van-pools that are organized informally. The option was not considered further.

Recommendation: To be considered as a possible supplementary service after core requirement evaluation.

5.6 Peak Period Shuttle Services

The ability to address people's needs to get to and from work is of paramount importance. In most cities across Canada, large and small, service to employment areas is given priority; special shuttle service is offered to match employment hours. Since most work hours begin in the morning and end in the late afternoon, transit systems will provide shuttle service to accommodate shift start and end times. During the mid-day period (e.g. 9:00 AM – 3:00 PM), no service is provided. Peak period shuttles, also known as 'industrial specials', are often used to provide service from a Conventional Transit transfer point so that transit customers can complete their trip to work. The vehicles used are typically Conventional Transit buses.

Recommendation: To be applied during the service model design exercise.

5.7 Fixed-Route Shared-Ride Taxi Service

Fixed Route Shared-Taxi service is also generally employed in areas of low demand, that is, where Conventional Transit service is not warranted. The taxi, usually a van, follows a fixed route and schedule, stopping only at designated points or bus stops. Passengers board the taxi vehicle, pay the normal transit fare, and can be issued transfers by request. In essence, a taxi is used in place of a bus. The significant benefit is that the cost of service is typically much lower than that of Conventional Transit. Typical contracts set an hourly rate, and stipulate

that only the time actually used is paid for. Shared-ride taxis are used in conjunction with Conventional Transit fixed routes as an interim solution until Conventional service is warranted. No dedicated dispatch service is required for this option.

Since taxis would not offer a door-to-door service, shared-ride taxi is not viewed as competing with regular taxis.

Recommendation: To be applied during the service model design exercise.

5.8 Specialized Transit

Specialized transit, also known as Paratransit, is a wheelchair accessible public transportation service. Specialized transit is a reservation-based service, often requiring a minimum 24-hour reservation, which serves residents that meet eligibility criteria. Most often, eligibility criteria requires that customers cannot physically access public transit, use mobility aids, or are cognitively disabled. Some specialized transit agencies will allow other customers on board provided there is space available. The cost of the service per customer is far greater than regular conventional transit and it is recognized that as the population ages, there will be significant increases in demand.

Recommendation: To be considered by the Region at a later date

5.9 Service Model Concepts Comparison

The preceding service model concepts require specific vehicles and have relative costs, advantages, and disadvantages. **Table 3** highlights the aforementioned for each service model concept. These service model concepts will be carried forward to the service model design segment of the study.

Table 3: Service Model Comparison

CONCEPTS	VEHICLE	RELATIVE OPERATING COST	ADVANTAGES	DISADVANTAGES
Fixed route conventional transit (All Day)	Conventional Transit Vehicle	High	▪ Highest capacity ▪ Services all markets ▪ Mobility aid accessible	▪ Most expensive to purchase and operate. ▪ Hourly peak service limits accommodation of work / school trip
Fixed route conventional transit (Peak Period)	Conventional Transit Vehicle	High	▪ Serves work / school trips well ▪ Ability to start small then add trips as demand dictates (flexible)	▪ No off peak service ▪ No service to remote areas
Fixed route community bus service	Conventional Transit Vehicle	High	▪ Serves more origins and destinations. ▪ Mobility aid accessible	▪ Does not meet work trip needs ▪ Infrequent service
Demand responsive dial-a-ride buses	Large Van or Small Bus	Medium	▪ Applicable to more remote areas ▪ Flexible hours of operation	▪ Customer must call in and schedule ▪ Requires dispatcher or driver with cell-phone ▪ Customer at mercy of availability ▪ Highest cost per passenger
Pre-booked service	Large Van or Small Bus	Medium	▪ Applicable to more remote areas ▪ Flexible hours of operation ▪ More efficient over dial-a-ride	▪ Customer must call in and schedule ▪ Requires dispatcher or driver with cell-phone ▪ Greater wait time over dial-a-ride ▪ More direct routes over dial-a-ride
Car- and van-pool options	Sedan up to a Large Van	No Cost	▪ Good feeder services for remote areas	▪ Depends on coordination by the public; ride matching services required
Peak period shuttle services	Large Van or Small Bus	Medium	▪ Ability to start small then add trips as demand dictates (flexible)	▪ Minimal capacity ▪ No off-peak service
Fixed route shared-ride taxis	Sedan, Large Van or Small Bus	Low	▪ Ideal feeder services for newer developments with few homes and remote areas ▪ Costs apply to portion of hourly cost ▪ Low cost for mid-day and evening trips	▪ Minimal capacity ▪ Limited off-peak or peak feeder services

The preceding service model concepts refer to varying vehicles to provide the service. A description of these vehicles, their capital costs and relative operating costs is provided in **Table 4**.

Table 4: Vehicle Descriptions

VEHICLE TYPE	VEHICLE PHOTO	SEATS	CAPITAL AND OPERATING COST	ADVANTAGES	DISADVANTAGES
Conventional Transit Vehicle (12.2 metre)		42 seats + standees	**Capital**: ▪ New: $430,000 ▪ Used: $45,000 ('99) ▪ Used: $65,000 ('01) **Operating**: High	▪ Can accommodate large loads 12+ year life cycle ▪ Low-floor ▪ Wheelchair Accessible	▪ Initial capital cost ▪ Higher operating cost ▪ For larger urban centres ▪ New maintenance infrastructure needed (e.g. hoists)
Conventional Transit Vehicle (9.3 metre)		26+ seats + standees	**Capital**: ▪ New: $400,000 ▪ Used: $40,200 ('06) ▪ Used: $41,700 ('06) **Operating**: High	▪ Medium to high demand routes ▪ 12+ year life cycle ▪ Low-floor ▪ Wheelchair accessible	▪ Initial capital cost ▪ Higher operating cost ▪ New maintenance infrastructure may be needed (e.g. hoists)
Community Bus (approx. 8.8 metre)		16-26 seats + standees	**Capital**: ▪ New: $180,000 ▪ Used: $17,800 ('00) ▪ Used: $39,900 ('03) **Operating**: Medium	▪ Good capacity ▪ Low demand routes ▪ Low-floor / wheelchair accessible ▪ Heavy Duty ▪ 7-10 year life cycle ▪ Can be maintained by existing service centres	▪ Can accommodate only a modest number of passengers
Small Bus (6.7 metre)		14-20 seats	**Capital**: ▪ New: $90,000 ▪ Used: $15,500 ('00) ▪ Used: $32,000 ('06) **Operating**: Low	▪ Ideal for low demand areas ▪ Can be wheelchair Accessible ▪ Can be maintained locally	▪ 7 year life cycle ▪ High floor / not wheelchair accessible
Large Van		Up to 10 seats	**Capital**: ▪ New: $50,000 ▪ Used: $16,500 ('99) ▪ Used: $17,900 ('03) **Operating**: Lowest	▪ Ideal for low demand areas and demand response services ▪ Can be wheelchair accessible ▪ Can be maintained locally	▪ Only 5 year life cycle ▪ High floor ▪ Minimum capacity

6. SERVICE MODEL DESIGN

Prior to conducting the service delivery model analysis, preliminarily service design concepts have been prepared for each model based on the service priorities and policies developed in the Policy Framework. The purpose of this task is to identify all the components necessary for the service model analysis. The service design will include the following:

- Vehicle Requirement
- Level of Service
- Routing
- Mapping

The preliminary service design concepts provide the framework to conduct the core requirement analysis. The core requirement analysis consists of identifying the following for each service model design:

- Demand
- Governance
- Cost
- Environment
- Marketing
- Economic

Based on the Policy Framework's service priorities and service policies, HDR | iTRANS has prepared service model designs for each of the following four service models:

1. Model A: Fixed Route Service
2. Model B: Fixed Route and Feeder Service
3. Model C: Pre-booked Service
4. Model D: Fixed Route and Tendered Feeder Service

Each service model design applies the concepts previously documented. One design has been produced for each model. Four overarching principles are applied to the service model. They are:

1. Each service model has access to two heavy duty vehicles or three small vehicles
2. Each service model is designed for 120 revenue hours of weekly service
3. Each service model is designed to best meet service priorities
4. Each service is designed for Year 5 (implementation strategy exercise identifies staging through Years 1 to 4)

6.1 Model A – Fixed Route Service

Model A – Fixed Route Service is designed for Year 5 of service and is based on a fixed route conventional transit concept. The service is designed to meet the service priorities of service to the Core Area for day and time sensitive work and school trips, to employment centres, institutions and schools.

As shown in **Exhibit 10**, Model A's routing is along the shortest distance connecting the Core Area in 75 minutes to allow for intra-municipal travel of 75 minutes in Mahone Bay, Lunenburg, and predominantly Bridgewater. The round trip time is approximately 2.5 hours.

Model A requires two (2) vehicles to provide the following service:

- AM Peak Period
  - 1 Trip (6:00 AM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 1 Trip (6:00 AM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg
- Mid-day
  - 1 Trip (11:00 AM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 1 Trip (11:00 AM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg
- PM Peak Period
  - 2 Trips (3:00 PM and 5:30 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 2 Trips (3:00 PM and 5:30 PM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg

In effect, this service provides bi-directional service in the AM peak, Mid-day and PM Peak for a total of eight trips per day. This generates 20 revenue hours of service per day and 100 hours per week.

In the evening, one (1) vehicle is required to provide the following service:

- Evening
  - 1 Trip (8:00 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg

This generates 2.5 revenue hours of service per day and 12.5 hours per week.

On Saturdays, one (1) vehicle is required to provide the following service:

- Saturday
  - 3 Trips (9:00 AM, 12:00 PM, 4:00 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg

This generates 7.5 revenue hours of service per Saturday.

In total, **Model A** generates 120 revenue hours per week.

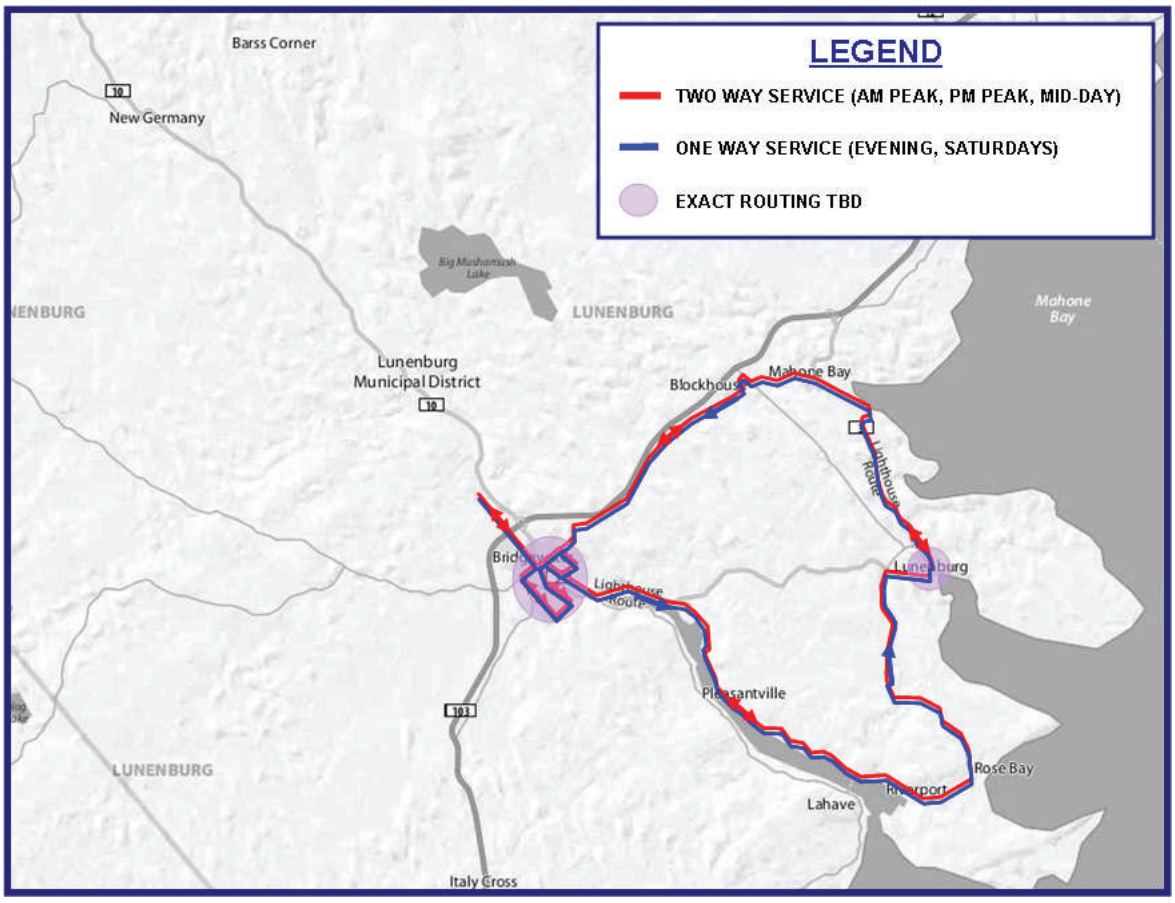


Exhibit 10: Model A – Fixed Route Service

6.2 Model B – Fixed Route and Feeder Service

Model B – Fixed Route and Feeder Service is designed for Year 5 of service and is based on a fixed route conventional transit concept and a community bus service. The service is designed to accommodate trips in the Core Area for day and time sensitive work and school trips. It is also designed for non day / time sensitive trips for leisure, shopping, and medical appointments by providing a mid-day service to an extended core service area that links New Germany (NG) and the communities on the west side of the LaHave River.

The fixed route service is provided along the shortest round trip distance to connect the Core Area as in **Model A**. As shown in **Exhibit 11**, **Model B**'s conventional transit routing is along the shortest distance connecting the Core Area in approximately 2.5 hours. Service has been designed for the AM peak period and PM peak period trips. **Model B** requires two (2) vehicles to provide the following bi-directional service:

- AM Peak Period
  - 1 Trip (6:00 AM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 1 Trip (6:00 AM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg
- PM Peak Period
  - 2 Trips (3:00 PM, 5:30 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 2 Trips (3:00 PM, 5:30 PM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg

This service generates 75 revenue hours per week.

One-way service is provided to the Core Area during the mid-day, evenings, and Saturdays. It requires one (1) vehicle to provide the service:

- Mid-day
  - 1 Trip (11:00 AM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
- Evening
  - 1 Trip (8:00 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
- Saturday
  - 3 Trips (9:00 AM, 12:00 PM, 4:00 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg

This service generates 32.5 revenue hours per week.

The feeder service provides transit service to New Germany and the communities on the west side of the LaHave River to Petite Riviere. **Model B**'s feeder service's round trip time is approximately just over 3 hours (3 hours and 7.5 minutes) and requires one (1) vehicle to provide the following service two days a week during the mid-day:

- Two Days a Week
  - 2 Trips (8:30 AM, 12:00 PM) Bridgewater-New Germany-Bridgewater-Petite Riviere-Bridgewater

This generates 12.5 hours of revenue service per week.

In total, **Model B** generates 120 revenue hours per week.

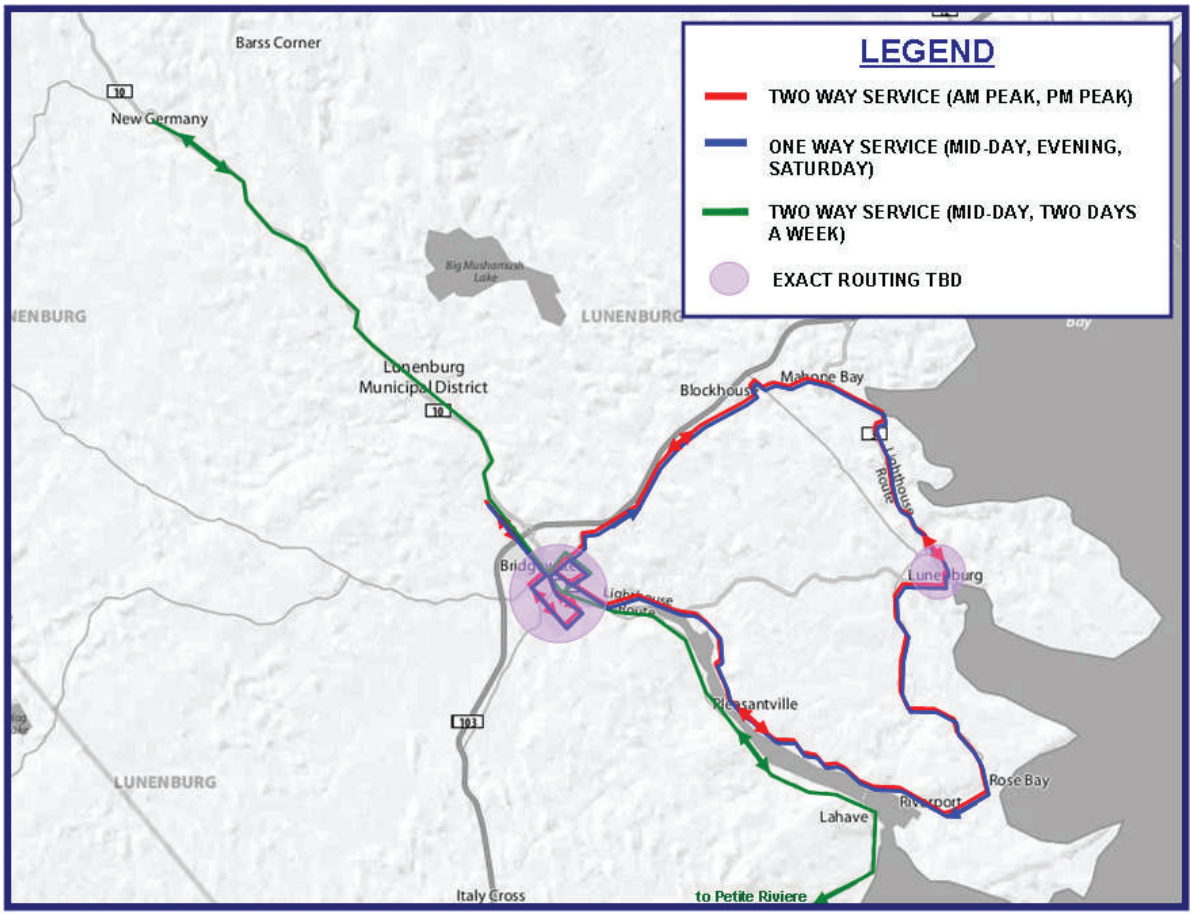


Exhibit 11: Model B – Fixed Route Service and Feeder Service

6.3 Model C – Pre-booked Service

Model C – Pre-booked service is designed for Year 5 of service and is based on the pre-booked service concept. It is designed to accommodate all markets and provide public transit service to the entire Region as seen in **Exhibit 12**. **Model C**'s service has been designed into a zone system. There are three zones, each receiving daily service.

The **Core Area zone** is bordered by Highway 103 to the north, the Atlantic Ocean to the east and south, and the LaHave River to the west. Service is from anywhere in the Core Area to anywhere in the Region and requires two (2) small buses to provide service from 9:00 AM to 6:00 PM on weekdays. **Core Area zone** service generates 45 revenue hours of service per vehicle per week. In total, the service runs for 90 revenue hours per week.

The **northern zone** is bordered by the Region's eastern and northern boundary, Highway 325 to the west, and Highway 103 to the south. Service is from anywhere in the northern zone to anywhere in the Region and requires one (1) small bus to provide service from 9:00 AM to 4:30 PM two days a week. **Northern zone** service generates 15 revenue hours of service per week.

The **western zone** is bordered by the Region's western and southern boundary, Highway 325 to the north, and the LaHave River to the east. Service is from anywhere in the western zone to anywhere in the Region and requires one (1) small bus to provide service from 9:00 AM to 4:30 PM two days a week. **Western zone** service generates 15 revenue hours of service per week.

Collectively, **Model C** provides 120 revenue hours of service per week.

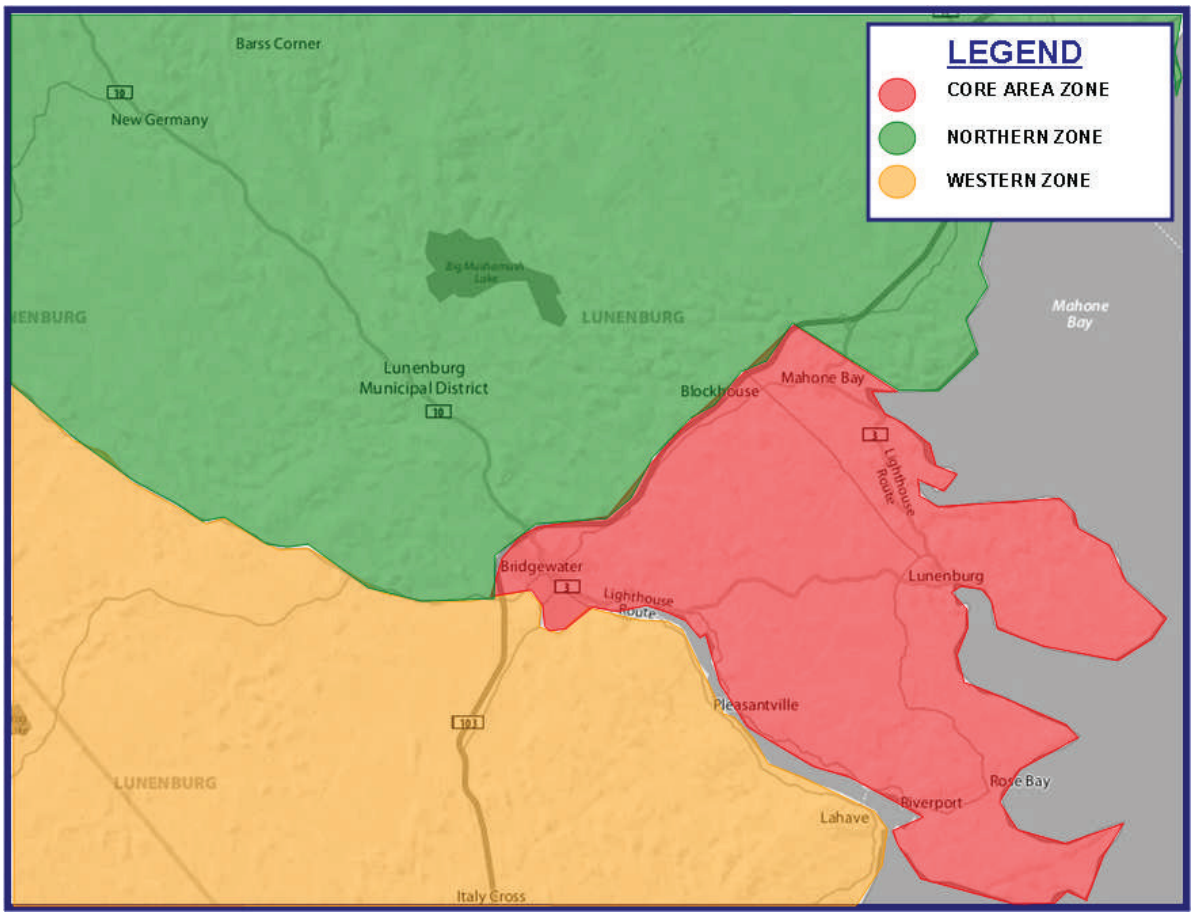


Exhibit 12: Model C – Pre-Booked Service

6.4 Model D – Fixed Route and Tendered Feeder Service

Model D – Fixed Route and Tendered Feeder Service, as seen in **Exhibit 13**, is designed for Year 5 of service and is based on the fixed route conventional transit service concept and the fixed route shared-ride taxi service concept. The service is designed to accommodate trips in the Core Area for day and time sensitive work and school trips and NG and the communities on the west side of the LaHave River for non day and time sensitive trips for leisure, shopping, and medical appointments.

Model D's fixed route service is provided along the shortest round trip distance to connect the Core Area as in **Model A** and **B**. The round trip distance is approximately 2.5 hours. Service has been designed for all day bi-directional service. **Model D** requires two (2) vehicles to provide the following service:

- All-day Service
  - 4 Trips (6:00 AM, 9:00 AM, 3:00 PM, 6:00 PM) Lunenburg-Riverport-Bridgewater-Mahone Bay-Lunenburg
  - 4 Trips (6:00 AM, 9:00 AM, 3:00 PM, 6:00 PM) Lunenburg-Mahone Bay-Bridgewater-Riverport-Lunenburg

This service generates 20 revenue hours of service a day or 100 revenue hours per week.

The tendered service delivered via a fixed route shared-ride taxi service is provided along two routes. The first route provides direct service between downtown Bridgewater and downtown Lunenburg with limited stops in town and along the route. This service takes 30 minutes one-way and requires one (1) van (8 to 10 passengers) to provide the following trips:

- AM Peak
  - 1 Trip (8:00 AM) Bridgewater-Lunenburg
  - 1 Trip (8:30 AM) Lunenburg- Bridgewater
- PM Peak
  - 1 Trip (5:00 PM) Bridgewater-Lunenburg
  - 1 Trip (5:30 PM) Lunenburg- Bridgewater

This service generates 2 revenue hours of service a day or 10 revenue hours per week.

The second route provides service to New Germany and the communities on the west side of the LaHave River for non day and time sensitive trips for leisure, shopping, and medical appointments two days a week. The service takes 2.5 hours round trip and requires 1 van (8 to 10 passengers) to provide the following:

- Two Days a Week
  - 2 Trips (8:00 AM and 5:00 PM) Bridgewater-New Germany-Bridgewater-Petite Riviere-Bridgewater

This service generates 10 revenue hours per week.

Model D, the fixed route conventional transit and tendered feeder service, requires two (2) heavy-duty vehicles and two (2) taxi vans to provide 120 revenue hours of service per week.

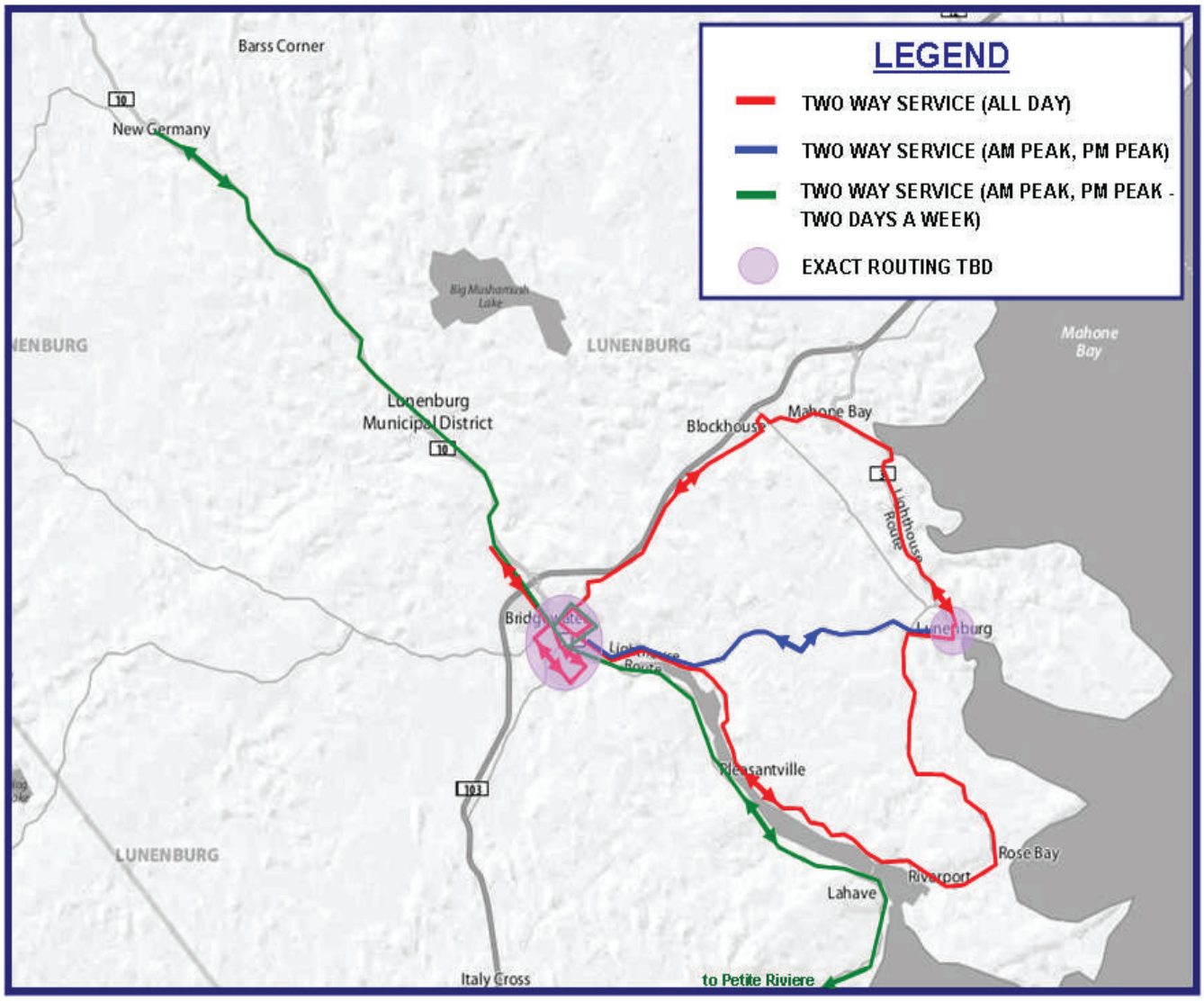


Exhibit 13: Model D – Fixed Route and Tendered Feeder Service

6.5 Service Model Design Comparison

Table 5 summarizes and compares the elements of each service model. This table is referenced in the service model evaluation seen in **Table 27**.

Table 5: Preliminary Service Model Design Elements

SERVICE FEATURE	MODEL A	MODEL B	MODEL C	MODEL D
Service Name	**Fixed Route Service**	**Fixed Route and Feeder Service**	**Pre-Booked Service**	**Fixed Route and Tendered Feeder Service**
Service Description	▪ AM Peak Service: • 2 trips • Two-way service ▪ Mid-day Service: • 2 trips • Two-way service ▪ PM Peak Service: • 4 trips • Two-way service ▪ Evening Service: • 1 trip • One-way service ▪ Saturday Service: • 3 trips • One-way service	▪ AM Peak Service: • 2 trips • Two-way service ▪ PM Peak Service: • 4 trips • Two-way service ▪ Mid-day: • 1 trip • One-way service ▪ Evening: • 1 trip • One-way service ▪ Saturday Service: • 3 trips • One-way service ▪ Two Days a week: • 4 trips • Two-way service	▪ Daily service: • Core Area Zone ▪ Rotating service: • Northern Zone • Western Zone	▪ Fixed Route: • 4 trips • Two-way service ▪ Fixed Route Shared-Ride Taxi: • AM / PM Peak 4 trips • Twice a week 4 trips
Vehicle Requirements	2 vehicles (community bus)	2 vehicles (community bus)	3 Small buses: ▪ Daily service (2) ▪ Rotating service (1)	▪ 2 vehicles (community bus) ▪ 2 taxi-vans (contracted)
Level of Service	▪ 120 revenue hours per week ▪ AM Peak Service: • (6:00 AM) ▪ Mid-day Service: • (11:00 AM) ▪ PM Peak Service: • (3:00 PM, 5:30 PM) ▪ Evening Service: • (8:00 PM) ▪ Saturday Service:	▪ 120 revenue hours per week ▪ AM Peak Service: • (6:00 AM) ▪ PM Peak Service: • (3:00 PM, 5:30 PM) ▪ Mid-day Service: • (11:00 AM) ▪ Evening Service: • (8:00 PM) ▪ Saturday Service:	▪ 120 revenue hours per week ▪ Daily service: • (9:00 AM to 6:00 PM) ▪ Rotating area service (9:00 AM to 4:30 PM)	▪ 120 revenue hours per week ▪ Fixed Route: • (6:00 AM, 9:00 AM, 3:00 PM, 6:00 PM) ▪ Fixed Route Shared-Ride Taxi: • (8:00 AM, 8:30 AM, 5:00 PM, 5:30 PM) • (8:00 AM, 5:00 PM)

SERVICE FEATURE	MODEL A	MODEL B	MODEL C	MODEL D
	• (9:00 AM, 12:00 PM, 4:00 PM)	• (9:00 AM, 12:00 PM, 4:00 PM) ▪ Two Days a Week: • (8:30 AM, 12:00 PM)		
Advantages and Disadvantages	**Advantages** ▪ Services Core Area very well throughout the day with 9 trips ▪ Two-way service ▪ Services day / time sensitive work and school trip market ▪ Services major employment centres, institutions, hospital, schools, and shopping and retail centres ▪ Saturday service (one-way) ▪ Extensive service in Bridgewater **Disadvantages** ▪ No service to Non-Core Area	**Advantages** ▪ Services Core Area throughout the day with 8 trips ▪ Two-way service ▪ Services day / time sensitive work and school trip market ▪ Services major employment centres, institutions, hospital, schools, and shopping and retail centres ▪ Saturday service (one-way) ▪ Service NG and west side of LaHave River to Petite Riviere ▪ Extensive service in Bridgewater **Disadvantages** ▪ No Evening Service ▪ No Saturday Service	**Advantages** ▪ Services Core Area ▪ Services the entire Region ▪ Services shopping and retail centres **Disadvantages** ▪ Too infrequent and indirect to service work trips and school trips ▪ Infrequency and indirectness means less people can be served	**Advantages** ▪ Services Core Area all day ▪ Two-way service ▪ Services day / time sensitive work and school trip market ▪ Services major employment centres, institutions, hospital, schools, and shopping and retail centres ▪ Provides a peak shuttle via fixed route taxi connecting Bridgewater and Lunenburg ▪ Service NG and west side of LaHave River twice a week ▪ Extensive service in Bridgewater **Disadvantages** ▪ One trip in the mid-day ▪ No Saturday Service

7. SERVICE MODEL ASSESSMENT

In the previous section, four (4) service models were designed based on service model concepts. These four (4) service models are:

1. **Model A**: Fixed Route Service
2. **Model B**: Fixed Route and Feeder Service
3. **Model C**: Pre-booked Service
4. **Model D**: Fixed Route and Tendered Feeder Service

In this section, the aforementioned four (4) service models are assessed against six (6) core requirements. These six (6) core requirements are:

1. Demand
2. Governance
3. Cost
4. Environment
5. Marketing
6. Economic

7.1 Demand

Demand is defined as the number of transit riders, or transit ridership, that use a transit service, or the transit system as a whole, within a specified time frame. To determine transit ridership for **Model A**, **Model B**, and **Model D (**a separate process for **Model C** is identified and applied later in this subsection), an optimistic and conservative forecasting methodology was applied. The optimistic forecasting methodology uses a trips-per-service hour rate that was derived based on data found in the Canadian Urban Transit Association (CUTA) 2007 Fact Book.

Table 6: Trips per Service Hour Rate (Fixed Route)

SERVICE AREA POPULATION		
LOW	HIGH	TRIPS PER SERVICE HOUR
0	5,000	3
5,000	10,000	10
10,000	15,000	11
15,000	20,000	12
20,000	25,000	17
25,000	35,000	20

As seen in **Table 6**, as service area population increases, trips per service hour increase. This is intuitive as it suggests that if more people live within a transit service area, more transit trips will be taken. The conservative approach applies Kings Transit's 8 trips per service hour to the maximum annual ridership identified. Annual ridership for other models is determined via a factor. To determine which rate is applicable to **Model A**, **Model B**, and **Model D**, the service area population for each Model's routes were identified. The service area population for each route was

determined by the Region by conducting a household count along 800 metre band (400 on both sides) of each Model's proposed routes. The households within the band were multiplied by the average number of residents per household, 2.4, to determine the service area population. The following subsections identify the transit ridership for each model in Year 5 of service.

7.1.1 Model A

As seen in **Exhibit 14**, **Model A** follows a "core route" in the AM Peak, Mid-day, PM Peak, Evening and Saturday. The service area population along the core route has been provided by the Region and is 14,955. The annual service hours are 6,240 or 120 hours per week.

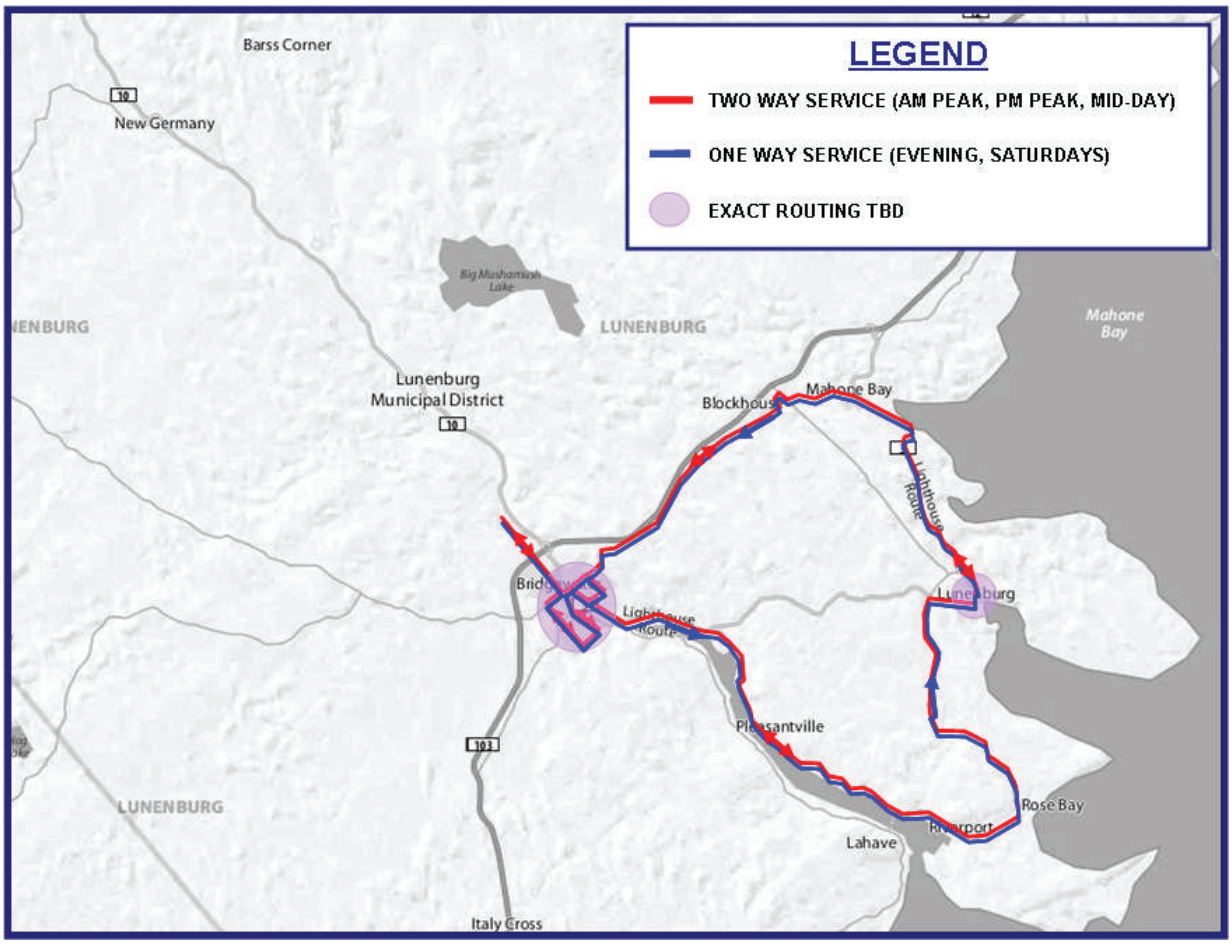


Exhibit 14: Model A Routing

Applying the optimistic forecasting methodology to Model A generates the results seen in **Table 7**.

Table 7: Model A – Optimistic Ridership Forecast

POPULATION			MODEL A CORE ROUTE	
LOW	HIGH	TRIPS PER SERVICE HOUR	ANNUAL HOURS	ANNUAL RIDERSHIP
0	5,000	3		
5,000	10,000	10		
10,000	15,000	11	6,240	68,640
15,000	20,000	12		
20,000	25,000	17		
25,000	35,000	20		
TOTAL HOURS			6,240	
TOTAL RIDERSHIP			68,640	

As seen in **Table 7**, Model A generates an annual transit ridership of 68,460 in Year 5. When the conservative ridership methodology is applied to Model A, as seen in **Table 8**, an annual transit ridership of 49,920 in Year 5 is produced.This difference between the optimistic forecast and conservative forecast establishes a factor of 73% that will be applied to the forthcoming conservative transit ridership forecasts in Model B and Model D.

Table 8: Model A – Conservative Ridership Forecast

POPULATION			MODEL A CORE ROUTE	
LOW	HIGH	TRIPS PER SERVICE HOUR	ANNUAL HOURS	ANNUAL RIDERSHIP
Kings County		8	6,240	49,920
TOTAL HOURS			6,240	
TOTAL RIDERSHIP			49,920	

7.1.2 Model B

As seen in **Exhibit 15**, Model B has two routes. The first route, the core route, as also seen in Model A, provides public transportation service in the AM Peak, Mid-day, PM Peak, Evening and Saturday. The service area population along the core route is 14,955. The annual service hours are 5,590 or 107.5 hours per week.

Model B's second route, the "feeder route", provides mid-day service two days a week to the communities of New Germany and Petite Riviere. The service area population along the feeder route is 3,735 excluding the Town of Bridgewater. The Town of Bridgewater has been excluded as the service is expected to be used by residents travelling to Bridgewater, not within Bridgewater as the core route captures this market. The annual service hours are 650 or 12.5 hours per week.

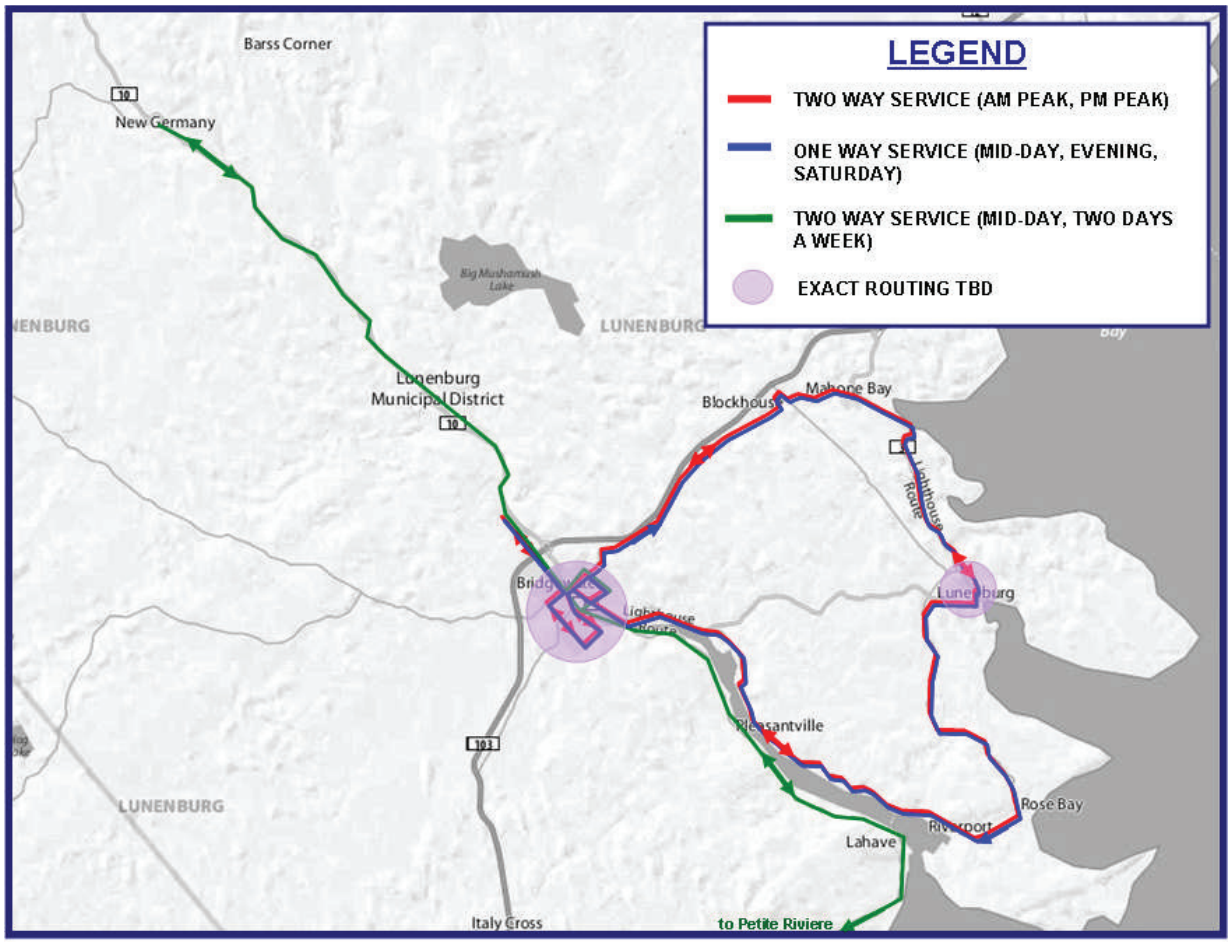


Exhibit 15: Model B Routing

Applying the optimistic forecasting methodology to Model B generates the results seen in **Table 9**.

Table 9: Model B – Optimistic Ridership Forecast

POPULATION			MODEL B			
			CORE ROUTE		FEEDER ROUTE	
LOW	HIGH	TRIPS PER SERVICE HOUR	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP
0	5,000	3			650	1,950
5,000	10,000	10				
10,000	15,000	11	5,590	61,490		
15,000	20,000	12				
20,000	25,000	17				
25,000	35,000	20				
TOTAL HOURS			6,240			
TOTAL RIDERSHIP			63,440			

As seen in **Table 9**, Model B generates an annual transit ridership of 63,440 in Year 5. When the conservative ridership methodology is applied to Model B, as seen in **Table 10**, an annual transit ridership of 46,138 in Year 5 is produced.

Table 10: Model B – Conservative Ridership Forecast

		MODEL B			
		CORE ROUTE		FEEDER ROUTE	
		ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP
Kings County Factor	73%	5,590	44,720	650	1,418
		6,240			
		46,138			

7.1.3 Model D

As seen in **Exhibit 16**, Model B has three routes. The first route, the core route as also seen in Model A and Model B, provides public transportation service in the AM Peak, Mid-day, PM Peak, and Evening. The service area population along the core route is 14,955 and the annual service hours are 5,200 or 100 hours per week.

Model D's second route, the "feeder route" as seen in Model B, provides mid-day service two days a week to the communities of New Germany and Petite Riviere. The service area population along the feeder route is 3,735 excluding the Town of Bridgewater. The annual service hours are 520 or 10 hours per week.

Model D's third route, the "express route" provides an AM Peak and PM peak service between Bridgewater and Lunenburg and vice versa.For the Bridgwater to Lunenburg segment of the service, the service area population along the express route excluding Lunenburg (the destination) is 9,384 and the annual service hours are 260 or 5 hours per week. For the Lunenburg to Bridgewater segment of the service, the service area population along the express route excluding Bridgewater (the destination) is 3,757 and the annual service hours are 260 or 5 hours per week.

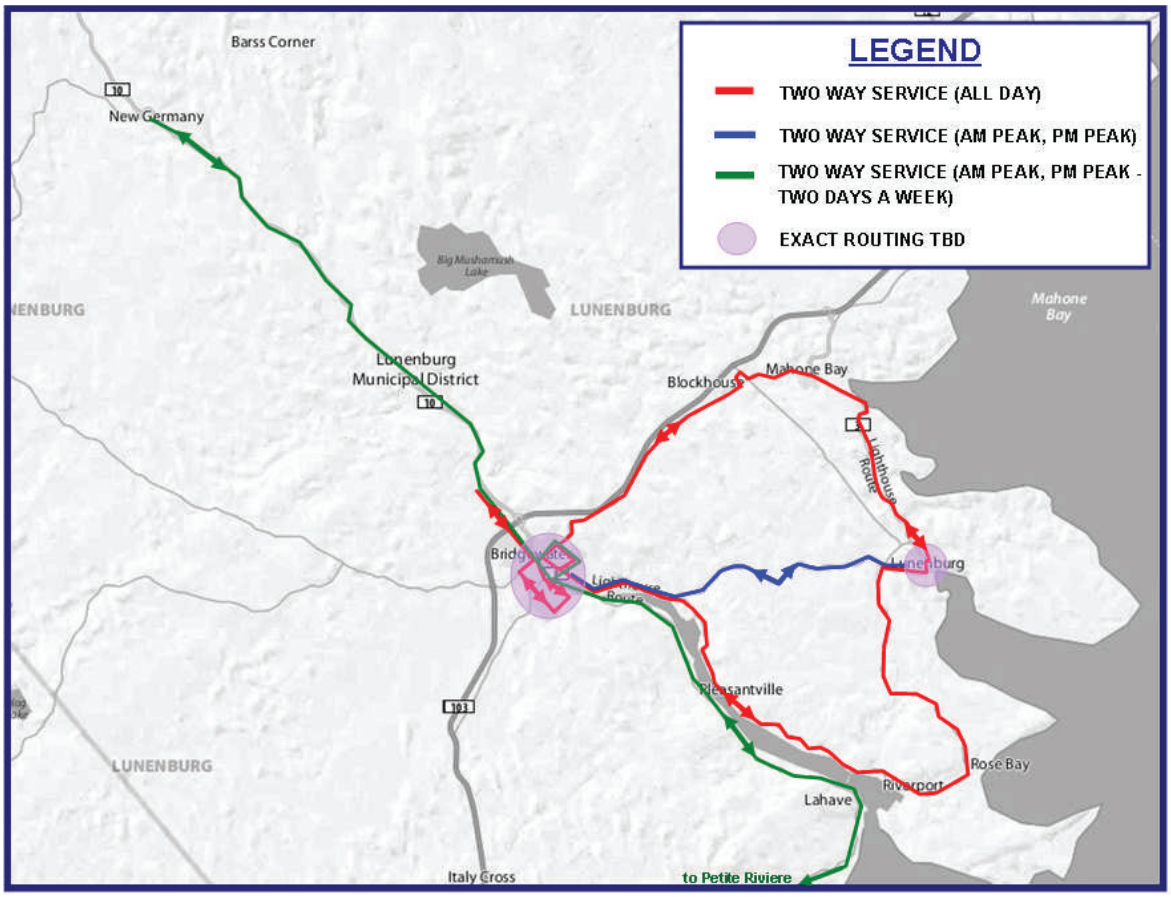


Exhibit 16: Model D Routing

Applying the optimistic forecasting methodology to Model D generates the results in **Table 11**.

Table 11: Model D – Optimistic Ridership Forecast

POPULATION			MODEL D							
			CORE ROUTE		FEEDER ROUTE		EXPRESS ROUTE (B-L)		EXPRESS ROUTE (L-B)	
LOW	HIGH	TRIPS PER SERVICE HOUR	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP
0	5,000	3			520	1,560			260	780
5,000	10,000	10					260	2,600		
10,000	15,000	11	5,200	57,200						
15,000	20,000	12								
20,000	25,000	17								
25,000	35,000	20								
TOTAL HOURS			6,240							
TOTAL RIDERSHIP			62,140							

As seen in **Table 11**, Model D generates an annual transit ridership of 62,140 in Year 5. When the conservative ridership methodology is applied to Model D, as seen in **Table 12**, an annual transit ridership of 45,193 in Year 5 is produced.

Table 12: Model D – Conservative Ridership Forecast

		MODEL D							
		CORE ROUTE		FEEDER ROUTE		EXPRESS ROUTE (B-L)		EXPRESS ROUTE (L-B)	
		ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP
Kings County Factor	73%	5,200	41,600	520	1,135	260	1,891	260	567
		6,240							
		45,193							

7.1.4 Model C

Unlike Model A, Model B and Model D, Model C is a demand response system that provides point to point service to all residents across the entire Region rather than the high population concentrations serviced along specific fixed-routes. As such, transit ridership becomes a function of the ability to service demand. For Model C, a similar trips-per-service hour rate is applied based on data found in the CUTA 2007 Fact Book. However, unlike in the preceding only a single approach is used to forecast transit ridership. This is because Kings Transit does not operate a demand response service.

Table 13: Trips per Service Hour Rate (Demand Response)

POPULATION		
LOW	HIGH	TRIPS PER SERVICE HOUR
5,000	10,000	2.1
10,000	15,000	2.3
15,000	20,000	2.7

As seen in **Table 13**, as service area population increases, trips per service hour increase. This is intuitive as it suggests that if more people live within a transit service area, more transit trips will be taken. However, what is also noticed is that the trip rates are far less for demand response service than for fixed route service. This is also intuitive as a point to point demand response service is unable to service mass demand as a fixed route service which targets high population centres and connects major trip generators such as employment centres, hospitals / medical centres, shopping centres.

As seen in **Exhibit 17**, Model C has three service area zones: the Core Area zone, the Northern zone, and the Western zone. The Core Area zone provides public transportation service to 18,847 residents with two vehicles from 9:00 AM to 6:00 PM on weekdays for 90 hours per week or 4,680 hours per annum. The Northern zone provides public transportation service to 11,512 residents with one vehicle from 9:00 AM to 4:30 PM two days a week for 15 hours per week or 780 hours per annum. The Western zone provides public transportation service to 6,046 residents with one vehicle from 9:00 AM to 4:30 PM two days a week for 15 hours per week or 780 hours per annum.

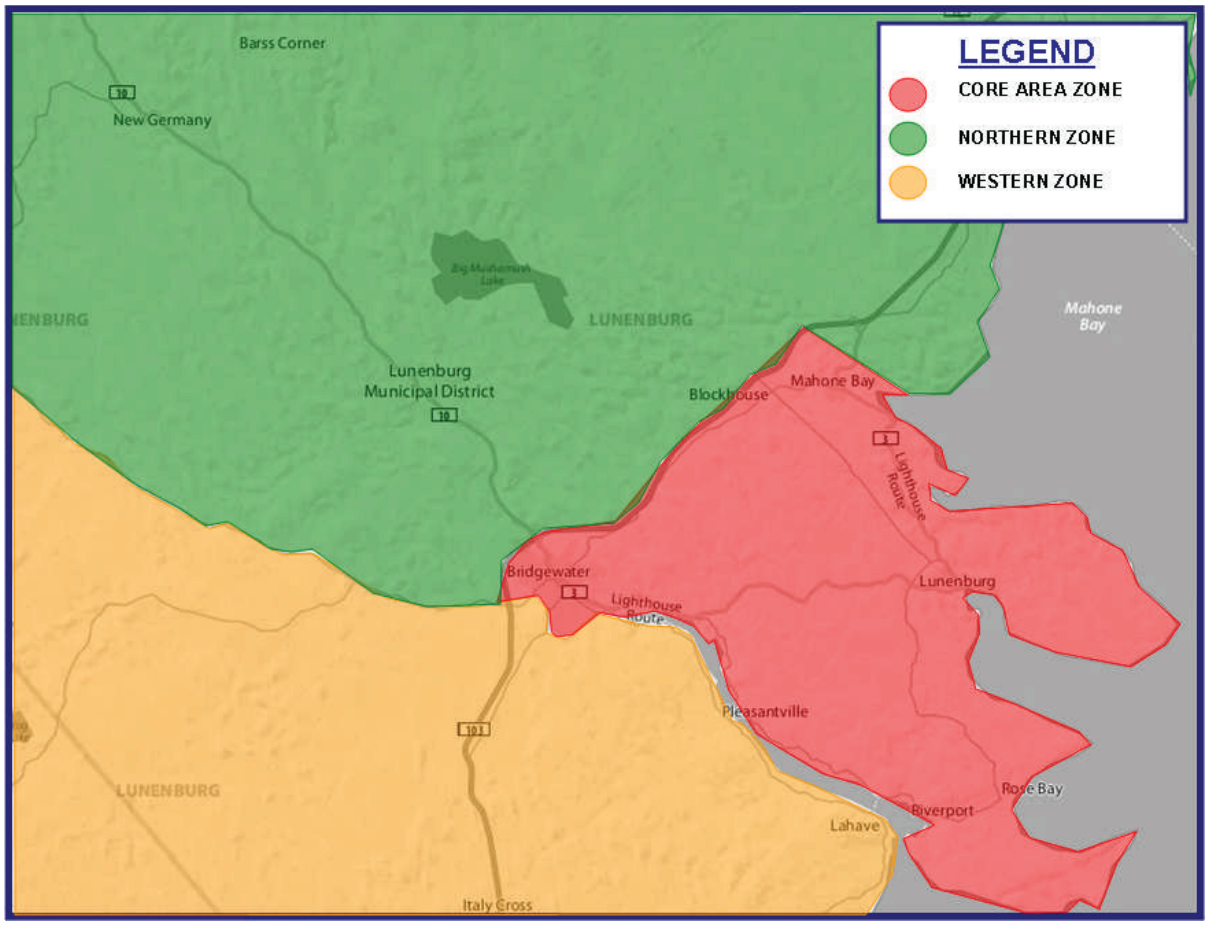


Exhibit 17: Model C Service Area

As seen in **Table 14**, Model C generates an annual transit ridership of 16,046 in Year 5.

Table 14: Model C – Ridership Forecast

POPULATION			MODEL C					
			CORE AREA ZONE		NORTHERN ZONE		WESTERN ZONE	
LOW	HIGH	TRIPS PER SERVICE HOUR	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP	ANNUAL HOURS	ANNUAL RIDERSHIP
5,000	10,000	2.1					780	1,638
10,000	15,000	2.3			780	1,772		
15,000	20,000	2.7	4,680	12,636				
TOTAL HOURS			6,240					
TOTAL RIDERSHIP			16,046					

7.2 Governance

The purpose of determining a governance model is to identify a manner in which to organize and deliver a transit service in the most cost effective manner. There are two components to governance. The first is a service agreement which identifies the agency / organization that is responsible for the following various elements required to provide a public transportation service:

- Setting vision / goals / objectives (service policies, priorities and planning)
- Financial agreement (capital and operating cost)

The second is the governance model, which identifies how the public transportation service will be provided. This can be grouped into the following two functions:

1. **Ownership:** vehicles
2. **Operations:** service, fuel, fare collection, vehicle repairs and maintenance, bus stop repairs and maintenance, and staff (supervisors / drivers / maintenance)

7.2.1 Service Agreement

A service agreement is an agreement between municipalities that sets the foundation to provide a public transportation service. The service agreement indicates the:

- **Lead Agency / Organization**: New legal entity? A partner to assume responsibility?
- **Members of the Partnership**: How many members?
- **Voting**: How are decisions made? How many votes does each member receive? Who are the member organizations?
- **Power:** What power does the agency have?
- **Financial Agreement:** How will cost be allocated (discussed in following section)

An example of a service agreement is provided in **Appendix B**, which is a copy of the Kings Transit Authority's 1999 Intermunicpal Services Agreement between the Town of Berwick, Town of Kentville, Town of Wolfville, and the Municipality of Kings.

7.2.1.1 Financial Agreement

A financial agreement is required between all parties prior to introducing a public transportation service. The primary purpose of a financial agreement is to identify and document a cost allocation formula. Two examples of cost allocation formulas are population based and service area based.

A population based cost allocation formula allocates cost according to population. This type of agreement has been applied in other municipalities in Ontario such as York Region and Durham Region. The belief in York Region and Durham Region is that public transportation beyond the service itself has an economic and environmental impact that the entire region benefits from. Using the population based cost allocation formula, the cost of service for the Municipality of the District of Lunenburg, the Town of Bridgewater, the Town of Lunenburg and the Town of Mahone Bay is shown in **Table 15**.

Table 15: Population Based Municipal Cost Allocation

MUNICIPALITY	POPULATION	PERCENTAGE
Municipality of the District of Lunenburg	25,160	69%
Town of Bridgewater	7,944	22%
Town of Lunenburg	2,317	6%
Town of Mahone Bay	904	2%

As seen in **Table 15**, cost is allocated based on population. The major advantages and disadvantages of this cost allocation agreement are:

Advantages:

- Cost is spread amongst a greater population resulting in lower net cost per capita
- Economic benefits
- Environmental benefits

Disadvantage:

- Population not served financing public transit (obstacle)

A service area cost allocation formula is applied by both Kings Transit and CBRM Transit and is based on each Municipality's population serviced by public transportation within a service area band. The service area band is determined by participating municipalities. CBRM Transit applies a 2,500 metre band. In effect, unlike the population based cost allocation formula, the service area cost allocation formula produces different municipal shares depending on the service model (A, B, C, and D) and service band selected. **Table 16** shows the results for each service model using a 500 metre band (total 1 km band).

Table 16: Service Area Based Municipal Cost Allocation

	MODEL A		MODEL B		MODEL C		MODEL D	
MUNICIPALITY	POP.	%	POP.	%	POP.	%	POP.	%
MODL	3,790	25%	7,524	40%	25,160	69%	8,964	45%
Bridgewater	7,944	53%	7,944	43%	7,944	22%	7,944	39%
Lunenburg	2,317	15%	2,317	12%	2,317	6%	2,317	12%
Mahone Bay	904	6%	904	5%	904	2%	904	4%

As seen in **Table 16**, each service model produces varying shares for each municipality. This is because each service model operates different routes and subsequently covers a varying service area. This varying service area covers different populations which ultimately changes the municipal share. The major advantages and disadvantages of this cost allocation agreement are:

Advantages:

- More accurate than population based cost allocation formula, could be refined by adding a revenue hour component which allocates the share to those areas that receive the greatest amount of service (more accurate and more cumbersome)
- Nova Scotia experience with this formula in Kings Transit and CBRM Transit

Disadvantages:

- May require more frequent update as service expands than population based cost allocation formula

7.2.2 Governance Model

Governance model refers to how the ownership of equipment and the operation of services will be delivered. This study identifies three governance options:

1. Municipal Ownership and Operation
2. Private Ownership and Operation
3. Municipal Ownership and Private Operation

7.2.2.1 Municipal Ownership and Operation

A municipal ownership and operation governance model establishes a municipal agency as the agency responsible for the provision of public transportation service which includes the administrative functions, ownership elements and operations elements. This governance model has the following benefits and drawbacks:

Advantages:

- Maximum accountability to public
- Maximum control of expenditures
- Ensures policy driven mandate (provision of mobility to those seeking transportation)
- Ensures, through required capital investment, long-term commitment to public transportation
- Best model to attract provincial and federal funding

Disadvantages:

- Requires relatively large capital cost for vehicles
- Requires facilities to service and maintain vehicles
- Lowest operating cost
- Municipality responsible for training administration, bus operators and customer service

Typically, municipal ownership and operation governance models are common for medium to large (>40,000 population) size Canadian municipalities, such as Kings Transit, CBRM Transit and Metro Transit. There are a number of reasons for this that includes the ability to absorb functions under existing municipal services such as vehicle maintenance under a public works department. This governance model can be implemented in all four (4) service models. However, it requires the necessary staff, and facilities.

7.2.2.2 Private Ownership and Operation

A private ownership and operation governance model requires a municipal agency to conduct administrative functions and contracts the ownership of vehicles and operational elements to a third party. This governance model has the following advantages and disadvantages:

Advantages:

- Experienced service provider
- Experienced bus operators
- Maintenance facility in place
- No capital costs for vehicles
- Availability of multiple spare vehicles, if required
- Dispatch service in place (**Model C**)

Disadvantages:

- Highest operating costs (as it is a purchase contracted service)
- Profit driven business
- City would still be indirectly accountable for customer service
- City controls must be administered on service reliability and maintenance performance

Private ownership and operation governance models are common among small size Canadian municipalities. This is because it allows small municipalities to initially provide the service at a cost that is more affordable than a municipal ownership and operation option when capital and operating costs are examined collectively. This governance model could be executed by contracting the service to either Kings Transit or to a local private sector company. Kings Transit currently provides service to Kings County, Digby County, Annapolis County, and Hants County. This means that Digby County, Annapolis County, and Hants County are purchasing a service from Kings Transit and fall under the private ownership and operation governance model.

7.2.2.3 Municipal Ownership and Private Operation

A municipal ownership and private operation governance model requires a municipal agency to conduct the administrative functions and the ownership elements, as well as contracts the operational elements to a third party. This governance model has the following advantages and disadvantages:

Advantages:

- Experienced service provider with positive and immediate community recognition
- Excellent customer service skills
- Can maximize coordination of customer services for conventional transit
- Drivers are experienced with small buses
- Medium range operating cost
- Accountability does not change
- Administration is in place
- Dispatch staff in place can provide transit information and customer service inquiries

Disadvantages:

- Requires relatively large capital cost for vehicles
- High operating costs (as it is a purchase contracted service)
- Profit driven business
- City would still be indirectly accountable for customer service
- City controls must be administered on service reliability and maintenance performance

Municipal ownership and private operation governance models are also common among small size Canadian municipalities. This is applied when small municipalities make a long-term commitment to public transportation via the purchase of vehicles, yet do not have the facilities in place to service and maintain vehicles. This long-term commitment attracts provincial and federal funding partners. This governance model could be executed through the purchase of new or used vehicles and the contracting of service and maintenance to Kings Transit or a private sector company. This governance model is being applied in Charlottetown, PE, and Cornerbrook, NL, as well as many other towns across Canada.

7.3 Cost

The cost of providing a public transportation service can be segmented into capital costs (equipment and infrastructure) and operating costs (transportation expenses, fuel and energy, vehicle maintenance, premises and plant maintenance, general and administration). This section identifies the start-up capital costs in Year 1 and capital reserve and operating costs at Year 1 – 5. As identified in the preceding section, costs are driven by the governance model applied. For this reason, each service model's costs are identified under each governance model.

7.3.1 Start-Up Costs

Start-up costs include the cost to purchase vehicles, construct bus stop and shelter infrastructure, maintenance facilities and other costs such as communication devices and office equipment and supplies. The following assumptions are applied for start-up costs:

- Vehicles:
  - Model A, B, and D assume 2 community buses at $180,000 each for operations and 1 small bus at $90,000 as a spare
  - Model C assumes 3 vans at $50,000 for operations and 1 van as a spare vehicle
- Stops and Shelters:
  - Model A, B, and D assume stops and shelters spaced every 250 metres within towns and every 1 kilometre within the Region at $500 per stop (For example, Model A's core route has 44 regional kilometres at $500 per km for $22,000, and 19.75 town kilometres at $500 per 250 m for $39,500)
  - Model C is a point to point service, thus no stops and shelters are required
- Maintenance facility:
  - For the municipal ownership / operation governance model only, a maintenance facility is required at an estimated cost of $500,000.
- Other:
  - Vehicle communication devices, office equipment, and miscellaneous

The aforementioned capital cost assumptions only apply to the governance model applicable. For example, this means that under a private ownership and operation governance model, capital costs for vehicles are not applicable as it is included in the contractor's operating fee for this purchased service.

Table 17 shows the start-up costs for each service model against each service delivery model.

Table 17: Start-Up Costs (New Vehicles)

MUNICIPAL OWNERSHIP AND OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	$450,000	$450,000	$200,000	$450,000
Stops and Shelters	$61,500	$88,500	N/A	$96,000
Maintenance Facility	$500,000	$500,000	$500,000	$500,000
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$1,021,500	$1,048,500	$710,000	$1,056,000

PRIVATE OWNERSHIP AND OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	N/A	N/A	N/A	N/A
Stops and Shelters	$61,500	$88,500	N/A	$96,000
Maintenance Facility	N/A	N/A	N/A	N/A
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$71,500	$98,500	$10,000	$106,000

MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	$450,000	$450,000	$200,000	$450,000
Stops and Shelters	$61,500	$88,500	N/A	$96,000
Maintenance Facility	N/A	N/A	N/A	N/A
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$521,500	$548,500	$210,000	$556,000

Start-Up capital costs are shown in **Table 17**. As seen, the municipal ownership and operation governance model is the most costly. It includes the cost of vehicles, the cost of stops and shelters, a maintenance facility, and other costs. The variation in start-up across the service models is due to cost of stops and shelters. This means as the service coverage increases, more routes, the stop and shelter requirement increases.

The private ownership and operation governance model is the least costly. The only start-up capital cost associated with this governance model is the cost of stops and shelters and other costs.

The municipal ownership and private operation governance model has mid range start-up capital costs. It differs from the municipal ownership and operation governance model only in that a maintenance facility is not required. Maintenance under this governance model is provided through the contractor who operates the vehicles.

Some actions that may be taken to reduce the initial start-up capital costs are:

- Used vehicles can be purchased for operations and spares (could increase maintenance costs)
- Regional bus stops could be placed every 3-4 km at start-up. A flag bus system, where a patron waves at a bus driver to indicate his / her intention to board the vehicle, can be used between regional stops.

Table 18 identifies how the aforementioned cost saving measures could reduce start-up capital costs.

Table 18: Start-Up Costs (Used Vehicles and Limited Stops)

MUNICIPAL OWNERSHIP AND OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	$119,700	$119,700	$128,000	$119,700
Stops and Shelters	$45,000	$51,750	N/A	$53,625
Maintenance Facility	$500,000	$500,000	$500,000	$500,000
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$674,700	$681,450	$638,000	$683,325

PRIVATE OWNERSHIP AND OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	N/A	N/A	N/A	N/A
Stops and Shelters	$45,000	$51,750	N/A	$53,625
Maintenance Facility	N/A	N/A	N/A	N/A
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$55,000	$61,750	$10,000	$63,625

MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	MODEL A	MODEL B	MODEL C	MODEL D
START-UP COSTS				
Vehicles	$119,700	$119,700	$128,000	$119,700
Stops and Shelters	$45,000	$51,750	N/A	$53,625
Maintenance Facility	N/A	N/A	N/A	N/A
Other	$10,000	$10,000	$10,000	$10,000
Total Capital Costs	$174,700	$181,450	$138,000	$183,325

7.3.2 Capital Reserve and Operating Costs

Capital reserve and operating costs include the capital costs reserved annually to pay for future vehicle replacement and expansion (assumes municipality funds vehicles – no provincial or federal program in place) and the operating costs to operate the system.

7.3.2.1 Assumptions

The following capital reserve cost assumptions apply to **Vehicles**:

- Capital funds are reserved annually (capital cost / vehicle's life cycle) to pay for new vehicles at the end of the start-up vehicle's life cycle

The following identifies the municipal ownership and operation governance model's operating cost assumptions and are based on data found in the CUTA 2007 Fact Book:

- **Transportation Operating Expenses**
  - Salaries and Wages (all transportation operations employees, including operators, dispatchers, schedulers, inspectors, supervisors, and managers)
  - Fringe Benefits (e.g. pension plans, health and other insurance plans)
  - Uniforms or Uniform Allowances
  - Licences and Vehicle Registration
  - Fleet Insurance Premiums
- **Purchased Service – for Non Core Area (Model D Only)**
  - Fee to be paid to contracted taxi – van operator for trips
- **Fuel and Energy Expenses for Vehicles**
  - Fuel Expenses (not including fuel tax)

  - Fuel Taxes
- **Vehicle Maintenance Expenses**
  - Salaries and Wages (all vehicle maintenance employees, including mechanics, servicemen, stores, foremen, supervisors, and managers)
  - Fringe Benefits (pension plans, health and other insurance plans, uniform allowances)
  - Parts, Materials, and Supplies (vehicle maintenance only, including lubricants / tires)
- **Premises and Plant Maintenance Expenses**
  - Salaries and Wages (all premises and plant maintenance employees, including security, janitorial, tradesmen, supervisors, and managers)
  - Fringe Benefits (pension plans, health and other insurance plans, uniform allowances)
  - Utilities (including light, heat, and water)
  - Parts, Materials, and Supplies (premises and plant maintenance only)
  - Shelter Maintenance
  - Municipal or Property Taxes
- **Marketing**
  - Advertising, Promotion, and Marketing
- **General and Administration Expenses**
  - Salaries and Wages (all general and administration employees, including general manager's office, planning, marketing, HR, finance, etc.)
  - Fringe Benefits (pension plans, health and other insurance plans, uniform allowances)
  - Office Supplies and communications (Telephone, Fax, Data)

For the Private Ownership and Operation governance model, operating costs include a purchased service, which is the contractor's fee to provide, operate and maintain vehicles as well as all the other bulleted items in the preceding list. No capital cost reserve is required.

For the Municipal Ownership and Private Operation governance model, operating costs include a purchased service, which is the contractor's fee to operate and maintain municipal vehicles as well as all the other bulleted items in the preceding list. A capital cost reserve is required for vehicles.

With respect to ridership and revenue, the following assumptions are used:
- **Ridership**
  - Ridership as per Kings Transit based conservative demand forecasts
- **Revenue**
  - Model A, B and D revenue based on King County's average fare of $2.29
  - Model C revenue based on like systems' average fare of $3.15

The data used to generate the operating costs are derived from CUTA's 2007 Transit Fact Book. The following assumptions are applied:
- **Municipal Ownership and Operation**: Kings Transit operating costs per hour shall apply
- **Private Ownership and Operation**: Average operating costs per hour for like sized systems under this governance model shall apply
- **Municipal Ownership and Private Operation:** Average operating costs per hour for like sized systems under this governance model are shall apply

The following assumptions are applied from Year 1 through Year 5. These assumptions are based on professional experience and do not necessarily reflect the phasing strategy that will be applied in forthcoming section of this study:

- **Year 1:** 50% of Year 5's service hours and ridership
- **Year 2:** 62.5% of Year 5's service hours and ridership
- **Year 3:** 75% of Year 5's service hours and ridership
- **Year 4:** 87.5% of Year 5's service hours and ridership
- **Year 5:** 100% of Year 5's service hours and ridership

Table 19 and **Table 20,** shown in 2007 dollars, show the capital reserve and operating cost requirements for with new and used vehicles between Year 1 through 5.

Table 19: Capital Reserve and Operating Costs (New Vehicles)

	MODEL A					MODEL B					MODEL C					MODEL D				
MUNICIPAL OWNERSHIP AND OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL RESERVE																				
Vehicle Replacement and Expansion (New)	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$40,000	$40,000	$40,000	$40,000	$40,000	$69,500	$69,500	$69,500	$69,500	$69,500
Total Capital Reserve	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$40,000	$40,000	$40,000	$40,000	$40,000	$69,500	$69,500	$69,500	$69,500	$69,500
OPERATING COSTS																				
Transportation Operating Expenses	$55,750	$69,687	$83,624	$97,562	$111,499	$55,750	$69,687	$83,624	$97,562	$111,499	$62,400	$78,000	$93,600	$109,200	$124,800	$52,033	$62,254	$72,475	$82,695	$92,916
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Fuel and Energy Expenses for Vehicles	$25,431	$31,789	$38,146	$44,504	$50,862	$25,431	$31,789	$38,146	$44,504	$50,862	$11,606	$14,508	$17,410	$20,311	$23,213	$23,735	$28,398	$33,060	$37,722	$42,385
Vehicle Maintenance Expenses	$20,074	$25,093	$30,111	$35,130	$40,149	$20,074	$25,093	$30,111	$35,130	$40,149	$15,600	$19,500	$23,400	$27,300	$31,200	$18,736	$22,416	$26,097	$29,777	$33,457
Premises and Plant Maintenance Expenses	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490
Marketing	$2,810	$3,316	$3,823	$4,329	$4,835	$2,810	$3,316	$3,823	$4,329	$4,835	$2,651	$3,099	$3,547	$3,995	$4,443	$2,800	$3,296	$3,792	$4,288	$4,784
General and Administration Expenses	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$37,440	$37,440	$37,440	$37,440	$37,440	$33,764	$33,764	$33,764	$33,764	$33,764
Total Operating Costs	$143,319	$169,139	$194,959	$220,779	$246,599	$143,319	$169,139	$194,959	$220,779	$246,599	$135,187	$158,036	$180,886	$203,736	$226,585	$142,798	$168,098	$193,397	$218,697	$243,996
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue Farebox	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$18,373	$22,966	$27,559	$32,152	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$18,373	$22,966	$27,559	$32,152	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$86,161**	**$97,691**	**$109,221**	**$120,752**	**$132,282**	**$90,491**	**$103,104**	**$115,717**	**$128,330**	**$140,943**	**$116,814**	**$135,071**	**$153,327**	**$171,584**	**$176,040**	**$91,052**	**$103,415**	**$115,778**	**$128,141**	**$140,504**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$155,661**	**$167,191**	**$178,721**	**$190,252**	**$201,782**	**$159,991**	**$172,604**	**$185,217**	**$197,830**	**$210,443**	**$156,814**	**$175,071**	**$193,327**	**$211,584**	**$216,040**	**$160,552**	**$172,915**	**$185,278**	**$197,641**	**$210,004**
PRIVATE OWNERSHIP AND OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL COSTS																				
Vehicle Replacement and Expansion (New)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total Capital Reserve	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
OPERATING COSTS																				
Purchased Service	$171,600	$214,500	$257,400	$300,300	$343,200	$171,600	$214,500	$257,400	$300,300	$343,200	$140,400	$175,500	$210,600	$245,700	$280,800	$160,160	$191,620	$223,080	$254,540	$286,000
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Marketing	$3,682	$4,540	$5,398	$6,256	$7,114	$3,682	$4,540	$5,398	$6,256	$7,114	$3,151	$3,853	$4,555	$5,257	$5,959	$3,578	$4,332	$5,086	$5,840	$6,594
General and Administration Expenses	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$17,160	$17,160	$17,160	$17,160	$17,160	$12,480	$12,480	$12,480	$12,480	$12,480
Total Operating Costs	$187,762	$231,520	$275,278	$319,036	$362,794	$187,762	$231,520	$275,278	$319,036	$362,794	$160,711	$196,513	$232,315	$268,117	$303,919	$182,458	$220,912	$259,366	$297,820	$336,274
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL RESERVE																				
Vehicle Replacement and Expansion (New)	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$40,000	$40,000	$40,000	$40,000	$40,000	$69,500	$69,500	$69,500	$69,500	$69,500
Total Capital Reserve	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$69,500	$40,000	$40,000	$40,000	$40,000	$40,000	$69,500	$69,500	$69,500	$69,500	$69,500
OPERATING COSTS																				
Purchased Service	$156,000	$195,000	$234,000	$273,000	$312,000	$156,000	$195,000	$234,000	$273,000	$312,000	$109,200	$136,500	$163,800	$191,100	$218,400	$145,600	$174,200	$202,800	$231,400	$260,000
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Marketing	$3,370	$4,150	$4,930	$5,710	$6,490	$3,370	$4,150	$4,930	$5,710	$6,490	$2,527	$3,073	$3,619	$4,165	$4,711	$3,177	$3,901	$4,625	$5,349	$6,074
General and Administration Expenses	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$17,160	$17,160	$17,160	$17,160	$17,160	$6,989	$8,362	$9,734	$11,107	$12,480
Total Operating Costs	$171,850	$211,630	$251,410	$291,190	$330,970	$171,850	$211,630	$251,410	$291,190	$330,970	$128,887	$156,733	$184,579	$212,425	$240,271	$162,005	$198,942	$235,879	$272,817	$309,754
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$114,691**	**$140,182**	**$165,672**	**$191,162**	**$216,653**	**$119,022**	**$145,595**	**$172,168**	**$198,741**	**$225,314**	**$103,615**	**$125,143**	**$146,671**	**$168,198**	**$189,726**	**$110,259**	**$134,260**	**$158,261**	**$182,261**	**$206,262**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$184,191**	**$209,682**	**$235,172**	**$260,662**	**$286,153**	**$188,522**	**$215,095**	**$241,668**	**$268,241**	**$294,814**	**$143,615**	**$165,143**	**$186,671**	**$208,198**	**$229,726**	**$179,759**	**$203,760**	**$227,761**	**$251,761**	**$275,762**

Table 20: Capital Reserve and Operating Costs (Used Vehicles)

	MODEL A					MODEL B					MODEL C					MODEL D				
MUNICIPAL OWNERSHIP AND OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL RESERVE																				
Vehicle Replacement and Expansion (New)	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$32,000	$32,000	$32,000	$32,000	$32,000	$29,925	$29,925	$29,925	$29,925	$29,925
Total Capital Reserve	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$32,000	$32,000	$32,000	$32,000	$32,000	$29,925	$29,925	$29,925	$29,925	$29,925
OPERATING COSTS																				
Transportation Operating Expenses	$55,750	$69,687	$83,624	$97,562	$111,499	$55,750	$69,687	$83,624	$97,562	$111,499	$62,400	$78,000	$93,600	$109,200	$124,800	$52,033	$62,254	$72,475	$82,695	$92,916
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Fuel and Energy Expenses for Vehicles	$25,431	$31,789	$38,146	$44,504	$50,862	$25,431	$31,789	$38,146	$44,504	$50,862	$11,606	$14,508	$17,410	$20,311	$23,213	$23,735	$28,398	$33,060	$37,722	$42,386
Vehicle Maintenance Expenses	$20,074	$25,093	$30,111	$35,130	$40,149	$20,074	$25,093	$30,111	$35,130	$40,149	$15,600	$19,500	$23,400	$27,300	$31,200	$18,736	$22,416	$26,097	$29,777	$33,457
Premises and Plant Maintenance Expenses	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490	$5,490
Marketing	$2,810	$3,316	$3,823	$4,329	$4,835	$2,810	$3,316	$3,823	$4,329	$4,835	$2,651	$3,099	$3,547	$3,995	$4,443	$2,800	$3,296	$3,792	$4,288	$4,784
General and Administration Expenses	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$33,764	$37,440	$37,440	$37,440	$37,440	$37,440	$33,764	$33,764	$33,764	$33,764	$33,764
Total Operating Costs	$143,319	$169,139	$194,959	$220,779	$246,599	$143,319	$169,139	$194,959	$220,779	$246,599	$135,187	$158,036	$180,886	$203,736	$226,585	$142,798	$168,098	$193,397	$218,697	$243,996
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue Farebox	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$18,373	$22,966	$27,559	$32,152	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$18,373	$22,966	$27,559	$32,152	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$86,161**	**$97,691**	**$109,221**	**$120,752**	**$132,282**	**$90,491**	**$103,104**	**$115,717**	**$128,330**	**$140,943**	**$116,814**	**$135,071**	**$153,327**	**$171,584**	**$176,040**	**$91,052**	**$103,415**	**$115,778**	**$128,141**	**$140,504**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$116,086**	**$127,616**	**$139,146**	**$150,677**	**$162,207**	**$120,416**	**$133,029**	**$145,642**	**$158,255**	**$170,868**	**$148,814**	**$167,071**	**$185,327**	**$203,584**	**$208,040**	**$120,977**	**$133,340**	**$145,703**	**$158,066**	**$170,429**
PRIVATE OWNERSHIP AND OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL COSTS																				
Vehicle Replacement and Expansion (New)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total Capital Reserve	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
OPERATING COSTS																				
Purchased Service	$171,600	$214,500	$257,400	$300,300	$343,200	$171,600	$214,500	$257,400	$300,300	$343,200	$140,400	$175,500	$210,600	$245,700	$280,800	$160,160	$191,620	$223,080	$254,540	$286,000
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Marketing	$3,682	$4,540	$5,398	$6,256	$7,114	$3,682	$4,540	$5,398	$6,256	$7,114	$3,151	$3,853	$4,555	$5,257	$5,959	$3,578	$4,332	$5,086	$5,840	$6,594
General and Administration Expenses	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$17,160	$17,160	$17,160	$17,160	$17,160	$12,480	$12,480	$12,480	$12,480	$12,480
Total Operating Costs	$187,762	$231,520	$275,278	$319,036	$362,794	$187,762	$231,520	$275,278	$319,036	$362,794	$160,711	$196,513	$232,315	$268,117	$303,919	$182,458	$220,912	$259,366	$297,820	$336,274
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
CAPITAL RESERVE																				
Vehicle Replacement and Expansion (New)	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$32,000	$32,000	$32,000	$32,000	$32,000	$29,925	$29,925	$29,925	$29,925	$29,925
Total Capital Reserve	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$29,925	$32,000	$32,000	$32,000	$32,000	$32,000	$29,925	$29,925	$29,925	$29,925	$29,925
OPERATING COSTS																				
Purchased Service	$156,000	$195,000	$234,000	$273,000	$312,000	$156,000	$195,000	$234,000	$273,000	$312,000	$109,200	$136,500	$163,800	$191,100	$218,400	$145,600	$174,200	$202,800	$231,400	$260,000
Purchased Service - for Non Core Area (Model D Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$6,240	$12,480	$18,720	$24,960	$31,200
Marketing	$3,370	$4,150	$4,930	$5,710	$6,490	$3,370	$4,150	$4,930	$5,710	$6,490	$2,527	$3,073	$3,619	$4,165	$4,711	$3,177	$3,901	$4,625	$5,349	$6,074
General and Administration Expenses	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$12,480	$17,160	$17,160	$17,160	$17,160	$17,160	$8,989	$8,362	$9,734	$11,107	$12,480
Total Operating Costs	$171,850	$211,630	$251,410	$291,190	$330,970	$171,850	$211,630	$251,410	$291,190	$330,970	$128,887	$156,733	$184,579	$212,425	$240,271	$162,005	$198,942	$235,879	$272,817	$309,754
REVENUE																				
Ridership	24,960	31,200	37,440	43,680	49,920	23,069	28,836	34,604	40,371	46,138	8,023	10,029	12,035	14,040	16,046	22,597	28,246	33,895	39,544	45,193
Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
Total Revenue	$57,158	$71,448	$85,738	$100,027	$114,317	$52,828	$66,035	$79,242	$92,449	$105,656	$25,272	$31,591	$37,909	$44,227	$50,545	$51,746	$64,682	$77,619	$90,555	$103,492
NET COST (OPERATING COST-REVENUE)	**$114,691**	**$140,182**	**$165,672**	**$191,162**	**$216,653**	**$119,022**	**$145,595**	**$172,168**	**$198,741**	**$225,314**	**$103,615**	**$125,143**	**$146,671**	**$168,198**	**$189,726**	**$110,259**	**$134,260**	**$158,261**	**$182,261**	**$206,262**
TOTAL COST (CAPITAL RESERVE + NET COST)	**$144,616**	**$170,107**	**$195,597**	**$221,087**	**$246,578**	**$148,947**	**$175,520**	**$202,093**	**$228,666**	**$255,239**	**$135,615**	**$157,143**	**$178,671**	**$200,198**	**$221,726**	**$140,184**	**$164,185**	**$188,186**	**$212,186**	**$236,187**

Capital and operating costs with new and used vehicles for each governance and service model are shown in **Table 21** and **Table 22**, respectively. As seen, these costs vary under each governance model.

The municipal ownership and operation governance model requires a capital reserve for vehicle replacement. However, this model is the least expensive in terms of operating cost.
This is because, unlike private operations, the municipality eliminates a profit margin from the cost to operate and maintain. Among the four (4) service models under this governance model, the operating costs are relatively similar because the number of revenue hours provided are identical. There is variation under Model C where a higher operating cost per revenue hour is seen. The slightly lower operating cost under Model D is explained by the tendered service for the small shared-ride taxi service.

The private ownership and operation governance model requires no capital reserve as the fee to obtain vehicles is included in the operating cost. This governance model has the highest operating cost because of the aforementioned reason and a contractor's profit margin to operate the service. Among the four (4) service models, the same variation in operating costs occur as seen in the municipal ownership and operation model.

The municipal ownership and private operation model has mid range operating costs. This is because this governance model contracts the operation and maintenance of vehicles. Among the service delivery models, the same relative cost structure is seen as observed in the other service delivery models.

With respect to revenue, projections vary for each of the service models, yet not by governance model. This is because governance has no effect on ridership as people who wish to use the service, will use it regardless of who operates it. The only variation occurs among the service models. Revenue is determined by applying a standard average fare as identified in the stated assumptions to the service model's ridership.

7.3.3 Summary

Table 21 and **Table 22** show the total cost (start-up capital costs + capital reserve + net cost) for each governance model and each service model. As seen, the private ownership and operation governance model has the lowest cost over the next five years as identified by the Net Present Value (NPV). The most expensive is the municipal ownership and operation model as it includes the purchase of vehicles and a maintenance facility. Between both governance models falls the municipal ownership and private operation governance model.

Of all the service models, Model C has the lowest cost. However, it also has the lowest ridership. In fact, three times the ridership of Model C is serviced in Model A, B and D, at 10% greater cost, at most.

Table 21: Total Cost (New Vehicles)

	MODEL A						MODEL B						MODEL C						MODEL D					
MUNICIPAL OWNERSHIP AND OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$1,021,500						$1,048,500						$710,000						$1,056,000					
Total Capital Reserve		$69,500	$69,500	$69,500	$69,500	$69,500		$69,500	$69,500	$69,500	$69,500	$69,500		$40,000	$40,000	$40,000	$40,000	$40,000		$69,500	$69,500	$69,500	$69,500	$69,500
Net Cost (Operating Cost-Revenues)		$86,161	$97,691	$109,221	$120,752	$132,282		$90,491	$103,104	$115,717	$128,330	$140,943		$116,814	$135,071	$153,327	$171,584	$176,040		$91,052	$103,415	$115,778	$128,141	$140,504
TOTAL COST	**$1,021,500**	**$155,661**	**$167,191**	**$178,721**	**$190,252**	**$201,782**	**$1,048,500**	**$159,991**	**$172,604**	**$185,217**	**$197,830**	**$210,443**	**$710,000**	**$156,814**	**$175,071**	**$193,327**	**$211,584**	**$216,040**	**$1,056,000**	**$160,552**	**$172,915**	**$185,278**	**$197,641**	**$210,004**
NET PRESENT VALUE (4% RATE)	-$1,813,112						-$1,868,651						-$1,552,945						-$1,876,512					
PRIVATE OWNERSHIP AND OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$71,500						$98,500						$10,000						$106,000					
Total Capital Reserve																								
Net Cost (Operating Cost-Revenues)		$130,603	$160,072	$189,540	$219,008	$248,477		$134,934	$165,485	$196,036	$226,587	$257,138		$135,439	$164,923	$194,407	$223,890	$253,374		$130,712	$156,229	$181,747	$207,264	$232,782
Total Cost	**$71,500**	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$98,500**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$10,000**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$106,000**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
NET PRESENT VALUE (4% RATE)	-$905,015						-$960,554						-$865,174						-$906,199					
MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$521,500						$548,500						$210,000						$556,000					
Total Capital Reserve		$69,500	$69,500	$69,500	$69,500	$69,500		$69,500	$69,500	$69,500	$69,500	$69,500			$40,000	$40,000	$40,000	$40,000		$69,500	$69,500	$69,500	$69,500	$69,500
Net Cost (Operating Cost-Revenues)		$114,691	$140,182	$165,672	$191,162	$216,653		$119,022	$145,595	$172,168	$198,741	$225,314		$103,615	$125,143	$146,671	$168,198	$189,726		$110,259	$134,260	$158,261	$182,261	$206,262
Total Cost	**$521,500**	**$184,191**	**$209,682**	**$235,172**	**$260,662**	**$286,153**	**$548,500**	**$188,522**	**$215,095**	**$241,668**	**$268,241**	**$294,814**	**$210,000**	**$103,615**	**$165,143**	**$186,671**	**$208,198**	**$229,726**	**$556,000**	**$179,759**	**$203,760**	**$227,761**	**$251,761**	**$275,762**
NET PRESENT VALUE (4% RATE)	-$1,559,548						-$1,615,088						-$995,050						-$1,561,574					

Table 22: Total Cost (Used Vehicles and Limited Stops)

	MODEL A						MODEL B						MODEL C						MODEL D					
MUNICIPAL OWNERSHIP AND OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$674,700						$674,700						$128,000						$674,700					
Total Capital Reserve		$29,925	$29,925	$29,925	$29,925	$29,925		$29,925	$29,925	$29,925	$29,925	$29,925		$32,000	$32,000	$32,000	$32,000	$32,000		$29,925	$29,925	$29,925	$29,925	$29,925
Net Cost (Operating Cost-Revenues)		$86,161	$97,691	$109,221	$120,752	$132,282		$90,491	$103,104	$115,717	$128,330	$140,943		$116,814	$135,071	$153,327	$171,584	$176,040		$91,052	$103,415	$115,778	$128,141	$140,504
TOTAL COST	**$674,700**	**$116,086**	**$127,616**	**$139,146**	**$150,677**	**$162,207**	**$674,700**	**$120,416**	**$133,029**	**$145,642**	**$158,255**	**$170,868**	**$128,000**	**$148,814**	**$167,071**	**$185,327**	**$203,584**	**$208,040**	**$674,700**	**$120,977**	**$133,340**	**$145,703**	**$158,066**	**$170,429**
NET PRESENT VALUE (4% RATE)	-$1,290,131						-$1,318,670						-$935,330						-$1,319,031					
PRIVATE OWNERSHIP AND OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$55,000						$61,750						$10,000						$63,625					
Total Capital Reserve																								
Net Cost (Operating Cost-Revenues)		$130,603	$160,072	$189,540	$219,008	$248,477		$134,934	$165,485	$196,036	$226,587	$257,138		$135,439	$164,923	$194,407	$223,890	$253,374		$130,712	$156,229	$181,747	$207,264	$232,782
Total Cost	**$55,000**	**$130,603**	**$160,072**	**$189,540**	**$219,008**	**$248,477**	**$61,750**	**$134,934**	**$165,485**	**$196,036**	**$226,587**	**$257,138**	**$10,000**	**$135,439**	**$164,923**	**$194,407**	**$223,890**	**$253,374**	**$63,625**	**$130,712**	**$156,229**	**$181,747**	**$207,264**	**$232,782**
NET PRESENT VALUE (4% RATE)	-$888,515						-$923,804						-$865,174						-$863,824					
MUNICIPAL OWNERSHIP AND PRIVATE OPERATION	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**	**START-UP**	**YEAR 1**	**YEAR 2**	**YEAR 3**	**YEAR 4**	**YEAR 5**
Capital Start-Up	$174,700						$174,700						$138,000						$174,700					
Total Capital Reserve		$29,925	$29,925	$29,925	$29,925	$29,925		$29,925	$29,925	$29,925	$29,925	$29,925		$32,000	$32,000	$32,000	$32,000	$32,000		$29,925	$29,925	$29,925	$29,925	$29,925
Net Cost (Operating Cost-Revenues)		$114,691	$140,182	$165,672	$191,162	$216,653		$119,022	$145,595	$172,168	$198,741	$225,314		$103,615	$125,143	$146,671	$168,198	$189,726		$110,259	$134,260	$158,261	$182,261	$206,262
Total Cost	**$174,700**	**$144,616**	**$170,107**	**$195,597**	**$221,087**	**$246,578**	**$174,700**	**$148,947**	**$175,520**	**$202,093**	**$228,666**	**$255,239**	**$138,000**	**$135,615**	**$157,143**	**$178,671**	**$200,198**	**$221,726**	**$174,700**	**$140,184**	**$164,185**	**$188,186**	**$212,186**	**$236,187**
NET PRESENT VALUE (4% RATE)	-$1,036,568						-$1,065,107						-$925,897						-$1,004,093					

7.4 Marketing

The following section identifies marketing and promotion strategies applicable to each of the four (4) service models. For public transportation, marketing budgets are typically 2% of operating costs. It consists of a combination of mediums available such as newspaper, television, web-based information on the municipal website, and strategically located print media. The following is a list of marketing and promotional items that can be strategically phased over years to work within the marketing budget identified in **Table 19** and **Table 20**.

7.4.1 Transit System Route Guide

Transit system route maps / route guides are the primary marketing tool and source of information for transit customers. The content should include most or all of the following:

- Identifies the transit vision and mission statements
- Provides a direct link to route and bus stop location information
- Identifies a number of points of interest such as land marks, activity centres, large medical facilities, shopping centres, etc.
- How to use the transit service
- Conditions of use
- Transit fare structure and fare policies
- Description of hours and days of operation
- Public information line and hours of access to telephone information
- Commendation and complaint line
- Transit website address
- Street index

The system route maps should be sold for a fee to cover the cost of production in an effort to ensure the maps are not discarded indiscriminately. The opportunity also exists to secure the services of a company that will produce a route map or transit booklet that also provides for the sale of advertising revenues by a third party. Advertising revenues would be shared with the potential transit system.

7.4.2 Take Ones

Information pamphlets, a quarter of the size of an individual route map, can be developed for the purpose of marketing upcoming route or schedule changes as well as public open houses dealing with transit issues, upcoming fare changes, and other transit initiatives. Buses will need to be equipped with ‘take one' holders at the front entrance and rear exit of each bus.

7.4.3 Transit Website

A website can be designed to:

- Provide current information at all times through ongoing communication between transit staff and the Region’s web administrator.
- Include a system and individual route maps and schedules map that can be referenced and printed, if required.

- All other information that is available on the transit system map.
- Announce upcoming service or fare changes.
- Provide customers with an on-line feedback or printed for mail-in feedback.

7.4.4 Bus Stop and Shelters

Route guides and schedules can be placed at all bus stops and replaced on an as needed basis to ensure the information posted is always current. Major transit locations should house a system map and other information mounted within building waiting area or in shelters.

7.4.5 Media Advertising

Local media marketing campaigns are effective and should continue. It is suggested that advertising programs be timed to coincide with upcoming events such as the introduction of new routes, new services, target marketing initiatives (e.g. students, seniors), and public open houses.

A reasonable media advertising budget should approximate 0.5 to 1% of the transit operating budget to cover the cost of production and media purchases. Marketing and promotional efforts are recognized as a ridership growth strategy.

7.5 Environment

Public transportation has a direct impact on the environment as it reduces criteria air contaminants (CAC), fuel expenditure, and green house gas (GHG) emissions by collectively transporting people. CAC, fuel, and GHG in this study will refer specifically to:

CAC:
- Carbon monoxide (CO)
- Hydrocarbons (HC)
- Nitrogen oxide (NO_x)

Fuel:
- Gasoline

GHG:
- Carbon dioxide (CO_2)

This reduction in CAC, fuel, and GHG can be quantified by capturing the emissions avoided or saved by one person switching from a single operating automobile to public transportation.

7.5.1 CAC, Fuel and GHG Net Savings (per Individual)

The following subsection quantifies the net savings in CAC, fuel and GHG for one person switching from an automobile to public transportation. This calculation is based on the following assumptions:

1. Individual switched from single occupant vehicle to public transportation
2. Average commute trip of user is 10 km (No data for the Region, based on Cape Breton Regional Municipality Transit data)
3. Average speed for auto trips is 30 km/h on arterial and 75 km/h on expressway
4. Assumes 60% of trip is via expressway and 40% is via arterial, on average

Based on the aforementioned assumptions and the rates in **Table 23,** the CAC, fuel, and GHG reductions by an individual switching from an automobile to public transportation are shown in **Table 24**.

Table 23: CAC and GHG Rates

Driving Cycle	Approx. Avg Spd (km/h)	CO	HC	NO_x	
Arterial LOS A-B	45.00	8.99	0.81	0.55	81.98
Arterial LOS C-D	30.00	10.70	1.01	0.60	95.92
Arterial LOS E-F	20.00	15.48	1.49	0.78	141.59
Freeway High-Speed	105.00	9.48	0.59	0.65	65.22
Freeway LOS A-C	95.00	9.29	0.55	0.61	63.79
Freeway LOS D	85.00	9.25	0.67	0.59	62.81
Freeway LOS E	50.00	8.63	0.82	0.52	71.84
Freeway LOS F	30.00	10.56	1.00	0.62	98.28
Freeway LOS G	20.00	11.28	1.09	0.54	113.13

Source: Simulation results using CMEM model coefficients (cited by Hellinga et al., 2002)

CO2-E rate / litre gasoline 2,468.89 g/l

Table 24: CAC, Fuel, GHG Net Savings (per Individual)

CAC, fuel and GHG	Single Auto Trip			
	Arterial	Expwy	Total (g or ml)	Total (kg or l)
CO	128.40	155.34	283.74	0.284 kg
HC	12.12	14.76	26.88	0.027 kg
Nox	7.20	9.36	16.56	0.017 kg
Fuel	1,151.04	1,293.12	2,444.16	2.444 litres
GHG				6,034.4 g

7.5.2 CAC, Fuel and GHG Net Savings (per Service Model)

To determine the net savings in CAC, fuel and GHG for each of the four (4) service models, the preceding net savings for one person are multiplied by each service model's annual transit ridership at system maturity (Year 5) as seen in **Table 25**.

As seen in **Table 25**, the net savings in CAC, fuel, and GHG are driven by the number of passengers that use each service model. This intuitively means that the greater the transit ridership, the greater the net savings in CAC, fuel, and GHG.

Table 25: Annual CAC, Fuel and GHG Net Savings (per Service Model)

CAC, Fuel & GHG	MODEL A	MODEL B	MODEL C	MODEL D
CO (kg)	14,164	13,091	4,553	12,823
HC (kg)	1,342	1,240	431	1,215
Nox (kg)	827	764	266	748
Fuel (litres)	122,012	112,769	39,219	110,459
GHG (kg)	301,235	278,413	96,827	272,711

7.6 Economic

HDR | Decision Economics examined the economic impact of implementing a new transit system in the Municipality of the District of Lunenburg using the Government of Canada's recommended tool for transit evaluation called TransDec[1].

7.6.1 TransDec Evaluation

Twelve scenarios consisting of the four service models and their respective governance model alternatives were evaluated over a 15 year period (2010 to 2024). **Table 26** lists each scenario's Net Present Value as its principal evaluation criterion. The Net Present Value is the sum of Total Project Benefits less Total Project Cost where:

- Sum of the following **Total Project Benefits**:
  - Personal vehicle operating cost savings due to less people driving,
  - Personal vehicle accident savings due to less people driving
  - Other:
    - Spending effect on social services (Reduction in spending of social agencies due to the presence of transit and reduced dependency on social assistance by low income people)
    - Benefit from reduction in average daily Vehicle Kilometres Travelled due to the transit system
    - Dollar value of reduced CAC (Criteria Air Contaminants) emissions attributable to the transit system. CAC's include NOx, VOC's, SOx, PM's
    - Dollar value of reduced greenhouse gas emissions attributable to the transit system.
- Sum of the following **Total Project Cost**:
  - Capital costs
  - Operating Costs

It should be noted that revenue from ridership is neither factored into the Total Project Benefits nor the Total Project Cost as it is simply a transfer between community users and the transit operator (i.e. zero sum game).

Table 26: Economic Cost and Benefits of Public Transportation ($ millions - 2007 dollars)

SERVICE MODEL	OWNERSHIP AND OPERAITON	VEHICLE OPERATING COST SAVINGS	ACCIDENT COST SAVINGS	OTHER SAVINGS & BENEFITS	TOTAL PROJECT BENEFITS	TOTAL PROJECT COST	NET PRESENT VALUE
A	Municipal and Municipal	$1.1	$2.4	$0.5	$4.0	$3.8	$0.2
	Private and Private	$1.1	$2.4	$0.6	$4.1	$3.3	$0.8
	Municipal and Private	$1.1	$2.4	$0.5	$4.0	$4.0	$0.0
B	Municipal and Municipal	$1.1	$2.2	$0.5	$3.8	$3.8	$0.0
	Private and Private	$1.1	$2.2	$0.6	$3.9	$3.4	$0.5
	Municipal and Private	$1.1	$2.2	$0.5	$3.8	$4.1	($0.3)
C	Municipal and Municipal	$0.4	$0.9	$0.2	$1.5	$3.1	($1.6)
	Private and Private	$0.4	$0.9	$0.2	$1.5	$2.8	($1.3)
	Municipal and Private	$0.4	$0.9	$0.2	$1.5	$2.7	($1.2)
D	Municipal and Municipal	$1.0	$2.1	$0.5	$3.6	$3.8	($0.2)
	Private and Private	$1.0	$2.1	$0.6	$3.7	$3.3	$0.4
	Municipal and Private	$1.0	$2.1	$0.5	$3.6	$4.0	($0.4)

[1] http://www.tc.gc.ca/programs/surface/transdec/menu.htm

With respect to each service model, the following is observed:

- **Model A** is the only service model that generates no negative NPV values. These values are $200,000 for the municipal ownership and municipal operation model and $800,000 for the private ownership and private operation model and $0 for the municipal ownership and private operation model
- **Model B** generates a positive NPV of $500,000 for the private ownership and operation governance model and a $0 NPV for the municipal ownership and operation governance model.
- **Model C** does not generate any positive NPV for any of the governance models.
- **Model D** generates a single positive NPV of $400,000 for the private ownership and operation governance model.

With respect to governance models, apart from Model C, a privately owned and operated transit system provides the greatest economic benefits to the community because the Total Project Benefits are greater than Total Project Costs.

7.7 Preferred Service Model

In the following section, a preferred service model will be determined by the four (4) service models against the service priorities (from Policy Framework), and four of the preceding six (6) service model assessments (demand, cost, environment, economic). Only four (4) of the six (6) assessment will be carried as criteria because they can be evaluated objectively.

With respect to governance models, this has been withheld as a criterion from the proceeding evaluation because, on its own, it only provides information that can be used to determine a preferred governance model. Alone, a preferred service model can not be identified based on the assessment. This is because each of the three assessed governance models can be applied to each of the four (4) service models.

With respect to marketing, as with governance models, this has been withheld as a criterion from the proceeding evaluation because, on its own, it only provides information that can be used to determine the implementation sequence of different marketing strategies or programs. This is because all of the marketing strategies and programs can be applied to each of the four (4) service models. Thus, the preferred service strategy will be identified based on an evaluation of the following qualitative and quantitative criteria:

- Service Philosophies
- Service Area Priorities
- Service Hour Priorities
- Service Day Priorities
- Service Market Priorities
- Demand
- Cost
- Environmental
- Economic

Table 27: Preferred Service Model Evaluation

CRITERIA	DESCRIPTION	MODEL A	MODEL B	MODEL C	MODEL D
Service Philosophies	▪ Provision of mobility to those seeking transportation ▪ Compete with the automobile ▪ Minimize trip times ▪ Cost effectiveness ▪ Seen in **Table 5**	▪ Poor ability to service those seeking transportation with limited geographic coverage ▪ Unable to compete with auto and minimize trip times	▪ Fair ability to service those seeking transportation with limited geographic coverage ▪ Unable to compete with auto and minimize trip times	▪ Excellent ability to service those seeking transportation with extensive geographic coverage ▪ Able to compete with auto and minimize trip times	▪ Good ability to service those seeking transportation with good geographic coverage ▪ Good ablity to compete with auto and minimize trip times on shared-ride taxi route
		SCORE = 1	**SCORE = 2**	**SCORE = 4**	**SCORE = 4**
Service Area Priorities	▪ Core Area ▪ Non-Core Area ▪ Employment centres ▪ Institutional centres ▪ Retail centres ▪ Seen in **Table 5**	▪ Excellent core area coverage ▪ No non-core area coverage ▪ Excellent employment, institutional, and retail coverage	▪ Good core area coverage ▪ Good non-core area coverage ▪ Good employment, institutional, and retail coverage	▪ Fair core area coverage ▪ Fair non-core area coverage ▪ Fair employment, institutional, and retail coverage	▪ Good core area coverage ▪ Good non-core area coverage ▪ Good employment, institutional, and retail coverage
		SCORE = 2	**SCORE = 3**	**SCORE = 2**	**SCORE = 4**
Service Hour Priorities	▪ Peak period service ▪ Off-peak service ▪ Seen in **Table 5**	▪ Good peak periods services ▪ Good Off-peak services	▪ Good peak periods services ▪ Fair Off-peak service	▪ Good peak periods services ▪ Good Off-peak service	▪ Excellent peak periods services ▪ Fair Off-peak service
		SCORE = 3	**SCORE = 3**	**SCORE = 4**	**SCORE = 3**
Service Day Priorities	▪ Weekday ▪ Saturday ▪ Seen in **Table 5**	▪ Good weekday service ▪ Fair Saturday service	▪ Good weekday service ▪ Fair Saturday service	▪ Excellent weekday service ▪ No Saturday service	▪ Excellent weekday service ▪ No Saturday service
		SCORE = 3	**SCORE = 3**	**SCORE = 2**	**SCORE = 2**

CRITERIA	DESCRIPTION	MODEL A	MODEL B	MODEL C	MODEL D
Service Market Priorities	▪ Core Area trip market ▪ Work-trip market ▪ School-trip market ▪ Shopping / Leisure-trip market	▪ Good core area coverage ▪ Excellent work, school, and shopping market service	▪ Good core area coverage ▪ Good work, school, and shopping market service	▪ Selective core area coverage ▪ Selective work, school, and shopping market service	▪ Excellent core area coverage ▪ Excellent work, school, and shopping market service
		SCORE = 3	**SCORE = 3**	**SCORE = 2**	**SCORE = 4**
Demand	▪ Annual ridership ▪ Seen in **Table 8**, **Table 10**, **Table 12**, **Table 14**	▪ Greatest Annual Ridership ▪ 49,920	▪ Good Annual Ridership ▪ 46,138	▪ Least Annual Ridership ▪ 16,046	▪ Good Annual Ridership ▪ 45,193
		SCORE = 4	**SCORE = 3**	**SCORE = 1**	**SCORE = 3**
Cost	▪ Greatest Net Present Value ▪ Seen in **Table 21**	▪ NPV slightly greater than least	▪ Least NPV regardless of governance model	▪ Greatest NPV regardless of governance model	▪ NPV slightly greater than least
		SCORE = 2	**SCORE = 1**	**SCORE = 4**	**SCORE = 2**
Environmental	▪ Greatest CAC and GHG reductions / savings ▪ Seen in **Table 25**	▪ Greatest CAC and GHG reductions/savings	▪ Good CAC and GHG reductions/savings	▪ Least CAC and GHG reductions/savings	▪ Good CAC and GHG reductions/savings
		SCORE = 4	**SCORE = 3**	**SCORE = 1**	**SCORE = 3**
Economic	▪ Greatest Net Present Value ▪ Seen in **Table 26**	▪ No negative scenarios ▪ The greatest NPV of all 12 scenarios under a private operation and ownership model	▪ One positive NPV scenario under the private operation and ownership model ▪ One zero benefit scenario	▪ No positive NPV scenarios	▪ One positive NPV scenario under the private operation and ownership model
		SCORE = 4	**SCORE = 3**	**SCORE = 1**	**SCORE = 2**
TOTAL SCORE		**26**	**24**	**21**	**27**

As a caveat to the preceding assessment, demand and cost can be shown as it relates to the performance goals identified in the Policy Framework. These goals are:

- **Effectiveness**: To build transit use to 8 passengers per capita by Year 5
- **Efficiency**: To increase service utilization to 8 passengers per hour by Year 5
- **Financial**: To invest $18.00 in operating costs per capita in transit service by Year 5

Table 28 shows that at Year 5 the passengers per capita is below the peer group driven performance target. This can be explained by the fewer service hours provided compared to peers. These less service hours are due to a lower investment per capita. In terms of efficiency, all the service models are near the peer group median. In effect, the preceding suggests that Region specific performance targets should be reviewed and identified in a subsequent Implementation Plan.

Table 28: **Service Model Performance**

Goal	Indicator	Model A	Model B	Model C	Model D	Peer Group
Effectiveness	Passengers per Capita	3.3	2.5	0.4	2.2	8.6
Efficiency	Passengers per Hour	8.0	7.4	2.6	7.2	8.9
Financial	Net Operating Cost per Capita (Municipal Ownership and Operation)	$8.91	$7.54	$4.85	$6.98	$19.55
	Net Operating Cost per Capita (Private Ownership and Operation)	$16.61	$13.76	$6.98	$11.56	
	Net Operating Cost per Capita (Municipal Ownership and Private Operation)	$14.48	$12.06	$5.22	$10.25	

Overall, as seen in **Table 27**, the preferred service model evaluation shows that Model D best meets the evaluation criteria. This is because Model D best balances the service priority criteria; namely the ability to provide service to those seeking transportation, with relatively high demand, similar costs, and great environmental and positive economic impacts.

7.7.1 Preferred Governance Model

The purpose of determining a governance model is to identify a manner in which to organize and deliver a transit service in the most cost effective manner. As identified in the preceding assessment, this entails two components: ownership and operation.

Based on the assessment, it is determined that a municipal ownership and operation governance model is inappropriate given the characteristics of the four (4) identified transit service models and the current Municipal infrastructure.

With respect to ownership, the preceding assessment assumes that vehicles, either new or used, are to be purchased by the Municipalities. The impact of this assumption is that the private ownership and operation model is the most cost effective, as seen in the cost and economic assessment. However, if a Provincial or Federal program is available to fund the purchase of vehicles, the municipally owned and privately operated option becomes the most cost effective. This is because the start-up capital costs and capital reserve for vehicles, as seen in **Table 17**, will be eliminated and the net operating cost under the municipal ownership and private operation model is less than the private ownership and operation model, as seen in **Table 19**. Thus, discussions with Provincial and Federal agencies (i.e. Service Nova Scotia, Transport Canada, Infrastructure Canada, etc.) are required to determine funding opportunities. This will impact the decision of the appropriate ownership component of the governance model.

With respect to operations, it is clear that a private operation option best meets the characteristics of the four (4) identified transit service models and the current Municipal infrastructure. As discussed in the governance model assessment, a contract to operate and maintain vehicles can be explored with either Kings Transit or a private firm.

8. CONCLUSION AND RECOMMENDATIONS

Based on the preceding assessment of the four (4) service models against six (6) criteria, the following conclusions and recommendations are made.

8.1 Conclusions

Based on the preceding study, the following conclusions are made:

- Communities across Canada with similar populations and service areas commit resources annually to provide public transportation to service their community.
- Stakeholder consultations revealed that the status quo – no transit service – has a negative impact on the quality of life for many individuals from varying demographics and groups.
- Feasibility Sub-committee identified that the primary service philosophy is the provision of mobility to those seeking transportation.
- Multiple and varying transit service concepts are currently in practice across Canada, but a conventional transit, bus, pre-booked service and fixed route shared ride taxi service are most applicable in the Municipality of the District of Lunenburg
- Multiple new and used vehicle options exist, but a community bus or van is most applicable given the type of services designed.
- Demand for public transit service is approximately between 45,000 and 50,000 for the fixed route service and 16,000 for the pre-booked service.
- Municipal cost sharing service agreements can be based on total population and service area population.
- Multiple governance models exist, however each has a cost implication.
- Cost of a private ownership and operation transit service is the most cost effective governance model.
- Multiple marketing promotions and programs exist and can be implemented strategically.
- Each transit service model has a positive impact on the environment as CAC, fuel, and GHG are reduced; the model with the greatest demand (Model A) will have the greatest impact.
- Economic cost and benefits analysis shows that a private ownership and private operation governance model generates a positive NPV over a 15 year evaluation in all but Model C.

8.2 Recommendations

Based on the conclusions of this study, the Feasibility Sub-committee should recommend service Model D as the preferred alternative. Further, upon confirmation from the Joint Transit Committee and the Region's respective Councils that a transit system is feasible, the following recommendations are made:

- Begin discussions with Provincial and Federal agencies to determine the availability of capital funding for new vehicle purchases
- Prepare an Implementation Plan to identify the appropriate governance model (depending on funding) and service agreements, precise routing, schedule, bus stops and shelters, marketing program, and revised Policy Framework including Performance Goals

Appendix A
Stakeholder Consultations

1. STAKEHOLDER CONSULTATIONS

Stakeholder consultations are important in the transit planning process, as it allows all parties involved to identify strengths and to voice issues with public transportation issues. HDR | iTRANS conducted stakeholder consultations in the form of Transit Focus Groups [TFG].

1.1 Purpose

The purpose of the Initial Stakeholder Consultations was to:

- Educate community representatives
- Establish study expectations
- Identify issues, constraints and opportunities
- Identify data requirements needed to complete the study

1.2 Methodology and Attendees

There were a total of four (4) informal round table TFG meetings held on April 14 and 15, 2009 with 39 participants. HDR | iTRANS met with the following:

Service Provider Transit Focus Group

Sandra Meister, Community Wheels.
Earl Lantz, Senior Wheels.
Leslie Taylor, VON.
Vicki Hirtle, Mahone Bay Centre.
Barb Carthew, Community Links.
Randy Acker, Community Services.
Debby Williams, Family Support Centre.
Wendy McVeigh, Continuing Care.
Annemarie MacLeod, CMHA.
Donna Sutton, South Shore Health.
Heather Hopkins, South Shore Health.
Bill Snyder, Citizens for Public Transit.
Ron Frampton, Riverport.
Ron Mullins, Kings Transit.

Student Transportation Focus Group

Steve Prest, SSRSB Student Services.
Barry Butler, SSRSB Operations.
Chuck McClelland, Bridgewater HS.
Charles Williamson, Parkview EC.
Craig Collins, NS Community College.

Business Focus Group

Tina Connors, LQRDA.
Dwayne Baker, Walmart.
Jean MacLean, Resolve.
Hans Pedersen, Abitibi-Bowater.
Melanie Williams, HB Studios.
Patty Slade, Composites Atlantic.
Barry Bolivar, Michelin.
Joanne Brown, Highliner.
Sandra Richards, Bridgewater Chamber.
Norm Hazlett, Citizens for Public Transit.

Municipal Government Focus Group

Mayor Joe Feeney, Mahone Bay.
Jim Smith, Bridgewater.
Mayor Laurence Mawhinney, Lunenburg.
Bea Renton, Lunenburg.
Mayor Don Downe, MODL.
Tammy Wilson, MODL.
Marvin MacDonald, Service NS.
Georgina Dimock, Service NS.
Colleen Paton, Conserve NS.
Darcy McBain, NS Transportation.

1.3 Preliminary Findings

1.3.1 Service Provider Transit Focus Group

The Service Provider focus group was attended by 13 representatives of publicly funded service agencies and not-for-profit agencies that provide specialized public transportation services to residents. A representative from Kings Transit was also present, as they operate a regional transit service nearest to the study area. For the most part, the issues and challenges raised by those who contributed to the discussion were similar. The discussions revealed the following information:

Senior Wheels [Bridgewater]
- 18 volunteer drivers use an 8-12 passenger bus equipped with a wheelchair lift
- Eligibility of customers: seniors over 60 years of age and to those that are disabled, requiring a doctor's note (does not disclose the nature of the illness for privacy reasons)
- Operate Bridgewater area only - does not cross established boundaries of town + 7km radius.
- Operate Monday through Saturday, 8:00am through 5:00pm
- 800 trips taken monthly (20 to 30 wheelchair customers)
- Budget of $50,000 per year and a donated $70,000 vehicle from Kiwanis
- Free service; however, the bus donation box can generally cover related cost of fuel
- Dispatching services is provided by a business call-in centre (incoming call then referred to appropriate volunteer driver)
- A 2-day reservation is required when booking trips

Victoria Order of Nurses [Lunenburg]
- Regular passenger van donated by Rotary
- Van is parked in Block House, serves Mahone Bay and Lunenburg area of District
- 25 volunteer drivers
- Medical trips are first priority of service
- Service provided Tuesday, Wednesday, Thursday
- VON administration takes the bookings (one day advance booking required)
- $16,000 annual budget for operation, excludes the vehicle capital cost

Community Wheels [Chester]
- 2 day advance booking for local trips (1 week preferred)
- Trips can also be booked for trips to Halifax and Kentville
- Donations provided for local services
- own Administration does the bookings & dispatching function

Family Support Centre [Bridgewater]
- Volunteer drivers use their own vehicles
- Fundraising supports the service
- Wednesday recognized as the busiest day
- Family Support -identified users, for various specified trip purposes

Community Services [Lunenburg / Bridgewater]
- Service to local area, plus provides some trips outside of the District
- 10 volunteer drivers use their own vehicle
- Services oriented for child-related support programs

- Minimum $2M required for vehicle liability insurance
- Volunteers are compensated at government km rate + 2 cents
- 47,000 km driven per year (approximately a $25,000 cost to Department)
- Income Assistance requests number 25 per day
- Administrative co-ordinator books the trips, refers to volunteer driver
- One day advance booking required

Harbour House [Bridgewater]
- Volunteer drivers use their own vehicle
- Clients require evening transportation for programs
- Bookings undertaken by administration

Community Links
- Concern that lack of public transportation is forcing older residents to move
- The ability to age-in-place in communities is becoming more difficult, especially as elderly residents (indeed all residents) will not be able to drive at some point.
- Mid-day service required for those who are stay at home spouses / lack own car

Citizens for Public Transit
- Transit is a requirement for residents to access to skills training, family support centre, etc.

Challenges

As the population ages, the demand for medical-based trips related to clinical visits (e.g. diabetes and dialysis) is expected to continue to grow significantly. This demand will impact on the existing volunteer-managed transit programs.

It was very clear that volunteers play a significant role in the community's existing transportation services. Current support systems are highly dependant on donations, independent fund raising and volunteerism. Each agency has their own set of self-determined needs and priorities. A consensus on coordination of their services may be a difficult objective to reach. There has been little or no co-ordination of transportation services within and between the not-for-profit or the public sector funded services (when asked, this particular TFG was the first time that the majority of group participants have all met together at one time.)

Commentators outlined there were approximately 200 volunteer / community groups within the Mahone Bay – Lunenburg – Bridgewater triangle, and an additional 100 groups in the other rural areas of the District. This presented a challenge, since the information provided by this small focus group – in terms of local community input - would be limited, although the information provided was sufficient to enable some conclusions to be drawn. This volunteer force, although quite large, is aging. Many local community volunteers may not drive, or do not necessarily have access to a vehicle, yet it is the capacity of local volunteers that often mitigated the financial demands of public sector services. With fewer volunteers available, or limited by transportation, there will be pressure on government to provide services normally provided by the volunteer community.

Well-identified transportation services are located in the urban areas of the provinces, which provide a challenge of perception for the local region, in terms of attracting new population. As the area's population is not high growth, the region will rely increasingly on attracting new residents, or face decline in both residents and business. New residents will increasingly come from areas where transit is a customary local service, and will be less attracted in a region without competitive services.

Residents are walking great distances or are hitch-hiking to access services.

Opportunities

There is recognition that there is overlap in the services provided, such as dispatching of existing transportation services (volunteer and funded services). There appears to be a willingness to work together.

This TFG recognized / supported the concept of a transit service linking the communities, as it would help fill the gap in meeting various needs. Initial routes linking Lunenburg, Mahone Bay and Bridgewater was supported in addition to a potential work trip link to New Germany. It was considered that more rural communities might be satisfied with initial services that enable them to travel to the larger centres on selected days.

There are public transportation budgets already in place today within certain Departments that could help operational costs.

Kings Transit is willing to discuss the opportunity to provide public transportation service, if the region wishes to take the next step.

Preliminary Suggestions Discussed

A more centralized dispatching service may be feasible. (e.g. 'one-stop shopping')

Keep volunteer-run vehicles within the communities served.

Introduction of subsidized taxis was identified as an option (known as Taxi Scrip) for service in the more outlying areas.

Reduce the use of more costly ambulance services for some trips, if the service can be provided by a lower cost service. Savings can then be used to support local public transportation.

1.3.2 Business Focus Group

The business focus group consisted of 10 representatives of major employers in the local region, summarized as follows:

Resolve (Call Centre w/ 485 employees (350 'seats') in Bridgewater)

- 85% of workers on site between 11:00am - 9:00pm, or 1:00pm - 8:00pm.
- 20 to 40 hires per month

Michelin (Manufacturing w/ 1,150 employees in Bridgewater)

- 24 x 7 operation
- Employees reside throughout the region - no concentration in any particular community
- Some crews on 12hr shift [7-7] other shifts on 8hr [8:00am - 4:00pm - 12:00pm]
- Recognition some workers already vanpool from outlying areas.

Abitibi Bowater (Mill w/ 170 employees in Dayspring)
- Shifts vary but predominantly 7:00am – 7:00pm shift
- Consider that industrial employees are less likely to use transit; however, it is recognized that the option should be there, as the cost of operating cars increases.

Walmart (Retail w/ 200 employees at Exit 12 Bridgewater)
- Shifts start at 7:00am then start or end at 3:30pm, 5:00pm and 10:30pm
- Student populations begin shifts at 3:30pm and 5:00pm
- The availability of transit services was identified as a need for retail employees, more so than any perceived need for drawing shoppers.

HB Studios (Software Development w/ 83 employees in Lunenburg)
- Some of the employees recruited to community are new immigrants, tend to come from countries where transit is a given and many are not able to drive.
- Over a third of employees travel from Bridgewater every day for 9-5 workdays.

Composite Atlantic (Plastics w/ 350 employees in Lunenburg)
- Shifts begin at 7:00am and 3:30pm
- Similar to HB Studios, a portion of the workforce travels over from Bridgewater.

TFG Highlights
Concern was expressed by the Chamber of Commerce relative to impact on commercial taxes. Concern also expressed as to the potential take-up in what was perceived as a middle-class community with no culture of public transit services.

It was recognized that it could take a number of years before transit reaches its potential, and that investment would be more long-term. The need for service was stronger for the typical weekday, since it is perceived the 'family car' is more available on weekends. It was recognized that families with one auto must depend on that auto to take other trips after the work day; the availability of transit would mitigate this need Transit provides employee family members with the ability to travel without needing a 2nd or 3rd car.

There are recognized environmental benefits to the community in considering transit. The availability of transit also adds to the quality of life, which may result in attracting employees to the community

The need for sidewalks at Highway 103 / Exit 12 overpass was identified as a safety issue. Transit service could help to provide the safer link needed.

1.3.3 Student Transportation Focus Group

A separate meeting was held with five representatives of the area School Board, High Schools, and with the Community College. The following information was provided:

NS Community College (Bridgewater)
- The college has one- and two-year programs. Currently 500 students enrolled, with another 100 expected in enrolment growth.
- Majority of students reside in the county (approximately 80%)
- Some students are forced to move into Bridgewater due to lack of any transit.
- College students are getting younger and as such, are less likely to own their own car.

High Schools (Bridgewater and Parkview)

- School bussing provided if walk distance is beyond 3.0 km for both Bridgewater Junior and Senior high schools, grades 7 to 12 (elementary school students have a 1.6km criteria)
- 850 students in Parkview HS and 450 in Bayview HS
- Lunenburg grades 10-12 students (69) will be transferring to Parkview (80%) and Bridgewater (20%) next year.
- School Board indicated it would be amenable to discussing the option of seeing students being able to be transported by public transit rather than yellow school bus.
- School board owns and operates its own 16-passenger wheelchair accessible vehicle
- The school board employs 120 bus drivers (92 regular, 28 on call)
- Drivers are paid $18.81 per hour + benefits

Both college and high school

- There is recognition that students depend on family members and friends after school to travel to work or stay at school for activities
- Lack of public transportation is a barrier to activities and employment after school
- Many students drive to school since there is no alternative
- Recognition that investment in student car ownership would decrease if convenient public transit is available to them.

1.3.4 Municipal Transit Focus Group

HDR | iTRANS met with elected officials and senior staff of the four municipalities, and departmental representatives from the Province of Nova Scotia. The purpose of the meeting was to provide a study overview, summarize initial TFG discussions, and to provide reasonable expectations with respect to study outcomes. HDR | iTRANS outlined a peer review of similar sized municipalities across Canada, specifically focused on the level of financial commitment that can be expected for operating local transit services (both conventional and specialized). Kings County was included in the review. This comparative analysis helped to identify the order-of-magnitude costs early on in the study process, setting the stage for any future recommendations.

The TFG discussed the need for the study to include an assessment of best practices in governance, in terms of the strengths / weaknesses of when multiple partners are involved in meeting operational costs (i.e. municipal-owned / arms length authority / third party service provider).

Concern was raised about the degree of potential transit ridership, in relation to the anticipated costs of service. Communities in this region have a history of independence, and of neighbours helping neighbours, as part of their culture. This cultural background would deter successful transit operation. As such, there was a need for this study to outline to local officials what degree of ridership / cost of service might be expected, as there was scepticism to see increases to local commercial tax rates for services that were not particularly well used. HDR | iTRANS indicated that it would like take a ‘high school generation’ to change travel habits and have transit become a service that is depended on as an alternative.

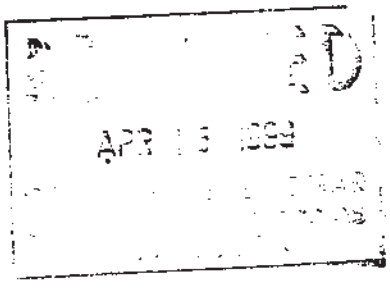
Past financial support from the provincial government has only been towards capital costs on a project-by-project basis. There was some discussion as to whether future policies and supports might be structured differently.

Appendix B
Inter-municipal Services Agreement
Kings Transit Authority

Intermunicipal Services Agreement

KINGS TRANSIT AUTHORITY

April 1st, 1999



THIS AGREEMENT is made this 1st day of April, 1999.

RECEIVED
APR 15 1999
OFFICE OF THE
of Joint Stock
NOVA SCOTIA

AMONG:

THE TOWN OF BERWICK, a municipal body corporate;

THE TOWN OF KENTVILLE, a municipal body corporate;

THE TOWN OF WOLFVILLE, a municipal body corporate;

THE MUNICIPALITY OF THE COUNTY OF KINGS, a municipal body corporate;

I HEREBY CERTIFY that this is a true copy of a document filed in the office of the Registrar of Joint Stock Companies on the 15 day of April, 1999

C. Stone
Registrar of Joint Stock Companies
Dated 4 day of May, 1999.

THE PARTIES HERETO AGREE AS FOLLOWS:

KINGS TRANSIT AUTHORITY

1. The purpose of this agreement is to provide public transportation services for the County of Kings pursuant to section 55 of the *Municipal Government Act*.

2. This agreement is an agreement for the joint provision of services and facilities by the participating municipalities pursuant to section 60 of the *Municipal Government Act*.

3. The parties agree that public transportation services for the County of Kings shall be provided by the Kings Transit Authority, a committee representing each of the participating municipalities and being a separate body corporate.

PARTICIPATING MUNICIPALITIES

4. The participating municipalities in the Kings Transit Authority shall be as follows:

   Town of Berwick;
   Town of Kentville;
   Town of Wolfville;
   Municipality of the County of Kings,

   and are hereinafter collectively referred to as "the parties".

AREA

5. The area for which the services may be provided by Kings Transit Authority is the County of Kings.

MEMBERS

6. (a) There shall be no special qualifications for members of Kings Transit Authority.

   (b) The membership in the Kings Transit Authority shall total six (6) members as follows:

One (1) from the Town of Berwick;
One (1) from the Town of Kentville;
One (1) from the Town of Wolfville;
Three (3) from the Municipality of the County of Kings.

(c) Members shall be appointed annually by the Council of each participating municipality by the first day of December each year for a term of office of one year from December 1 to November 30.

(d) Each party may also appoint an alternate member of the Kings Transit Authority who may vote in the place of the member during any absence.

(e) In the event that a vacancy occurs, the Council appointing the member shall appoint a replacement within six weeks after the vacancy occurs.

(f) Kings Transit Authority shall pay to its members such remuneration as may be fixed by Kings Transit Authority from time to time, and Kings Transit Authority shall reimburse its members for travel and other necessary expenses incurred in connection with the work of Kings Transit Authority, as agreed to from time to time by Kings Transit Authority, unless such payments are disallowed by Provincial legislation.

CHAIR

(g) The members shall elect a Chair from among their members who shall hold office until his/her term of office expires or until such time as a successor is elected.

(h) Kings Transit Authority may pay the Chair an allowance in addition to any remuneration that the Chair receives from the party that appointed the Chair to Kings Transit Authority, provided such payments are not disallowed by Provincial Statute.

VOTING

(i) All members, including the Chair, shall vote on every question before Kings Transit Authority except in the case of conflict of interest.

(j) A majority of the members of Kings Transit Authority constitutes a quorum.

DECISIONS

7. Any decision requiring the agreement of the parties hereto shall be decided by a majority of the participating municipalities. Decisions requiring consent of the parties according to this formula include: borrowing (clause 11(d)); the disposal of capital assets valued at more than one hundred thousand dollars ($100,000) (clause 12); approval of the annual operating plan and budget (clause 15); approval of supplementary budget estimates (clause 17); addition of new parties to this agreement (clause 24); dissolution of Kings Transit Authority (clause 26); and alteration of this agreement (clause 30). The consent of a party is given by a resolution of the Council of that party.

8. Any decision requiring the agreement of the members of Kings Transit Authority shall be decided by a majority of those members present unless otherwise stated.

OBJECTS

9. The object of the Kings Transit Authority is to provide a regional public transportation system for its area by:

(a) the purchase of vehicles and operation of the service, directly or indirectly; or;

(b) providing financial assistance to a person who will undertake to provide the services; or;

(c) a combination of the methods referred to in clauses (a) and (b).

ACQUISITION OF CAPITAL ASSETS

10. (a) Any capital asset created or acquired by Kings Transit Authority shall be owned by Kings Transit Authority. Attached as Schedule A are the assets of Kings Transit Authority as of April 1, 1999.

(b) The parties shall provide the necessary financing from their own resources needed to acquire or create capital assets on behalf of Kings Transit Authority in the same proportions as the cost-sharing formula detailed in clause 14(a).

(c) Kings Transit Authority shall have the power to establish a capital reserve for replacement or refurbishing of vehicles.

POWERS

11. Kings Transit Authority may:

(a) receive from any government or governmental body or agency grants of money or land and use, apply or convey them in accordance with the terms upon which they were made or for any purposes of Kings Transit Authority that are not inconsistent with the grant;

(b) accept gifts, assignments, devises and bequests of real and personal property and apply them to the general purposes of Kings Transit Authority or to a specific purpose of Kings Transit Authority;

(c) acquire real and personal property by deed, will, gift or lease or in any other manner and lease, sell or otherwise dispose of its property or any part thereof;

(d) with the approval of a majority of the participating municipalities, borrow on the security of its real and personal property, or either of them or any part thereof, or any other security or without security such money as Kings Transit Authority considers necessary and mortgage, pledge or otherwise charge its property or any part of it for the purpose of securing any money borrowed;

(e) improve, enlarge, repair, alter, equip, service, insure and maintain any building or buildings and any other property owned or leased by it;

(f) acquire or purchase materials, machinery, motor vehicles and plant deemed requisite or advisable for public transportation services;

(g) erect, acquire, purchase, alter, add to, improve, furnish or equip buildings or other facilities, for public transportation services;

(h) enter into contract or agreements to provide or to subsidize public transportation services. Kings Transit Authority may contract with any person, including a municipal unit and a municipal unit that is party to this agreement, for the provision of any service or facility necessary or advisable to carry out the responsibilities assigned to it by this agreement;

(i) invest and deal with funds of Kings Transit Authority not immediately required for its purposes in the manner prescribed by the Province of Nova Scotia;

(j) establish and collect user-pay fares from the public;

(k) establish transit routes and schedules;

(l) establish its own rules of procedure and make by-laws with respect to:

(i) meetings of Kings Transit Authority and its committees, the method of calling those meetings, their frequency and the conduct of business and rules of order and proceedings at meetings;

(ii) the annual election or appointment of officers of Kings Transit Authority and the functions, duties and powers of the officers, including the functions, duties and powers of the Chair;

(iii) the filling of vacancies in the offices of Kings Transit Authority;

(iv) the qualifications of officers;

(v) vacating or termination of office in Kings Transit Authority;

(vi) the appointment or election of standing or special committees and their functions, duties and powers;

(vii) the adoption of a common seal and the execution by Kings Transit Authority of any deed, agreement, contract, negotiable instrument, security or other document;

(viii) the management of the property of Kings Transit Authority;

(ix) the conduct and duties of the officers and employees of Kings Transit Authority;

(x) any matter relating to the conduct of the business and affairs of Kings Transit Authority.

(m) do such other acts and things as are incidental to the attainment of its object or the exercise of its powers.

12. No capital asset valued at greater than one hundred thousand dollars ($100,000) shall be disposed of by Kings Transit Authority unless approved by the parties in accordance with clause 7.

GENERAL MANAGER and PERSONNEL

13. (a) Kings Transit Authority may appoint a person to be general manager.

(b) Kings Transit Authority may appoint or engage such officials and employees and professional, scientific or technical experts as it considers advisable for the attainment of its objects or the exercise of its powers and may pay them such remuneration as Kings Transit Authority from time to time determines.

OPERATIONAL COSTS

14. (a) Upon implementation of this Agreement, the net operational costs of Kings Transit Authority (i.e. gross operating costs minus operating revenues) shall be paid by the parties according to shares based on the ratio of population served. The following are the proportions in which each of the participating municipalities shall contribute to provide the funds required to meet the approved operating costs of Kings Transit Authority:

MUNICIPALITY	POPULATION *	PERCENTAGE
Town of Berwick	1174	5%
Town of Kentville	4561	20%
Town of Wolfville	3425	15%
Municipality of Kings	13,958	60%

* As determined with Department of Housing and Municipal Affairs in 1996

(b) Alternate means of raising revenue, such as advertising revenues, fees, and/or other means shall be employed, as deemed appropriate or advisable by Kings Transit Authority, to augment or replace the cost-sharing formula described in clause 14 (a), provided that such charges or alternate means are consistent with the approved annual operating plan and budget.

(c) Operating costs may include the following:

i) wages and salaries for personnel employed directly by Kings Transit Authority for the purposes of Kings Transit Authority;

ii) the payment of fees to contractors;

iii) principal and interest charges on debts incurred by Kings Transit Authority or the parties on behalf of Kings Transit Authority;

iv) maintenance and repair expenses for any vehicles or/and property operated by Kings Transit Authority for the purposes of Kings Transit Authority;

v) traveling expenses properly incurred by employees or members of Kings Transit Authority for the purposes of Kings Transit Authority;

vi) rentals of equipment whether from a party to the agreement or otherwise, including any applicable insurance cost, transportation cost, cost of loading and unloading, registration fees, cost of installation, dismantling and removal, repair and replacement (exclusive of repairs necessitated by defects when acquired);

vii) expendable materials, supplies, light, power, heat, water, and tools except those customarily provided by tradespeople;

viii) advertising, promotional and educational costs;

ix) assessments under the Workers Compensation Act, employment insurance, Canada Pension Plan contributions, vacation pay, or paid vacations and other statutory requirements, sales and other taxes;

x) other permissive employee benefits, as approved by Kings Transit Authority;

xi) administration costs of Kings Transit Authority including allowance to the Chair, payment of staff, remuneration to members and reimbursement of expenses to the members, legal and audit fees and like costs;

xii) payments into a capital reserve fund or funds provided that interest earned by the funds becomes part of the funds;

xiii) premiums for liability, errors and omissions, equipment and other insurance policies; and

xiv) other expenses deemed necessary provided they are consistent with this agreement.

OPERATING BUDGET

15. (a) No later than 90 days before the beginning of the fiscal year, Kings Transit Authority shall submit the proposed annual operating plan and budget to each of the parties for approval after having consulted with the parties in the development of the plan;

(b) No later than 30 days before the beginning of the fiscal year, the parties shall consider and if deemed appropriate ratify, in accordance with clause 7, the annual operating plan and budget approved by Kings Transit Authority.

(c) To be implemented, the operating plan and budget requires the approval of the parties under clause 7.

16. (a) The council of each of the participating municipalities shall pay to Kings Transit Authority quarterly in advance one quarter of the municipality's share of the approved net operating costs of Kings Transit Authority.

(b) Any party which is more than thirty (30) days in arrears shall pay interest on the arrears at a rate to be determined from time to time by Kings Transit Authority.

17. (a) Supplementary budget estimates for capital and operating expenses must be approved, for recommendation to the parties, by a majority of the members of Kings Transit Authority.

(b) No later than 45 days following receipt of the recommendation from Kings Transit Authority, supplementary budget estimates must be considered by the parties and, if deemed appropriate, approved in accordance with clause 7.

18. Kings Transit Authority shall not expend funds in excess of the amounts approved in annual budget estimates or supplementary budget estimates, except in the case of an emergency and with the approval of all the members.

19. All fares and other revenues shall be set by Kings Transit Authority and become part of its budget.

AUDITOR

20. (a) Kings Transit Authority shall, at each annual meeting, appoint an auditor who shall be a registered municipal auditor under section 457 of the *Municipal Government Act*.

(b) Kings Transit Authority shall submit to the council of each of the participating municipalities audited financial statements for the preceding fiscal year, such statements to be submitted not later than the 30th day of June in each fiscal year.

(c) Kings Transit Authority shall, not later than the 30th day of June, also make an annual report to the councils of the participating, municipalities setting out its activities for the preceding fiscal year.

(d) The accounts of Kings Transit Authority shall be kept and reported on as required by the Municipal Accounting and Reporting Manual prescribed by the Minister of Housing and Municipal Affairs as from time to time amended.

21. The municipal units may apply for grants on behalf of Kings Transit Authority for which the units are eligible but for which Kings Transit Authority is not eligible. Any grants so acquired shall be credited to Kings Transit Authority and shall be additional to the unit's share of the cost of Kings Transit Authority providing that Kings Transit Authority shall reimburse the unit according to the unit's share of the grant revenue.

22. The fiscal year of Kings Transit Authority is the municipal fiscal year (April 1 - March 31).

BY-LAWS

23. The parties hereto agree to pass complementary by-laws prescribing conditions of use and protection of the property of Kings Transit Authority, and for maintaining order thereon, as recommended by Kings Transit Authority from time to time within the limits of the parties' respective legislated authority.

24. New parties may only be added to this agreement upon agreement of the parties in accordance with clause 7.

WITHDRAWAL OF PARTY

25. (a) The council of any party wishing to withdraw from this agreement must give notice of withdrawal to the councils of the other parties, with a copy to the Authority, not less than one year prior to the intended withdrawal date, which shall be the end of the fiscal year of the year specified in the notice of withdrawal.

(b) Any party withdrawing from this agreement remains responsible for its share of any liabilities of Kings Transit Authority incurred to the date of the withdrawal and any severance, penalty or other costs necessarily incurred by Kings Transit Authority as a result of the withdrawal.

(c) Any party to this agreement which exercises its right to withdraw from the agreement ceases to have any interest in any assets created or acquired by Kings Transit Authority and any assets shall be distributed among the remaining parties upon dissolution of Kings Transit Authority in accordance with clause 26.

DISSOLUTION

26. (a) Kings Transit Authority may only be dissolved upon agreement of a majority of the parties in accordance with clause 7.

(b) Upon dissolution, Kings Transit Authority may make arrangements for the liquidation and distribution of its assets in payment of its liabilities.

(c) After all of the liabilities of Kings Transit Authority have been paid, the balance shall be distributed to the remaining parties, and any deficit shall be paid by them, in proportion to the accumulated contributions to Kings Transit Authority by the parties at time of dissolution.

27. This agreement shall be in effect on April 1, 1999.

28. This agreement is governed by the law of Nova Scotia.

29. If any disagreement arises among the parties as to the proper interpretation of this agreement that cannot be resolved by mediation, the parties shall submit the area of disagreement to an arbitrator as provided by the *Arbitration Act*.

30. The parties agree that this is the entire agreement among the parties with respect to the regional provision of transit services in the County of Kings, and that this agreement may only be altered by agreement in writing by the parties in accordance with clause 7.

IN WITNESS WHEREOF the parties hereto have executed this agreement by their respective officials, duly authorized on that behalf, on the day and year first above written.

SIGNED AND SEALED)
in the presence of)
Rachel L. Jones)
Witness)
Rachel L. Jones)

TOWN OF BERWICK

PER: _____

PER: _____

Witness)
)
)
)

Burke, Macdonald & Luczak
Barristers & Solicitors

1 page via email: brenton@explorelunenburg.ca

April 1, 2016

Ms. Bea Renton
Town Manager/Clerk
Town of Lunenburg
P.O. Box 129
Lunenburg, N.S. B0J 2C0

Dear Bea:

Re: Polling Divisions

Attached hereto are the Polling Divisions established for the 2016 Municipal and School Board Elections.

Please forward this document to Council as required under Section 9 of the *Municipal Elections Act*.

Yours very truly,

Patrick A. Burke, Q.C.
Returning Officer
burkelaw@wolffhaus.com

PAB/sac
Enclosure
cc: Peter Haughn (via email)

Z:\PAB - WIP\Town - Returning Officer 2016\Bea ltr 010416#2.wpd

POLLING DIVISIONS - EFFECTIVE AS OF MARCH 31, 2016
2016 MUNICIPAL AND SCHOOL BOARD ELECTIONS

Poll	
1	Harbourview Haven
2	Veteran's Unit & Alternate Level of Care Unit at Fishermen's Memorial Hospital
3	Surnames A - COR
4	Surnames COS - G
5	Surnames H - LEB
6	Surnames LEC - O
7	Surnames P - SM
8	Surnames SN - Z

Document No:
Meeting: February 14/20 Council
Circulate: Council, LD, PB, IT
File: Sidewalks & Budget 20/21

M E M O R A N D U M

TO: **TOWN COUNCIL**

FROM: **IAN TILLARD, P. ENG., TOWN ENGINEER CONSULTANT**

DATE: **APRIL 9, 2020**

RE: **PROPOSED NEW SIDEWALK ALONG NORTH SIDE TANNERY ROAD**

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1. FACTS

The proposed sidewalk for the north side of Tannery Road has been in the planning stage for a number of years. In 2018 ABLE Engineering created a survey, layout sketch and costs estimates for this project. The sidewalk would require new easements from the properties as well as a revised power pole layout for the three power poles. There are additional project logistics which are addressed in this report for Council's consideration.

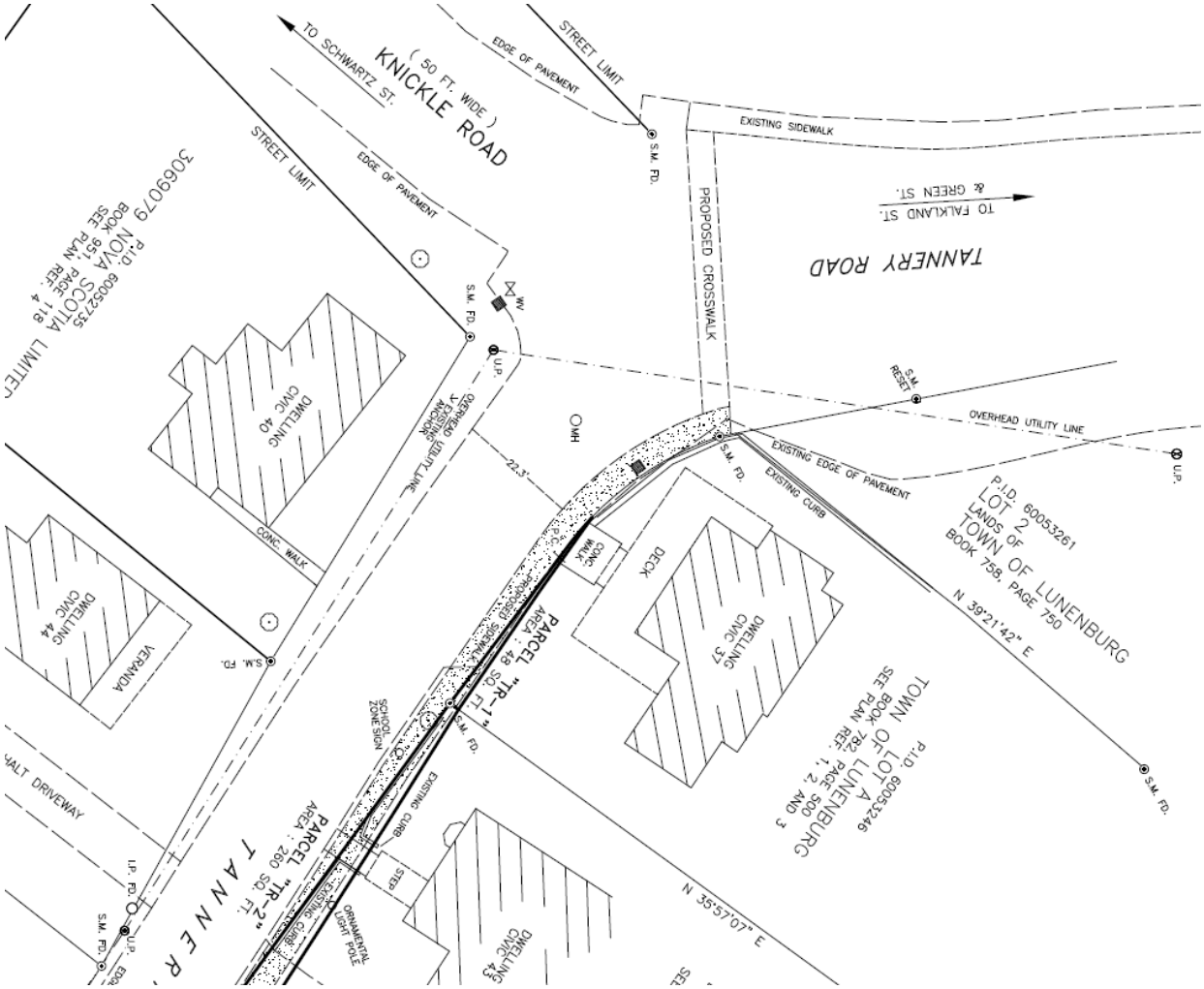
2. ISSUES AND OPTIONS ANALYSIS

The sidewalk design runs along the north side of Tannery Road from the parking lot on the north side of the Captain Angus Walters house at #37 Tannery Road to the park area by the seawall. Access to the sidewalk from the south side of Tannery Road would require a new crosswalk from the south west corner of the intersection of Tannery Road and Knickle Road. Access from the north side is across the parking lot in front of the old School Annex. Revised costs are estimated at $255,000 for this project.

Aside from the high costs there are some logistical concerns with this project:

- The proposed sidewalk in front of the Walters house and house beside it actually has to be laid directly into what is now the street, thereby reducing the street width at this point for a length across both properties and a bit beyond.
- The proposed sidewalk in front of these two houses will butt directly up to their front exit stairs and requires a retaining wall in front of one of the houses.
- To keep the intrusion into the street to a minimum, the sidewalk width must also be kept to a minimum, so along this constricted section there is traffic immediately against it on one side and stairs and a short retaining wall on the other side. The width has not been finalized, but it would be six feet or less and the street width at this pinch point with house on the opposite side will be reduced by this amount. The minimum width for a sidewalk in Lunenburg is 5 feet to accommodate the sidewalk plow. There is no option in terms of alternate

location of a sidewalk because there is even less space on the north side of the street to place a sidewalk. So while technically feasible, it is not a very elegant solution and it is costly. See below for an excerpt from the engineering layout showing the pinch point.



For the case of moving the project forward as originally planned the steps are:

(1) Negotiate and sign new land agreements.
(2) Do the detailed design.
(3) Tender the construction.
(4) Contract with NSPI to have poles moved.
(5) Contract to have trees removed.
(6) Sidewalk construction.
(7) Landscape re-instatement construction.

Due to the traffic engineering and cost concerns, consideration of an alternative less expensive approach is warranted that would allow for shared use of the existing roadway through traffic calming and awareness/safety measures. To pursue this option, staff could propose acceptable and affordable measures that would be installed by Town forces. These type of measures were generally discussed in the Bicycle Nova

Scotia report issued to Lunenburg in Fall 2019 so this report is a good overview of this approach. As an example, some of the techniques that could be considered are:

- Gateway treatment.
- Introduce pinch points.
- Lane shifts.
- Speed humps.
- Speed tables.
- Materials and appearance.
- Shared streets.
- Speed reduction.

FINANCIAL IMPACT

For the original plan the 2018 estimates provided by ABLE Engineering are:

Final plan and layout plan	$3,500
Engineering	$7,500 (updated in 2020)
Construction	$125,000
Power poles x 5 relocate	$20,000
Construction contingency of 15%	$23,000
Tree removals and various property restitutions	$26,000
Private property land purchase costs	$30,000
Town legal costs for property purchases and street realignment	$15,000
Legal cost reimbursement for private property owners	$5,000
Total Project Budget	**$255,000**

Note that this is not based on detail design, but in preliminary layouts only.

For the proposed alternate, costs would be determined only when calming measures have been assessed and preferred options chosen. Regardless, the measures will be considerably cheaper than the current plan. Potential that Town staff could execute most of the work.

Council approval is required to continue with this project and there are two options:

(1) Continue with the existing plan at an estimated cost of $255,000.

(2) Cancel the original planned project and direct Town staff to pursue an alternate plan of designing and installing traffic calming measures. Reduce the current budget request amount to $7,500 to engage a consultant to assist staff in developing a detailed plan. Construction costs TBA, but they will be substantially less than for the current plan.

Staff are recommending option #2.

3. STRATEGIC PLAN RELEVANCE

1) Promote High Quality of Life by: A. Beautifying the community.

2) Celebrate our Community by: B. Cultivating a positive visitor experience.

3) Champion opportunities for our community's health and well-being by: B. Facilitating and encouraging healthy lifestyles; and C. Maintaining and enhancing our status as a safe community.

4. RECOMMENDATION AND DRAFT MOTION

It is recommended that Council approve the following draft motion:

Draft Motion:
To cancel the existing planned project for the Tannery Road sidewalk and instruct Town staff to develop an alternate plan of traffic calming, to be presented to Council at a future date. Reduce the current budget request for 2020/21 to $7,500 to engage a traffic designer to assist staff in developing the traffic calming plan.

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M E M O R A N D U M

TO: **TOWN COUNCIL**

FROM: **KELLY CUNNINGHAM, RECREATION DIRECTOR**

DATE: **APRIL 22, 2020**

RE: **INSTALLATION OF "SHARE THE ROAD" SIGNAGE**

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1. FACTS

At the January 14, 2020 Council meeting, a recommendation came from the Recreation/Lunenburg War Memorial Community Centre Committee meeting on December 11, 2019 to install "Share the Road" signage. This recommendation was brought forward from the Active Transportation Sub-Committee to install cycling safety signage at the main entries into Lunenburg: Victoria Road, Green Street, Dufferin Street, and Maple Street.

The following motion was made by Council on January 14, 2020:

Motion: moved by Councillor Bachman, seconded by Councillor Croft that a staff report be prepared about the potential installation of "Share the Road" signage for cycling safety as noted in the AT Strategic Plan. Motion carried.

2. ISSUES AND OPTIONS

The current cost to purchase a "Share the Road" 75 x 75 sign is $60.20 + HST, which is the most popular and used size. There is also a 60 x 60 sign for $38.50 + HST; however, the last time this sign was sold was in 2011. Delivery is included in this price. These costs do not include a post, which are $60 per post + HST. The labor to prepare and install the signs would be approximately $330.

The **total cost** to purchase and install four signs would be **$810 plus HST**.

The sign would be purchased from the Nova Scotia Department of Transportation, therefore would align with others around the province. The sign would be similar to the image below:



OPTION 1 (recommended): Purchase “Share the Road” signs in the current 2020/21 budget, to be installed at the main entries into Lunenburg at Victoria Road, Green Street, Dufferin Street, and Maple Street.

OPTION 2: Include “Share the Road” signs in future budget deliberations.

OPTION 3: Do not purchase additional “Share the Road” signs.

3. FINANCIAL IMPACT

The cost to purchase and install four signs would be $810 plus HST. These items can be purchased in the 2020/21 transportation budget for Traffic Signs & Posts.

4. STRATEGIC PLAN RELEVANCE

In varying forms this report addresses the following Town Strategic Plan Goals:

Goal 3B: Facilitating and encouraging healthy lifestyles.
Goal 3C: Maintaining and enhancing our status as a safe community.
Goal 5B: Continually and strategically maintaining and upgrading community infrastructure.

5. RECOMMENDATION

It is recommended that Council direct staff to purchase “Share the Road” signs in the current 2020/21 budget, to be installed at the main entries into Lunenburg at Victoria Road, Green Street, Dufferin Street, and Maple Street.

Motion: moved and seconded for staff to include the purchase “Share the Road” signs in the current 2020/21 budget, to be installed at the main entries into Lunenburg at Victoria Road, Green Street, Dufferin Street, and Maple Street.

Acknowledged only by:

Bea Renton
Town Manager/Clerk

PROCLAMATION

LYME DISEASE AWARENESS MONTH
May 2020

WHEREAS Lyme disease is a serious illness caused by the bite of a black-legged tick infected with the bacterium *Borrelia burgdorferi*: and

WHEREAS black-legged ticks carrying a variety of diseases or illnesses can now be found in all parts of Nova Scotia; and

WHEREAS awareness, education and practicing preventative measures, such as daily tick checks and proper tick removal, can help reduce your chances of contracting tick borne diseases;

THEREFORE, be it resolved that I, Mayor Rachel Bailey, on behalf of the Town of Lunenburg, do hereby proclaim May 2020 as “Lyme Disease Awareness Month”.

Dated at Nova Scotia
this day of May, 2020

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Mayor Rachel Bailey