



Cape Breton Regional Municipality

Committee of the Whole Agenda

Tuesday, May 5, 2026

10:00 a.m.

VIA VIDEOCONFERENCE

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Land Acknowledgement**Roll Call**

1. **Approval of Agenda:** (Motion required)

2. **Corporate Services Issues**
 - 2.1 **Text Amendments to CBRM's Land Use By-law:** Peter Vandermeulen, Planner (See page 5)
 - 2.2 **Shared Micromobility Use of Municipal Property:** Karen Neville, Senior Planner (See page 37)

3. **Council Agenda Requests**
 - 3.1 **Approval Process for Contracts and Service Level Agreements:** Councillor Kim Sheppard-Campbell (See page 65)
 - 3.2 **Request for Staff Report: Tiered Commercial Property Tax System:** Councillor Steven MacNeil (See page 66)
 - 3.3 **Request for Staff Report: Curbside Giveaway Weekend (August 2026):** Councillor Steven MacNeil (See page 67)

4. **Correspondence**
 - 4.1 **Nova Scotia Power New CEO:** Vivek Sood, President and CEO, Nova Scotia Power (See page 68)
 - 4.2 **Letter to Municipalities Regarding Legislative Amendments:** John MacDonald, Minister of Municipal Affairs (See page 69)
 - 4.3 **Offshore Wind Call for Information NS25-1R – Written Feedback What We Heard Report:** Canada-Nova Scotia Offshore Energy Regulator (See page 70)

Adjournment



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: April 28th, 2026

Subject: Text Amendments to CBRM's Land Use By-law

Origin

Staff initiated as part of annual review of Land Use By-law.

Legislation and Related Policies

Section 210 of the *Municipal Government Act* outlines the required process for amendments to the Land Use By-law.

Policy A-18 of the Municipal Planning Strategy:

Council shall initiate a housekeeping amendment process within two years of the MPS being in effect to address any issues unforeseen at the time of implementation.

Recommendation

It is recommended that Council:

1. Give First Reading to consider approval of the proposed amendments to the CBRM Forward Land Use By-law, as set out in Attachment A, and schedule a public hearing.

Background

CBRM's new planning documents came into effect in September 2023. At the time of their approval, staff indicated that a package of amendments would be brought forward approximately one year after adoption. The first set of proposed amendments was presented to Council for consideration in Winter 2024.

These amendments do not alter the overall substance or policy direction of the Land Use By-law (LUB). Instead, they are intended to improve clarity for both those who administer the document and those who must comply with its provisions.

Staff have also decided to present the proposed amendments in two parts:

- Part One focuses solely on amendments to the LUB (Attachment A).
- Part Two (as part of the Annual Review) will include amendments to the Municipal Planning Strategy, along with any further LUB amendments needed for consistency.

Discussion of Proposed Amendments

Chapter 2: Administration

Existing Developments

The Land Use By-law provides provisions for existing buildings that do not conform with zone standards; however, the wording is specific to main buildings. To allow for flexibility for existing buildings accessory buildings it is recommended this section be amended.

It is recommended that Section 2.8.7 of the LUB be amended by deleting reference to ‘main building’ and replacing it with ‘building or structure’.

Chapter 3: Definitions

Contractor

The LUB currently includes a defined use Contractor, which has a broad definition to include most businesses offering services in specialized trades that are usually hired as primary or sub-contractors for a construction project. This definition has been found to not encompass the outdoor storage needs of this type of use. To address this, the definition of Contractor is recommended to be deleted and replaced with Contractor Depot, and Contractor Office to encompass development of depots with outdoor storage in appropriate areas and continue to permit Contractor Offices without the Depot component where Business Offices are permitted.

It is recommended the definition for Contractor be deleted and definitions for Contactor, Depot and Contractor, Office be added to the LUB.

Dwelling, Two Unit

The existing definition of Two Unit Dwellings means a building containing two-dwelling units, and may included a duplex, semi-detached dwelling, or a converted one-unit dwelling. It is recommended to simplify this definition to apply to all types of detached buildings containing two Dwelling Units.

It is recommended that the definition for Dwelling, Two Unit be deleted and replaced with ‘Dwelling, Two Unit means a detached building containing no more than two dwelling units.’

Dwelling Unit

The definition of Dwelling Unit refers to habitable rooms intended for use by one or more individuals as an independent residential establishment. To improvement processing of Building and Development Permit applications and enforcement, it is recommended the definition be reworded to improve readability and clarity, in particular the term ‘intended’ be replaced with ‘capable’.

It is recommended that the definition of dwelling unit be amended to remove reference to 'intended for use' and improve clarity.

Existing

The current definition for existing is overly complicated which makes its application problematic. Upon review of other jurisdictions, staff have recommended a simplified definition to include consistent timelines for its application.

It is recommended that the definition for Existing should be amended by making timelines consistent.

Motor Vehicle Related

The defined use Motor Vehicle Related, was listed as a service use within the permitted uses of each zone. However, this definition included motor vehicle sales and rental as well as motor vehicle fueling station which are considered to be sales uses. To mitigate this conflict, the definition of Motor Vehicle related should be amended by breaking out the separate sales and service uses into new definitions for Motor Vehicle Service, Motor Vehicle Sales and Rental, and Motor Vehicle Fueling Station. The permitted uses of each zone where these uses were permitted have be subsequently amended to reflect these changes.

It is recommended that the definition of Motor Vehicle Related be amended by deleting it and replacing it by adding definitions for Motor Vehicle Service, Motor Vehicle Sales and Rental, and Motor Vehicle Fueling Station to the LUB. Subsequently, Staff is also recommending amending the permitted uses of each affected zone to reflect the new definitions.

Commercial Parking

The existing definition of Commercial Parking encompassed both surface lots and parking structures. To address the differences in scale between structures and surface lots, as well as zones with a minimum height requirement, the definition should be amended by deleting and replacing it with definitions for Parking, Structure and Parking, Surface Lot. The new definitions have been updated within the permitted uses of each zone where previously permitted.

It is recommended that the definition of Commercial Parking be deleted and by adding definitions for Parking, Structure and Parking, Surface Lot to the LUB and subsequently updating the permitted uses of zones containing the existing defined use.

Definitions to be Added

The terms Breezeway and Utility Structure currently appear in the LUB but are not defined. To improve implementation and compliance definitions for this term should be added to the LUB.

It is recommended that definitions for Breezeway and Utility Structure be added to the LUB.

Chapter 4: General Provisions

Accessory Buildings

Through review of Building and Development Permits within the Rural Zone, Staff have staff have found the current provisions for total lot coverage and heigh may be overly restrictive compared to the provisions of the previous CBRM Land Use By-law for Accessory Buildings. To provide more flexibility in the Rural Zone, Staff are recommending amendments in two subsections;

It is recommended that;

Subsection 4.1.2. Total Lot Coverage of the Land Use By-law should be amended to remove the 150m² maximum total floor area for Accessory Buildings within the Rural Zone.

And;

Subsection 4.1.5. Height of the Land Use By-law be amended to allow the height of a residential accessory building or structure within the Rural Zone to be built to a maximum 9 metres in height, and not be restricted to the height of the main residential building.

Parking and Loading

Staff have proposed amendments to Subsections within Section 4.18, Parking and Loading. The following changes have been proposed;

Subsection 4.18.1 General Provisions

Staff have received a number of site plans with Development Permit applications that include large maneuvering areas capable of accommodating parking for a large number of vehicles, however, not delineated as such. In these instances, Staff are unable to apply more stringent provides that would typically apply to a delineated parking area of the same size. To resolve this, Subsection 4.18.1 b) should be amended to delete reference to 'a parking area of more than five vehicles' and instead read 'a parking area capable of accommodating three or more parking spaces'. This is also consistent with the provisions of the 2004 Land Use By-law.

It is recommended that that Section 4.18 Parking and Loading, Subsection 4.18.1 General Provisions, Subsection B, be amended by deleting the phrase 'Except as otherwise provide in this By-law, a parking area of more than five vehicles located within the Service Area Boundary is required' and replacing it with 'Except as otherwise provide in this By-law, a parking area capable of accommodating three or more parking spaces located within the Service Area Boundary is required'

It is also recommended Subsection 4.18.1 c) be amended to add reference to abutting Residential Uses to apply this protection this provision provides to Residential Uses within commercial zones.

Subsection 4.18.2 Driveway Access

With a rise in Development Permits for Townhouse style construction, Staff have identified two areas in Section 4.18.2, Driveway Access, that should be amended to further support this type of development. To resolve conflict with current provisions limiting the number of driveways on a lot parcel to two, the LUB should be amended to permit one driveway for each dwelling unit subject to the traffic authority approval within a Townhouse style development.

It is recommended that 4.18.2 be amended by adding 'b) Notwithstanding Subsection a), a Townhouse Dwelling may have one driveway per dwelling unit to a max of 6m in width,

Subsection 4.18.2 e) contains standards for both maximum total driveway width, and maximum area a driveway cannot exceed within the front yard of a development. Where this one provision speaks to two standards, it should be amended for clarity and consistency by separating each standard into their own provision.

It is recommended that Subsection 4.18.2 e) be amended deleting it and replacing it with;

f) The maximum total width of a driveway(s) for a lot parcel with less than three parking spaces shall be 7.9 m (26 ft.) at the public street/road boundary.

And;

g) For a lot parcel with less than five parking, the total area devoted to parking or aisles in the front yard shall not exceed 40 % of the area of the front yard.

Due to the above amendments, it is also recommended the lettering of Subsection 4.18.2 be updated to reflect the changes made.

Shared Driveways

The provisions of the LUB for Shared Driveways currently require lots not fronting on a public street to provide proof of legal easement as part of their Development Permit application. To be more consistent in our application of this provision, it is recommended that Subsection 4.21 c) be amended to require proof of easement for all lots serviced via a Shared Driveway.

It is recommended that Section 4.21, Shared Driveways of the LUB be amended by deleting c) and replacing it with 'c) For all lots serviced via a shared driveway, proof of legal easement shall be required'

Signs

In last years review, Staff made amendments to the maximum size of wall signs, reducing their overall maximum size. Since then, Staff have determined that the changes made were overly restrictive, to mitigate this, it is recommended that the maximum sign face area of a Wall Sign in Non-Residential Zones be raised to .75 Square meters per meter of occupied building frontage.

It is recommended that the Subsection 4.22.8 of the LUB be amended raise to the maximum sign face area of a Wall Sign in Non-Residential Zones to .75 Square meters per meter of occupied building frontage.

Solar Collectors (Main Use) and Solar Farms

The existing provisions with Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms did not make reference to zone standards such as maximum lot coverage applying to Main Use Solar Collectors/Farms. To improve clarity, this subsection should be amended to confirm these uses must conform to the applicable zone standards for a main use.

It is recommended that Section 4.23 be amended to state 'Solar collector as a main use and solar farms must conform to the zone standards for a main use'.

Chapter 6: Commercial Zones

Clarification of Downtown Cores

With the adoption of the CBRM Forward Land Use By-law, the total number of zones was significantly decreased to improve readability, and user friendliness of the By-law. In this process of eliminating extraneous zones, a variety of commercial zones have been merged into a fewer number of zones that are applied to larger areas.

With the adoption of the new Land Use By-law, development standards across several downtown zones were revised to encourage higher lot coverage and buildings oriented closer to the street, supporting a more compact, urban form. While this intent remains appropriate, implementation has demonstrated that the standards have been applied too broadly. The 2004 Land Use By-law distinguished "core" areas with more intensive requirements, and it is recommended that this core areas be illustrated on the Zone Map. Re-illustrating defined core areas would allow the more intensive development standards to remain where they are most appropriate, while modestly reducing them in surrounding areas to provide greater flexibility.

When these revisions were done, the illustrated downtown cores were lost along with references to these cores within zone standards, except in regards to Drive-thrus.

The current zones that apply to the downtown areas of Glace Bay, North Sydney, and Sydney are the Commercial Regional Centre (CRC), and Downtown Commercial (CD) Zones. Both of these new zones apply a minimum lot coverage provision, requiring all new developments to cover at minimum 60% of the lot area.

While working with the new the new zones, Staff have found that the new broadened extent of the CD and CRC zones encompasses fringe areas that may not be most appropriate to apply such strict zone standards. To more appropriately apply these zone standards, such as the minimum lot coverage, the LUB should be amended to once again illustrate the cores and re apply zone standards within the identified cores.

It is recommended that Sections 6.1, Downtown Regional Centre Zone and 6.2 Downtown Commercial of the LUB be amended by adding further reference to the core areas and aligning zone standards based on the new core boundaries.

Chapter 7: Industrial Zones

UT Zone

The UT, Utility and Transportation Zone is another new zone implemented during the adoption of the CBRM Forward Land Use By-law. This Zone falls within the Industrial category and is intended for the working industrial harbors, rail lines, the airport, and other lands dedicated to utility uses. The permitted uses of the UT zone are very limited and apply mainly to utility and manufacturing uses, with only select services uses permitted.

During its adoption, the UT zone was sweepingly applied in areas surrounding port and industrial lands. This application of the UT zone replaced several zones from the previous LUB s that permitted all sales uses and a wide range of service uses. This has limited the development opportunity within the UT zone compared to what had been permitted.

To continue to provide opportunities for sales and service development within the UT zone, it is recommended that Subsection 7.3.1 of the LUB be amended to permit all uses permitted with the BP zone with the UT Zone.

It is recommended that the Subsection 7.3.1 of the LUB be amended to also permit all uses permitted with the BP zone.

General Amendments

Subsequent to the above amendments where defined uses and provisions were added, the LUB should be amended to include the new uses within use summary tables and zone standards. Also, the LUB should be amended by renumbering sections where applicable.

It is recommended that subsequent to the proposed amendments, permitted uses and section numbers shall be correspondingly updated.

Financial Implications

None.

There are no financial implications associated with the preparation of this report. Staff time related to the preparation of this report has been allocated under the approved 2025/26 operations budget.

The draft Amending By-law can be found in Attachment A.

A copy of this report can be obtained online at www.cbrm.ns.ca or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Peter Vandermeulen, Planner

ATTACHMENT A

By-law

of the Cape Breton Regional Municipality

amending the

Cape Breton Regional Municipality's Land Use Bylaw

Pursuant to Section 210 of the *Municipal Government Act* of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Land Use Bylaw in the following manner:

THAT: Chapter 2 Administration, Subsection 2.8.7 Existing Buildings and Non-compliance with Lot Zone Standards of the Land Use Bylaw is hereby amended by deleted and replaced with the following:

Where an existing building or structure on a lot parcel having less than the minimum:

- frontage; and/or
- setback from any lot parcel boundary; and/or
- lot parcel area;

required by this Bylaw, the building may be:

- enlarged;
- reconstructed;
- repaired; or
- renovated;

provided that:

- the enlargement, reconstruction, repair or renovation does not further reduce the building setback that does not conform to this Bylaw;
- all other provisions of this Bylaw are met.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Contractor and replacing it with the following:

Contractor Office means an office that provides services in support of construction, renovation, or maintenance project; whether acting as the primary contractor or as a provider of specialized trade services whether engaged directly by a client or as a subcontractor. This may include but is not limited to carpentry, plumbing, electrical, cleaning, renovation, and masonry work.

Contractor Depot means a business that provides services in support of construction, renovation, or maintenance project; whether acting as the primary contractor or as a provider of specialized trade services whether engaged directly by a client or as a subcontractor. This may include but is not limited to carpentry, plumbing, electrical, cleaning, renovation, and masonry work; but does not include a Heavy Equipment Depot.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Dwelling Unit and replacing it with the following:

Dwelling Unit means one or more habitable rooms capable of use by one or more individuals as an independent living space, with its own kitchen and sanitary facilities and a private entrance. This does not include an Accommodation Business.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Dwelling, Two Unit and replacing it with the following:

Dwelling, Two Unit means a detached building containing no more than 2 dwelling units.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Existing and replacing it with the following:

Existing means a building or development that was lawfully established prior to the adoption of this By-law, or that was established after the adoption of this By-law in accordance with a valid Development Permit, except where:

- a specific provision of this By-law provides an alternative definition for the purpose of that provision; or
- the Land Use By-law Map is referenced, in which case the date of interpretation shall be the date of the map.

Where a development ceases to operate, it shall continue to be deemed existing, provided the use has not been discontinued for more than five (5) consecutive years prior to the date an application for a Development Permit is submitted. Where a building containing such a use is demolished, the use shall only be deemed existing for a period of one (1) year from the date of demolition.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Motor Vehicle Related replacing it with the following:

Motor Vehicle Sales and Rental means an establishment where the primary purpose is the retail sale or rental of automobiles and heavy equipment to the ultimate consumer for final consumption. Motor Vehicle Repair is an accessory use to the retail use in such establishments.

Motor Vehicle Fueling Station is a sales use where the primary purpose is to provide multiple fueling options for vehicles, including but not limited to conventional gasoline and diesel fuel, as well as electric vehicle (EV) charging Chapter 3. Definitions 41 stations. Such facilities may also include accessory uses such as retail, restaurant, and cleaning service.

Motor Vehicle Service

- **Motor Vehicle Repair and Service** means an establishment where the primary purpose is the repairing, painting, or washing of motor vehicles. Motor vehicle retail may be an accessory use to the repair business in such establishments. Motor vehicle repair can be divided into three categories; the repair of the parts of the motor vehicle which are responsible for it to operate, the repair of the external body of the motor vehicle, and the repair of the glass affixed to the body.

- **Motor Vehicle Cleaning Service** means an establishment where the primary purpose is the cleaning of motor vehicles.
- **Motor Vehicle Towing Service** means an establishment where the primary purpose of which is to tow and impound motor vehicles.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby amended by deleting Parking Lot and replacing it with the following:

Parking, Surface Lot means a surface level vehicular parking area which is a principal or main service use of a lot parcel.

Parking, Structure, means a vehicular parking structure which is a principal or main service use of a lot parcel.

THAT: Chapter 3 Definitions of the Land Use Bylaw is hereby adding the following:

Breezeway means a roofed open passage connecting two or more buildings.

And;

Utility Structure, means a fixed structure or piece of equipment that supports the provision of services to a development including but not limited to; garbage enclosures, electrical boxes, generators, gas tanks, but does not include an Accessory Building.

THAT: Chapter 4 General Provisions, Section 4.1 Accessory Buildings, Subsection 4.1.2. Total Lot Coverage of the Land Use By-law is hereby amended by deleting and replaced with the following:

a) The total floor area for all detached accessory buildings to a residential use within a Residential or Commercial zone shall not exceed the greater of 75m² or 10% of the lot area up to a maximum of 150m², not exceeding the lot coverage requirements;

b) The total floor area for all detached accessory buildings to a residential use within the Rural zone shall not exceed the greater of 75m² or 10% of the lot area, not exceeding the lot coverage requirements;

c) The total floor area for all detached accessory buildings to a non-residential use shall not exceed the greater of 75m² or 10% of the lot area, not exceeding the lot coverage requirements.

d) The total floor area of all accessory buildings shall not exceed 28m² (300ft²) when it is accessory to a recreational vehicle.

THAT: Chapter 4 General Provisions, Subsection 4.1.5. Height of the Land Use By-law is hereby amended by deleted and replaced with the following:

a) Residential Uses in Residential and Commercial Zones

The height of a residential accessory building or structure, within a Residential or Commercial Zone shall not exceed the height of the main residential building on a lot and in no case shall it exceed 9 metres in height.

b) Residential Uses in Rural Zone

The height of a residential accessory building or structure, within the Rural Zone shall not exceed 9 metres in height.

c) All other Uses in All Zones

The height of a non-residential accessory building or structure shall not exceed a maximum height of 11 metres. Where abutting a residential zone; accessory buildings over 9 metres will require an additional 1 metre side and rear yard setback for each additional metre in height to a maximum of 5 metres.

THAT: Chapter 4 General Provisions, Section 4.14.2 Main Buildings of the Land Use By-law is hereby amended by deleting a) and replacing it with the following:

Except as otherwise provided in this By-law, no one-unit dwelling shall be permitted on a lot parcel that contains another main dwelling. The maximum number of one-unit dwellings permitted on a lot parcel shall be one, except where one-unit dwellings are permitted within the Mobile Home Park Zone or Rural Zone.

THAT: Chapter 4 General Provisions, Section 4.18 Parking and Loading, Subsection 4.18.1 General Provisions of the Land Use By-law is hereby amended by deleting Subsections B and C, replacing them with the following:

- b) Except as otherwise provide in this By-law, a parking area capable of accommodating three or more parking spaces located within the Service Area Boundary is required:
 - i. to be paved and all parking spaces delineated with painted lines;
 - ii. to be separated from any public street/road by a distance of at least 1.8 metres (6 ft.) and be no closer than 0.9 metres (3 ft.) from any other lot parcel boundary and this area shall comply with this By-law's definition for landscaped open area;
 - iii. The setbacks outlined in Subsection (ii) do not apply to parking areas that existed prior to the adoption of the Land By-law.

- c) Except as otherwise provided in this By-law, a parking area of more than five vehicles developed within 10 metres of an abutting Residential zone or use, shall be screened from the abutting residential property with a fence or coniferous hedge of a minimum height of 1 metre;

THAT: Chapter 4 General Provisions, Section 4.18 Parking and Loading, Subsection 4.18.2 Driveway Access of the Land Use By-law is hereby amended by deleted and replaced with the following:

- a) The number of driveways shall be limited to two per public street/road frontage for each public street/road on which the lot parcel fronts.
- b) Notwithstanding Subsection a), a Dwelling, Townhouse may have one driveway per dwelling unit to a max of 6m in width, subject to Traffic Authority Approval.

- c) Driveways shall not be closer than 4.5m (15 ft.) to another driveway serving the same lot parcel;
- d) All driveways to a corner lot shall be located no closer than 12 metres (40 ft.) from the intersection of the lot lines along two streets except that where these requirements make access impossible or impractical, the Development Officer may approve a driveway closer to an intersection; provided that the driveway or is located as far from the intersection boundary as possible and complies with all other provisions of this By-law;
- e) The maximum width of a driveway at the public street/road boundary for a lot parcel with three or more parking spaces shall be 7.9 m (26 ft.) for one way traffic or 11 m (36 ft.) for two way traffic, except at a signalized intersection authorized by the traffic authority, in which case the maximum width may be increased;
- f) The maximum total width of a driveway(s) for a lot parcel with less than three parking spaces shall be 7.9 m (26 ft.) at the public street/road boundary .
- g) For a lot parcel with less than five parking, the total area devoted to parking or aisles in the front yard shall not exceed 40 % of the area of the front yard .

THAT: Chapter 4 General Provisions, Section 4.21 Shared Driveways of the Land Use By-law is hereby amended by deleted and replaced with the following:

Notwithstanding anything in this By-law, a shared driveway is permitted, subject to the following provisions:

- a) A shared driveway shall service no more than 3 lot parcels;
- b) A shared driveway servicing more than 3 lot parcels shall comply with the standards for a private road as outlined in the Subdivision By-law;
- c) For all lots serviced via a shared driveway, proof of legal easement shall be required;
- d) This Section does not apply to Dwelling Groups or Commercial Groups.

THAT: Chapter 4 General Provisions, Section 4.22 Signs, Subsection 4.22.8 Wall Signs in Commercial Zones, of the Land Use By-law is hereby amended by deleted and replaced with the following:

The maximum sign face area of a Wall Sign in Non-Residential Zones shall be .75 Square meters per metre of occupied building frontage.

THAT: Chapter 4 General Provisions, Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms of the Land Use By-law is hereby amended by deleted and replaced with the following:

Solar collectors and solar farms are permitted as a main use to in all zones subject to the conditions prescribed in this Section. Solar collector as a main use and solar farms must conform

to the zone standards for a main use and require a Development Permit issued by the Development Officer.

THAT: Chapter 5 Residential Zones, Subsection 5.0 Residential Summary Table of the Land Use By-law is hereby amended by deleting the permitted uses listed under 'Residential' and replacing it with the following:

	UR1	UR2	UR3	UR4	RR5	R6	R7
Residential							
Dwelling, One Unit	P	P	P	P	P	P	P
Dwelling, Two Unit	P	P	P	P	P		P
Dwelling, Shared	P	P	P	P			P
Dwelling, Shared <i>up to four rooms</i>					P		
Dwelling, Townhouse <i>up to six units</i>		P	P	P			P
Dwelling, Apartment <i>up to six units</i>		P	P	P			P
Dwelling, Townhouse <i>more than six dwelling units</i>		SP	P	P			SP
Dwelling, Apartment <i>more than six units</i>		SP	P	P			SP
Dwelling, Townhouse <i>up to twelve dwelling units</i>			P	P			
Dwelling, Apartment <i>up to twelve dwelling units</i>			P	P			
Dwelling, Townhouse <i>more than twelve dwelling units</i>			SP	P			
Dwelling, Apartment <i>more than twelve dwelling units</i>			SP	P			
Dwelling, Unit	P	P	P	P	P	P	P
Sales							
Retail		SP	SP	C		C	SP
Service							
Accommodation Use							P
Business Office						P	P
Community Service	P	P	P	P	P		P
Cultural Service	P	P	P	P	P		P
Day Care Facility	C	C	C	C	C		C
Educational Use	P	P	P	P	P		P
Motor Vehicle Service							C
Protective (<i>only coast guard, fire, judicial, police</i>)	P	P	P	P	P		P
Restaurant		SP	SP	C		C	SP
Supportive Housing <i>up to nine beds</i>	C	C	C	C	P		P
Supportive Housing <i>more than nine beds</i>	SP	SP	SP	SP	SP		SP
Agricultural							

All								P
Fishery								
All								P
Recreational								
Public Indoor and Outdoor	P	P	P	P	P			P
Boathouse						P		P

THAT: Chapter 5 Residential Zones, Subsection 6.1.1 Permitted Uses of the Land Use By-law is hereby amended by deleting the permitted use “Motor vehicle related” listed under ‘Service’ and replacing it with the following:

- Motor Vehicle Service

THAT: Chapter 6 Commercial Zones, Subsection 6.0 Commercial Summary Table of the Land Use By-law is hereby amended by deleting the permitted uses listed under ‘Service’ and replacing it with the following:

	CRC	CD	CR	CG	MUC	MU	BP
Residential							
Dwelling, Apartment	P	P	P	P	P	P	
Dwelling, One Unit				P	P		
Dwelling, Two Unit				P	P		
Dwelling, Shared	P	P	P	P	P	P	
Dwelling Unit	P	P	P	P	P	P	
Dwelling, Townhouse	P	P	P	P	P		
Live-work unit	P	P	P			P	
Service							
All			P				P
Accommodation	P	P		P	P	P	
Alcohol Beverage Establishment;	P	P		P	P	P	
Artist/ Artisan Establishment	P	P		P	P	P	
Animal Sitting Establishment	P	P		P	P	P	
Banquet or Convention Centre	P	P		P	P	P	
Business Office	P	P		P	P	P	
Catering Business	P	P		P	P	P	
Clothes Cleaning Business	P	P		P	P	P	
Commercial Group	P	P		P	P	P	
Communication Facility	P	P		P	P	P	
Community Service	P	P		P	P	P	
Contractor, Depot							

Contractor, Office	P	P		P	P	P	
Crematorium	P	P		P	P	P	
Cultural Service	P	P		P	P	P	
Day Care Facility	C	C		C	C	C	
Distribution Facility				P			
Educational Service	P	P		P	P	P	
Entertainment Facility	P	P		P	P	P	
Fitness Centre	P	P		P	P	P	
Food Preparation Business	P	P		P	P	P	

	CRC	CD	CR	CG	MUC	MU	BP
Funeral Home	P	P		P	P	P	
Health Care	P	P		P	P	P	
Landscaping Business Depot					P		
Marina	P	P		P	P	P	
Microbrewery or distillery	P	P		P	P	P	
Motor Vehicle Service	P	P		P	C	P	
Parking, Surface Lot	C	C		P	P	P	
Parking, Structure	P	P		P	P	P	
Personal Service Business	P	P		P	P	P	
Private Service Club	P	P		P	P	P	
Protective Service	P	P		P	P	P	
Recycling Facility Collection Depot					P		
Repair Service	P	P		P	P	P	
Restaurant	P	P		P	P	P	
Self-storage facility	P	P		P	P	P	
Scientific Establishment	P	P		P	P	P	
Shelter Use	P	P		P	P	P	
Supportive Housing up to nine beds	C	C		C	C	C	
Supportive Housing more than nine beds	SP	SP		SP	SP	SP	
Tourism Information Centre	P	P		P	P	P	
Veterinary Clinic	P			P	P	P	

Sales

All	P	P	P	P	P	P	P
-----	---	---	---	---	---	---	---

Fishery Use

All		P		P		P	P
-----	--	---	--	---	--	---	---

Recreational

All except racetracks and campgrounds	P	P	P	P	P	P	
---------------------------------------	---	---	---	---	---	---	--

All except campgrounds								P
Manufacturing								
All, but mining product manufacturing				P				P
Agricultural Products processing								
Alcohol Processing			P					
Assembly			P					
Building Supplies Manufacturing			P					
Transportation								
All	P	P	P			P	P	P

P = Permitted as-of-right C = Permitted with additional conditions SP = Site Plan Approval

THAT: Chapter 6 Commercial Zones of the Land Use By-law is hereby amended by renumbering Subsections to eliminate duplicates.

THAT: Chapter 6 Commercial Zones, Subsection 6.0 Downtown Regional Centre Zone of the Land Use By-law is hereby amended by deleting and replacing it with the following;

The Downtown Regional Centre (CRC) zone encourages increasingly dense, mixed use developments with limited setbacks from the street and increased height allowances. The Downtown Regional Centre is the cultural and service hub of the CBRM. This zone provides a broad range of uses to encourage development and includes a core area which is illustrated as CRCC on the Land Use By-law Map.

THAT: Chapter 6 Commercial Zones, Subsection 6.1.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 6 Commercial Zones, Subsection 6.1.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 6 Commercial Zones, Subsection 6.1.2 Zone Standards of the Land Use By-law is hereby amended by deleting it and replacing it with the following;

a)	Minimum Lot Frontage	10 m
b)	Minimum Front Yard Setback	nil
c)	Maximum Front Yard Setback	3 m
d)	Minimum Rear Yard Setback	
	Abutting a Residential Zone	3 m

	Other	nil
e)	Minimum Side Yard Setback	
	Abutting a Residential Zone	1.25 m
	Other	nil
f)	Minimum Flankage Yard Setback	nil
g)	Minimum Building Height	2 storeys
h)	Maximum Building Height	40 m or 14 storeys
i)	Minimum Lot Coverage	30 %
j)	Minimum Lot Coverage, within core	60 %
k)	Building Design Standards for the CRC	
	i) All buildings shall have a prominent entrance oriented towards a street	
	Ground floor facades facing a street shall be comprised of a minimum of 50 percent transparent area, excepting residential uses, which shall have a minimum of 25 percent transparent area (<i>building existing before the date this By-law was enacted excepted</i>); Minimum height of the ground floor storey shall be 4.5 m	
	iv) A building frontage shall incorporate visual articulation when the building frontage exceeds 60 metres in length	

THAT: Chapter 6 Commercial Zones, Subsection 6.1.3 Drive-thrus in Core Areas of the Land Use By-law is hereby amended by deleting it and replacing it with the following;

No Development Permit shall be issued for any use with a drive -thru component within the core area illustrated as CRCC on the Land Use By-law Map.

THAT: Chapter 6 Commercial Zones, Subsection 6.2 Downtown Regional Centre Zone of the Land Use By-law is hereby amended by deleting and replacing it with the following;

The Downtown Commercial (CD) zone is applied to the Downtowns of Glace Bay and North Sydney. This zone recognizes the importance of these areas as central community spaces full of traditional character and historic buildings. The established mixed use development pattern is intended to continue with infill encouraged through increased height allowances and a mixture of uses. This zone also contains a core area illustrated as CDCC on the Land Use By-law Map.

THAT: Chapter 6 Commercial Zones, Subsection 6.2.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 6 Commercial Zones, Subsection 6.2.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 6 Commercial Zones, Subsection 6.2.2 Zone Standards of the Land Use By-law is hereby amended by deleting it and replacing it with the following;

a)	Minimum Lot Frontage	10 m
b)	Minimum Front Yard Setback	Nil
c)	Maximum Front Yard Setback	6 m
d)	Minimum Rear Yard Setback	
	Abutting a Residential Zone	3 m
	Other	nil
e)	Minimum Side Yard Setback	
	Abutting a Residential Zone	1.25 m
	Other	nil
f)	Minimum Flankage Yard Setback	nil
g)	Maximum Building Height	18 m or 6 storeys
h)	Minimum Lot Coverage	30 %
i)	Minimum Lot Coverage, within core	60 %

THAT: Chapter 6 Commercial Zones, Subsection 6.4.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 6 Commercial Zones, Subsection 6.4.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 6 Commercial Zones, Subsection 6.5.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 6 Commercial Zones, Subsection 6.5.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 6 Commercial Zones, Subsection 6.6.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 6 Commercial Zones, Subsection 6.6.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 7, Industrial Zones, Subsection 7.3.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

One or more of the following primary uses, and any uses permitted within the BP zone are permitted in the UT zone subject to all applicable requirements of this By-law:

THAT: Chapter 9, Other Zones, Subsection 9.1.1 Permitted Uses of the Land Use By-law is hereby amended by deleting Motor Vehicle Related and replacing it with Motor Vehicle Service.

THAT: Chapter 9, Other Zones, Subsection 9.1.1 Permitted Uses of the Land Use By-law is hereby amended by adding the following;

- Contractor, Office
- Parking, Surface Lot
- Parking, Structure

THAT: Chapter 9, Other Zones, Subsection 9.1.1 Permitted Uses of the Land Use By-law is hereby amended by deleting it and replacing it with the following;

THAT: Council amends the CBRM's Land Use Bylaw map by illustrating the core area within the Downtown Regional Centre and Downtown Commercial Zones for the for the areas identified on Schedule A-1, A-2, and A-3.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on _____.

MAYOR

CLERK

THIS IS TO CERTIFY that the above text amendments and Land Use Bylaw map amendments on the next page referencing this amending Bylaw are a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.

Christa Dicks, CLERK

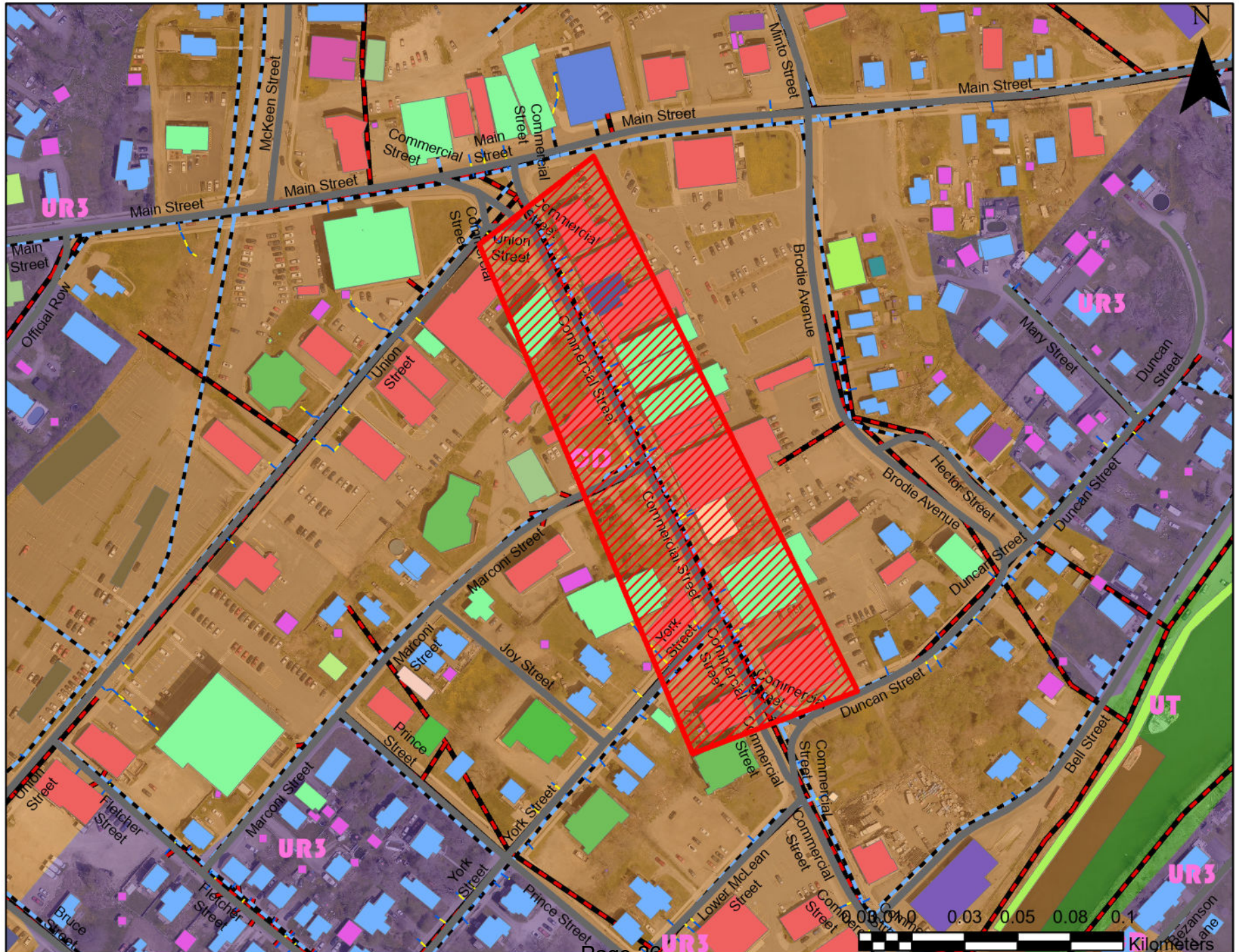
SCHEDULE A - CORE ILLUSTRATION, SYDNEY



SCHEDULE B - CORE ILLUSTRATION, NORTH SYDNEY



SCHEDULE C - CORE ILLUSTRATION, GLACE BAY





Cape Breton
Regional
Municipality

2026 Land Use By-law Review



Statutory Authority



Municipal Government Act:

Section 210 of the Municipal Government Act outlines the required process for amendments to the Land Use By-law.

Policy A-15 of the Municipal Planning Strategy:

Council shall may be considered for a zone amendment to an immediately adjacent zone classification on the Land Use Zone Map without requiring an amendment to this Strategy, provided that the intent of all other policies of the Strategy are satisfied.

Policy A-18 of the Municipal Planning Strategy:

Council shall initiate a housekeeping amendment process within two years of the MPS being in effect to address any issues unforeseen at the time of implementation.

Chapter 2 - Administration



2.8.7 Existing Buildings and Non-compliance with Lot Zone Standards

The Land Use By-law provides a provision for existing buildings in non-compliance with zone standards to be enlarged, reconstructed, repaired or renovated given that it does not further reduce the building setback that do not conform to this Bylaw.

However, the wording is currently specific to main buildings. To allow for flexibility for existing buildings accessory buildings it is recommended this section be amended.

2.8.7 Existing Buildings and Non-compliance with Lot Zone Standards

Where an existing building or structure on a lot parcel having less than the minimum:

- frontage; and/or
- setback from any lot parcel boundary; and/or
- lot parcel area;

required by this Bylaw, the building may be:

- enlarged;
- reconstructed;
- repaired; or
- renovated;

provided that:

- the enlargement, reconstruction, repair or renovation does not further reduce the building setback that does not conform to this Bylaw;
- all other provisions of this Bylaw are met.

Chapter 3 - Definitions

The Land Use By-law provides definitions for terms contained within its provisions. These definitions aid Staff in consistently applying the provisions of the By-law as well as aiding the public in interpreting its intent.

As Staff continue to utilize this section of the By-law, amendments to existing definitions have been proposed to improve their clarity. As well, definitions have been added to provide further context to provisions of the By-law.

Definitions amended for clarity

- Contractor
- Dwelling Unit
- Dwelling, Two Unit
- Existing
- Motor Vehicle Related
- Parking Lot

Definitions added

- Breezeway
- Utility Structure



Chapter 4 - General Provisions

4.1 Accessory Buildings

Through review of Building and Development Permits within the Rural Zone, Staff have staff have found the current provisions for total lot coverage and heigh may be overly restrictive compared to the provisions of the previous CBRM Land Use By-law for Accessory Buildings. To provide more flexibility in the Rural Zone, Staff are recommending amendments in two subsections;

4.1.2 Total Lot Coverage

Subsection 4.1.2. Total Lot Coverage of the Land Use By-law should be amended to remove the 150m² maximum total floor area for Accessory Buildings within the Rural Zone.

4.1.5 Height

Subsection 4.1.5. Height of the Land Use By-law be amended to allow the height of a residential accessory building or structure within the Rural Zone to be built to a maximum 9 metres in height, and not be restricted to the height of the main residential building.



Chapter 4 - General Provisions



4.18 Parking and Loading

Staff have proposed amendments to Subsections within Section 4.18, Parking and Loading. The following changes have been proposed;

4.18.1 General Provisions

To improve implementation and remain consistent with the provisions of the 2004 Land Use By-law, the following amendments have been proposed;

- Subsection 4.18.1 b) should be amended to delete reference to ‘a parking area of more than five vehicles’ and instead read ‘a parking area capable of accommodating three or more parking spaces’;
- It is also recommended Subsection 4.18.1 c) be amended to add reference to abutting Residential Uses to apply this protection this provision provides to Residential Uses within commercial zones.

4.18.2 Driveway Access

With a rise in Development Permits for Townhouse style construction, Staff have identified two areas in Section 4.18.2, Driveway Access, that should be amended to further support this type of development.

- It is recommended that 4.18.2, be amend by adding ‘b) Notwithstanding Subsection a), a Townhouse Dwelling may have one driveway per dwelling unit to a max of 6m in width.
- Subsection 4.18.2 e) contains standards for both maximum total driveway width, and maximum area a driveway cannot exceed within the front yard of a development. Where this one provision speaks to two standards, it should be amended for clarity and consistency by separating each standard into their own provision.

Chapter 4 - General Provisions



4.21 Shared Driveways

The provisions for of the LUB for Shared Driveways currently require lots not fronting on a public street to provide proof of legal easement as part of their Development Permit application.

To be more consistent in our application of this provision, Subsection 4.21 c) should be amended to require proof of easement for all lots serviced via a Shared Driveway.

4.22 Signs

In last years review, Staff made amendments to the maximum size of wall signs, reducing their overall maximum size. Since then, Staff have determined that the changes made were overly restrictive, to mitigate this, Subsection 4.22.8 of the LUB should be amended raise to the maximum sign face area of a Wall Sign in Non-Residential Zones to .75 Square meters per metre of occupied building frontage..

4.23 Solar Collectors (Main Use) an Solar Farms

The existing provisions with Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms did not make reference to zone standards such as maximum lot coverage applying to Main Use Solar Collectors/Farms. To improve clarity, this subsection should be amended to confirm these uses must conform to the applicable zone standards for a main use.

Chapter 6 - Commercial Zones



Illustration of Downtown Cores

With the adoption of the new Land Use By-law, development standards across several downtown zones were revised to encourage higher lot coverage and buildings oriented closer to the street, supporting a more compact, urban form. While this intent remains appropriate, implementation has demonstrated that the standards have been applied too broadly.

The 2004 Land Use By-law distinguished areas with more intensive requirements, and it is recommended that this core areas be illustrated on the Zone Map. Re-illustrating defined core areas would allow the more intensive development standards to remain where they are most appropriate, while modestly reducing them in surrounding areas to provide greater flexibility.

SCHEDULE A - CORE ILLUSTRATION, SYDNEY



SCHEDULE B - CORE ILLUSTRATION, NORTH SYDNEY



SCHEDULE C - CORE ILLUSTRATION, GLACE BAY



Chapter 7 - Industrial Zones



Utility and Transportation Zone

The UT, Utility and Transportation Zone is new zone implemented during the adoption of the CBRM Forward Land Use By-law. The permitted uses of the UT zone are very limited and apply mainly to utility and manufacturing uses, with only select services uses permitted.

During its adoption, the UT zone was sweepingly applied in areas surrounding port and industrial lands, potentially limiting the development potential of these lands.

To continue to provide opportunities for sales and service developments within the UT zone, it is recommended that the Subsection 7.3.1 of the LUB be amended to also permit all uses permitted with the BP zone.

BP

6.7. BUSINESS PARK

The Business Park (BP) zone accommodates a concentration of employment uses. This may include a variety of commercial uses, some light industrial uses such as manufacturing, and other compatible uses that serve the daytime populations of the area such as restaurant uses.

Collaborative Community Planning

Regional Structure

- Employment Area
- Corridor

Land Use Designations

- Business Park

6.7.1. Permitted Uses

<p>SALES</p> <ul style="list-style-type: none"> • All <p>RECREATION</p> <ul style="list-style-type: none"> • All, except campgrounds <p>MANUFACTURING</p> <ul style="list-style-type: none"> • All, except mining products manufacturing <p>TRANSPORTATION</p> <ul style="list-style-type: none"> • All <p>FISHERY</p> <ul style="list-style-type: none"> • All 	<p>SERVICE</p> <ul style="list-style-type: none"> • All <p>INDUSTRIAL</p> <ul style="list-style-type: none"> • Light industrial
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Chapter 6. Commercial Zones
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UT

7.3. UTILITY AND TRANSPORTATION

The Utility and Transportation (UT) zone is intended for the working industrial harbours, rail lines, the airport, and other lands dedicated to utility uses.

Collaborative Community Planning

Regional Structure

- All

Land Use Designations

- All

7.3.1. Permitted Uses

SERVICE

- Airport
- Banquet Hall
- Business Office
- Distribution Centre
- Harbour Facility
- Port Facility
- Rail Facility

INDUSTRIAL

- Recycling and Waste Management Facility

MANUFACTURING

- All

FISHERY

- All

TRANSPORTATION

- All

UTILITY

- Utility Facility Services

RESIDENTIAL

- Dwelling unit subject to Section 7.3.3

Chapter 7. Industrial Zones
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Cape Breton Regional Municipality

E-Scooters/Bikes

Motion

Moved by Councillor Gillespie, seconded by Deputy Mayor Eldon MacDonald, to direct the Chief Administrative Officer to direct staff to explore the potential development of new regulations and supporting implementation tools, to manage and regulate the use of e-scooters, e-bikes, and other forms of micromobility, and to report back to Council within 5 months of this motion with a staff report outlining potential recommendations.

Discussion:

- Safety regulations
- Operational details
- External business operations

Motion Carried



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: April 28, 2026

Subject: Shared Micromobility Use of Municipal Property

Origin

On August 19, 2025 Council passed the following motion:

Moved by Councillor Gillespie, seconded by Deputy Mayor Eldon MacDonald, to direct the Chief Administrative Officer to direct staff to explore the potential development of new regulations and supporting implementation tools, to manage and regulate the use of e-scooters, e-bikes, and other forms of micromobility, and to report back to Council within five months of this motion with a staff report outlining potential recommendations.

MOTION CARRIED

Legislation and Related Policies

Municipal Government Act

- Section 50 outlines Council's authority to regulate the use of municipal property

Motor Vehicle Act enforce rider operations (Attachment A)

Recommendation

It is recommended that Council:

1. Authorize the Chief Administrative Officer to negotiate and execute a one-year agreement with shared micromobility Operator(s) for the placement and operation of devices on Municipal Property; and
2. Direct staff to develop a communication strategy to promote rider responsibilities, rules, and safety.

Background

Shared micromobility services, including electric scooters and bicycles, have expanded in municipalities across Nova Scotia and Canada. These services can provide transportation choice,

support tourism and local business activity, and improve mobility options for residents and visitors. At the same time, the placement of devices on sidewalks, trails, parks, and boardwalks raises concerns regarding, pedestrian safety, obstruction of sidewalks, damage to municipal infrastructure, and Municipal liability exposure.

While the Municipality can regulate the placement and management of devices on Municipal Property, rider behaviour is governed by provincial legislation. The operation of micromobility devices is regulated under Nova Scotia's *Motor Vehicle Act* (Attachment A). Riders are required to comply with all applicable rules respecting safe and lawful operation. Enforcement of these provisions falls within the jurisdiction of the CBRM Police Department.

Discussion

Motor Vehicle Act

Electric kick-scooters (e-scooters) are regulated under Nova Scotia's *Motor Vehicle Act* (Attachment A) and are generally treated in a manner similar to bicycles, with additional safety requirements. The Province establishes baseline rules for their use, while municipalities are authorized to regulate where and how e-scooters may operate within their jurisdiction.

At the provincial level, all riders are required to wear an approved bicycle helmet with the chin strap securely fastened. Riders must be at least 14 years of age. E-scooters must meet defined specifications, including having two wheels, handlebars, and a standing platform, being electrically powered with a maximum output of 500 watts, and not exceeding a maximum design speed of 32 kilometres per hour. A driver's licence, registration, and insurance are not required.

Municipalities have authority to regulate the operation of e-scooters locally, including determining where they may be used, such as on streets, bicycle lanes, multi-use trails, or sidewalks, as well as establishing local speed limits and additional operating conditions through by-law or agreement.

Riders are responsible for complying with all applicable provincial legislation. These requirements are enforceable by Police, who may issue fines or take further enforcement action where violations occur. Riders are also expected to operate e-scooters in a safe and responsible manner, with due care for pedestrians and other road users, and to obey applicable traffic rules and signage consistent with bicycle operations.

Regulatory Approaches in Other Jurisdictions

There are several approaches taken by municipalities when it comes to the regulation of shared micromobility services. These approaches generally fall along a spectrum from prohibition to highly structured regulatory programs. Some municipalities have chosen not to permit shared micromobility devices on municipal property due to safety, accessibility, or administrative concerns. While other municipalities have decided not to regulate this activity. For those municipality that do regulate, regulatory approaches differ.

There are examples of municipalities only allowing one shared micromobility Operator. Others have implemented permit or licensing systems that impose fleet caps, per-device fees, data-sharing requirements, and designated parking zones. In more structured programs, municipalities require formal agreements, geofencing technology, seasonal restrictions, strict response timelines for improperly parked devices, and employ municipal enforcement officers. Many jurisdictions also differentiate between municipal authority over the placement and management of devices on public property and provincial authority over rider behaviour under motor vehicle legislation.

Agreement-Based Model (Recommended) Approach

An agreement-based approach is being recommended for the use of shared micromobility devices municipal property. This would require all Operators to enter into an agreement with the municipality prior to placing devices on municipal property.

The agreement can be structured to:

- Identify approved operating areas and Prohibited Areas (e.g., boardwalks or high pedestrian zones);
- Prohibit winter operations;
- Require insurance and indemnification;
- Establish Prohibited Areas
- Require a performance bond or financial security;
- Establish response timelines for improperly placed or hazardous devices;
- Permit municipal removal of devices where necessary; and
- Clarify rider waiver requirements.

This approach provides administrative control and financial protection while allowing Municipality to review operations of the agreement annually. A draft agreement (Attachment B) is included for Council's consideration. Please note, any final agreement would need to be reviewed and approved by CBRM's Legal Department.

An agreement can establish a clear, enforceable framework for the use of Municipal Property while recognizing that rider conduct is regulated under Provincial legislation and enforced by the CBRM Police Department. In addition, Staff recommend the development of a communication strategy to support the safe and responsible use of micromobility devices within the Municipality.

Communication Strategy

The communication strategy would focus on increasing public awareness of rider responsibilities, applicable rules, and safety practices. Many of these requirements are already established the *Motor Vehicle Act*, and the communication strategy would reinforce these existing legal obligations.

The Communication Strategy could:

- Clear communication of where devices may and may not be used or parked;

- Education on compliance with the *Motor Vehicle Act*;
- Promotion of safe riding practices, including helmet use and awareness of pedestrians;
- Use of Operator mobile applications to reinforce rules at the point of use; and
- Municipal website content and social media messaging.

This approach supports the adoption of an agreement by reinforcing existing legal requirements, encouraging voluntary compliance, reducing conflicts in public spaces, and enhancing overall safety for all users of municipal property.

Financial Implications

Administrative costs will be managed through existing staff resources.

Options

1. Council may choose not to permit shared micromobility devices on Municipal Property. While this would eliminate administration of shared micromobility devices on Municipal Property, it will not prevent the operation of private micromobility devices.
2. In addition to the agreement-based approach being recommended by Staff, Council could:
 - a. Impose a per-device fee. This is commonly used to offset administrative costs and potential infrastructure impacts. If Council determines this is appropriate, wording could be incorporated in a template agreement.
 - b. Require designated drop-off or parking zones. This could require additional infrastructure planning, enforcement, and potentially capital investment.
3. Council could adopt the agreement-based approach and review operations after the first year. Based on operational experience, Council may consider introducing additional regulatory tools if warranted, such as per-device fees or designated drop-off zones.

A copy of this report can be obtained online at www.cbrm.ns.ca or by contacting the Office of the Municipal Clerk at 902-563-5010.

Report Prepared by: Karen Neville, Senior Planner

Excerpts from the *Motor Vehicle Act*

Interpretation

- (2)(mb) “electric kick-scooter” means a vehicle that is operated in a standing position and has
- (i) two wheels placed along the same longitudinal axis, a steerable wheel placed at the front of the vehicle and non-steerable wheel at the rear,
 - (ii) wheels with a diameter of not less than one hundred and eighty-five millimetres and not greater than four hundred and thirty millimetres,
 - (iii) a platform for standing between the two wheels,
 - (iv) a steering handlebar that acts directly on the steerable wheel, and
 - (v) an electric motor not exceeding five hundred watts that provides a maximum speed of thirty-two kilometres per hour;

Age limits for certain vehicles

- 69 (5) No person who is under the age of fourteen years shall operate an electric kick-scooter.
- (6) A parent or guardian of a person who is under the age of fourteen years shall not permit the person to operate an electric kick-scooter.
- (7) The owner of an electric kick-scooter shall not permit a person who is under the age of fourteen years to operate the electric kick-scooter.

Bicycle, animal, push-cart or wheelbarrow

- 85 (1) Every cyclist, every operator of an electric kick-scooter and every person riding an animal upon a highway and every person driving any animal shall be subject to the provisions of this Act applicable to a driver of a vehicle, except those provisions which by their very nature can have no application.

Operation of electric kick-scooter

- 85B (1) Subject to this Section, for the purpose of this Act, where an electric kick-scooter is operated on a roadway, the operator of the electric kick scooter is deemed to be a cyclist.
- (2) Every person shall at all times when operating an electric kick-scooter exercise care and caution.
- (3) Every person must have identification in the person’s possession at all times when operating an electric kick-scooter and shall
- (a) display the same; and
 - (b) provide the person’s address and date of birth, at all reasonable times on the demand of a peace officer.
- (4) Sections 97 and 98, except the requirement to exhibit a driver’s license, apply to the operator of an electric kick-scooter.

- (5) The operator of an electric kick-scooter shall
- (a) where the electric kick-scooter is not equipped with turn signal lights, signify
 - (i) a left turn by extending the person's left hand and arm horizontally from the electric kick-scooter, and
 - (ii) a right turn by either
 - (A) extending the person's left hand and arm out and upward from the electric kick-scooter so that the upper and lower parts of the arm are at right angles, or
 - (B) extending the person's right hand and arm out horizontally from the electric kick-scooter;
 - (b) where the electric kick-scooter is equipped with red, white, yellow or amber turn signal lights that are visible from behind and in front of the electric kick-scooter, signify a right or left turn by either
 - (i) activating the appropriate turn signal light, or
 - (ii) extending the person's hand and arm as described in clause (a); and
 - (c) signify a stop or decrease in speed by extending the person's left hand and arm out and downward from the electric kick scooter so that the upper and lower parts of the arm are at right angles, unless the electric kick-scooter is equipped with a visible red light at the rear that is activated when the person operating the electric kick-scooter applies the brakes.

Cellular telephones

- 100D (1) It is an offence for a person to use a hand-held cellular telephone or engage in text messaging on any communications device while operating a vehicle or an electric kick-scooter on a highway or operating a personal transporter on a roadway or a sidewalk.

Maximum speed limit

- 106 (4) No person shall at any time operate an electric kick-scooter on a municipal highway at a speed in excess of the lower of
- (a) thirty-two kilometres per hour; and
 - (b) the maximum speed prescribed by municipal by-law.

Safety zone

- 131 The driver of a vehicle shall not at any time drive through or over a safety zone as defined in Section 2. R.S., c. 293, s. 131.

Bicycle lanes

- 131A The driver of a vehicle shall not operate the vehicle in a bicycle lane unless
- (a) it is necessary to do so to go around a vehicle or a bicycle immediately in front of the driver's vehicle that has signalled its intention to turn left;
 - (b) it is necessary to do so to complete a lawful manoeuvre; or
 - (c) the driver has encountered a condition on the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal or surface hazard that makes it impracticable not to do so, but in that event shall yield the right of way to any cyclist lawfully in the bicycle lane.

Railway crossing

- 132 (1) Whenever a person driving a vehicle approaches a highway and railway grade crossing and a clearly visible or positive signal gives warning of the immediate approach of a railway engine, train or car, it shall be an offence for the driver of the vehicle to fail to stop the vehicle before traversing such grade crossing.
- (2) No driver shall enter a highway and railway grade crossing unless there is sufficient space on the other side to accommodate the vehicle he is operating without obstructing the passage of railroad trains.

Stop sign

- 133 (1) Subject to Section 86, the traffic authority may designate main travelled or through highways by erecting at the entrances thereto from intersecting highways signs notifying drivers of vehicles to stop before entering or crossing such designated highways, or may designate particular intersections and erect stop signs at one or more entrances thereto, and whenever any such signs have been so erected it shall be an offence for the driver of a vehicle or the motorman of a street car to fail to stop in obedience thereto, except where directed to proceed by a peace officer or traffic control signal.
- (2) Such signs shall be placed as nearly as practicable to, and the stop shall be made at, the place where the cross street meets the prolongation of the nearest property line of the through highway.
- (3) Every such sign shall bear the word "stop" in letters of a size to be clearly legible from a distance of at least 30 metres and shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.
- (4) This Section shall not apply in the case of police and fire department vehicles and ambulances when the same are operating in emergencies and the drivers sound an audible signal by bell, siren, compression or exhaust whistle, but this proviso shall not operate to relieve the driver of a police or fire department vehicle or ambulance from the duty to drive with due regard for the safety of all persons using the highway.

Yield sign

- 134 (1) Subject to Section 86, a traffic authority may erect at any intersection a yield sign or signs.
- (2) A yield sign shall be of such design and specification as may be determined by the Minister pursuant to Section 88 and shall be of a size to be clearly discernible from a distance of 30 metres and shall be illuminated at night or so placed as to be illuminated by the headlights of an approaching vehicle or by street lights.
- (3) The driver of a vehicle approaching an intersection at which there is a yield sign and facing the sign shall enter the intersection with caution and shall yield the right of way to all other

traffic within the intersection or approaching so closely on the intersecting highway as to constitute an immediate hazard.

Rotary or roundabout

- 135 (1) The driver of a vehicle entering a roadway in or around a rotary or roundabout shall yield the right of way to traffic already on the roadway in the circle and approaching so closely to the entering highway as to constitute an immediate hazard.
- (2) The driver of a vehicle passing around a rotary or roundabout shall drive the vehicle in a counter-clockwise direction around the island or the centre of the circle. 2004, c. 42, s. 10.

Driveway

- 136 (1) The driver of a vehicle within a business or residence district emerging from an alley, driveway or building shall stop the vehicle immediately prior to driving on a sidewalk or on the sidewalk area extending across an alley way.
- (2) The driver of a vehicle entering an alley, driveway or building or driving across a sidewalk shall yield the right of way to a pedestrian who is crossing the entrance to the alley, driveway or building or who is on the sidewalk at the point where the vehicle is crossing.

Application of Sections 131 to 136

- 137 (1) In Section 131 and Sections 132 to 136, “vehicle” includes a bicycle, a personal transporter and an electric kick-scooter and “driver” includes a cyclist, the operator of a personal transporter and the operator of an electric kick scooter.
- (2) For greater certainty, Section 131A does not apply to bicycles, personal transporters, electric kick-scooters or their operators.

Helmet for bicycle, electric kick-scooter and personal transporter

- 170A (1) In this Section, “bicycle” includes any device designated to transport passengers and to be drawn by a bicycle and includes a personal transporter and an electric kick-scooter.
- (2) No person shall ride on or operate a bicycle unless the person is wearing a bicycle helmet that complies with the regulations and the chin strap of the helmet is securely fastened under the chin.
- (3) No parent or guardian of a person under sixteen years of age shall authorize or knowingly permit that person to ride on or operate a bicycle unless the person is wearing a bicycle helmet as required by subsection (2).
- (4) Every person who is sixteen years of age or older who violates a provision of this Section is guilty of an offence.

- (5) A peace officer may seize and detain, for a period not to exceed thirty days, a bicycle that is being ridden on or operated by a person not wearing a helmet as required by subsection (2).
- (6) The Governor in Council may make regulations
 - (a) prescribing standards and specifications for helmets;
 - (b) providing for and requiring the identification and marking of helmets;
 - (c) exempting any person or class of persons from the requirements of this Section and prescribing conditions for exemptions.
- (7) The exercise by the Governor in Council of the authority contained in subsection (6) is regulations within the meaning of the Regulations Act.

Restriction on operation

- 172B (5) Except when passing a cyclist, an operator of another personal transporter or an operator of an electric kick-scooter, the operator of a personal transporter on a highway shall operate the personal transporter in a single file with bicycles, electric kick-scooters and other personal transporters.

Operation of electric kick-scooter

- 172C (1) An operator of an electric kick-scooter shall not remove both hands from the handlebars while riding the electric kick-scooter nor practise any trick or fancy riding on a highway.
- (2) Where a roadway has a bicycle lane for bicycles travelling in the same direction that a cyclist is travelling, the operator of an electric kick-scooter shall ride in the bicycle lane unless it is impracticable to do so.
 - (3) An operator of an electric kick-scooter who is not riding in a bicycle lane shall ride as far to the right side of the roadway as practicable or on the right-hand shoulder of the roadway unless the operator is
 - (a) in the process of making a left turn in the same manner as a driver of a motor vehicle;
 - (b) travelling in a rotary or roundabout;
 - (c) passing a vehicle on the vehicle's left; or
 - (d) encountering a condition on the roadway, including a fixed or moving object, parked or moving vehicle, pedestrian, animal or surface hazard that prevents the person from safely riding to the right side of the roadway.
 - (4) An operator of an electric kick-scooter on a highway shall ride in the same direction as the flow of traffic.
 - (5) Except when passing a cyclist, personal transporter or other electric kick-scooter, an operator of an electric kick-scooter on a highway shall ride in single file with bicycles, personal transporters and other electric kick-scooters.

Operation of electric kick-scooter

- 172D (1) Only one person at a time may be on an electric kick-scooter while it is being operated.

- (2) A person operating an electric kick-scooter shall stand when the electric kick-scooter is in motion.
- (3) An electric kick-scooter shall not tow another person or vehicle or any device.
- (4) An electric kick-scooter being operated must be equipped with
 - (a) a brake system that acts independently on the steerable wheel and the back wheel using separate hand levers;
 - (b) an emergency stop switch to cut electrical supply to the motor in case of failure of the scooter's control system;
 - (c) a battery with terminals that are completely insulated and covered and that is securely fastened to the electric kick-scooter to prevent movement while in motion; and
 - (d) a headlamp and a rear light or reflector that meet the requirements set out in subsection 174(6).

Restriction on operation

172E No person shall operate an electric kick-scooter

- (a) on a provincial highway;
- (b) on a highway on which bicycles, electric kick-scooters or personal transporters are prohibited by this Act or the regulations;
- (c) on a highway if electric kick-scooters are not permitted by municipal by-law;
- (d) if prohibited by an official traffic sign; or
- (e) on private property if prohibited

Lights or reflector

174 (6) Every bicycle, electric kick-scooter and personal transporter shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least 100 metres in front of the bicycle or personal transporter and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under like conditions from a distance of at least 60 metres to the rear of such bicycle or personal transporter.

Horn, siren or bell

183(5B) Every electric kick-scooter shall be equipped with a bell or horn in good working order and the operator of an electric kick-scooter shall use it to give notice of its approach, including overtaking on a roadway or a sidewalk, if permitted.

Electric kick-scooter damaged or modified

189A No person shall operate an electric kick-scooter that

- (a) is not in good working order;
- (b) is missing a component, equipment or other feature that was part of the electric kick-scooter when it was manufactured or that is required by this Act or has such feature rendered wholly or partly inoperable;
- (c) has been modified after it is manufactured except to attach a basket, bag or similar accessory or to add equipment required by this Act;

- (d) has pedals attached to it;
- (e) has a seat or structure that could be used as a seat; or
- (f) has any structure to enclose the electric kick-scooter

Regulations respecting electric kick-scooters

303L The Governor in Council may make regulations respecting electric kick-scooters.

By-laws respecting electric kick-scooters

305B The council of a municipality may make by-laws

- (a) regulating the use of electric kick-scooters on sidewalks, shared-use sidewalks, municipal highways, bicycle lanes, trails or in other public areas in the municipality that are not public highways;
- (b) prescribing the maximum allowable speed for the operation of electric kick-scooters, including prescribing different maximum speeds for different areas, roads or paths, or types of road or path;
- (c) regulating the use of privately owned and rented electric kick scooters;
- (d) restricting the operation of electric kick-scooters during certain times of the year;
- (e) restricting the operation of electric kick-scooters when certain weather conditions are occurring or are expected to occur;
- (f) regulating the parking, docking or storage of electric kick scooters;
- (g) creating offences and prescribing penalties for the violation of by-laws made under this Section

SAMPLE SHARED MICROMOBILITY AGREEMENT

This Agreement made this ___ day of _____, 20.

BETWEEN:

CAPE BRETON REGIONAL MUNICIPALITY, a municipal body corporate pursuant to the Municipal Government Act, SNS 1998, c. 18
(hereinafter called the "Municipality")

AND:

a corporation duly incorporated under the laws of _____
(hereinafter called the "Operator")

1. DEFINITIONS

"Bicycle or E-Bike" means a vehicle that meets the equipment requirements of the Motor Vehicle Act, namely:

- (i) a vehicle propelled by human power upon which or in which a person may ride and that has two tandem wheels either of which is 350 millimetres or more in diameter or that has four wheels any two of which are 350 millimetres or more in diameter but does not include a wheelchair, or
- (ii) a vehicle propelled by human and mechanical power that is fitted with pedals that are operable at all times to propel the bicycle, that has the same wheel requirements as set out in subclause (i) and that has an attached motor driven by electricity not producing more than 500 watts or with a piston displacement of not more than 50 cubic centimetres and is incapable of providing further assistance when the vehicle attains a speed of thirty kilometres per hour on level ground;

"Electric Scooter" means a vehicle that meets the equipment requirements of the Motor Vehicle Act, namely:

- (i) two wheels placed along the same longitudinal axis, a steerable wheel placed at the front of the vehicle and non-steerable wheel at the rear,
- (ii) wheels with a diameter of not less than one hundred and eighty-five millimetres and not greater than four hundred and thirty millimetres,
- (iii) a platform for standing between the two wheels,
- (iv) a steering handlebar that acts directly on the steerable wheel, and
- (v) an electric motor not exceeding five hundred watts that provides a maximum speed of thirty-two kilometres per hour;

"Micromobility Device" means a small, lightweight transportation device, including but not limited to electric scooters, electric bicycles, pedal bicycles, or similar devices, whether motorized or non-motorized, that are made available for shared public use.

“Municipality” means the Cape Breton Regional Municipality

“Municipal Property” means any lands, highways, sidewalks, trails, parks, boardwalks, rights-of-way, or facilities owned or controlled by the Municipality.

“Operator” means any individual, corporation, partnership, or other legal entity that owns, manages, or makes available Micromobility Devices for shared public use within the Municipality.

“Rider” means any person who operates or is in control of a Micromobility Device provided by an Operator for shared public use.

“Shared Micromobility Services” means a system in which micromobility devices are made available by an Operator for short-term public use, typically through a mobile application or similar platform, and may be rented, unlocked, and operated by Riders within the Municipality.

2. AUTHORIZATION

2.1 Grant of Authorization

The Municipality hereby grants to the Operator a non-exclusive, revocable authorization to place, stage, store, and operate Micromobility Devices on Municipal Property, subject to the terms and conditions of this Agreement.

2.2 Conditions of Authorization

Authorization to operate within the Municipality is subject to the terms and conditions of this Agreement. Without limiting the generality of the foregoing, the Operator shall comply with the following:

- (a) Approved Operating Areas as set out in Schedule A;
- (b) Prohibited Areas as set out in Schedule B;
- (c) Maximum fleet size established by the Municipality;
- (d) Parking and staging requirements, including maintaining clear and unobstructed pedestrian and accessible routes;
- (e) Maintenance and redistribution standards to ensure devices remain safe, functional, and appropriately distributed;
- (f) Data-sharing requirements as established by the Municipality;
- (g) Insurance and indemnification requirements set out in this Agreement;
- (h) Performance bond or financial security requirements; and
- (i) Removal and response timelines as set out in this Agreement and Schedule C.

Failure to comply with this Section constitutes a material breach of this Agreement.

3. TERM

3.1 This Agreement shall commence on _____ and shall expire on _____, unless earlier terminated in accordance with this Agreement.

4. OPERATING CONDITIONS

The Operator shall:

4.1 Operate only within Approved Operating Areas identified in Schedule "A".

4.2 Ensure Micromobility Devices are not operated, staged, or parked in Prohibited Areas (Schedule B).

4.3 Ensure that all devices are:

- (a) Maintained in safe working condition;
- (b) Deployed, parked, and staged in a safe and compliant manner
- (c) Clearly identifiable;

5. FLEET SIZE

5.1 The Operator shall not exceed a maximum fleet size of _____ devices without prior written approval of the Municipality.

5.2 The Municipality may adjust fleet size based on performance, compliance, or public interest considerations.

6. MAINTENANCE AND REDISTRIBUTION

6.1 The Operator shall:

- (a) Inspect and maintain all devices regularly;
- (b) Redistribute devices to prevent clustering or obstruction;
- (c) Respond to hazards, complaints, and municipal requests in accordance with Schedule C.

7. DATA SHARING

7.1 The Operator shall provide the Municipality with access to operational data, including:

- (a) Trip data (aggregated and anonymized);
- (b) Fleet distribution;
- (c) Usage statistics;
- (d) Compliance reporting.

7.2 Data shall be provided in a format and frequency acceptable to the Municipality.

8. FEES

8.1 The Operator shall pay an annual authorization fee of \$_____.

8.2 Fees shall be payable prior to commencement of operations.

8.3 Additional fees or cost recovery charges may apply for:

- (a) Device removal;
- (b) Storage;

(c) Enforcement actions.

9. INSURANCE AND INDEMNITY

9.1 The Operator shall maintain Liability Insurance in an amount not less than \$_____ per occurrence.

9.2 The Municipality shall be named as an additional insured.

9.3 The Operator shall indemnify and hold harmless the Municipality, its Council, officers, employees, and agents from and against all claims, damages, losses, and expenses arising from from all claims arising from:

- (a) Operation of Micromobility Devices;
- (b) Acts or omissions of the Operator or Riders;
- (c) Breach of this Agreement.

10. PERFORMANCE SECURITY

10.1 The Operator shall provide a performance bond or other financial security in the amount of \$_____.

10.2 The Municipality may draw upon such security to cover:

- (a) Damage to Municipal Property;
- (b) Removal or storage costs;
- (c) Non-compliance.

11. SEASONAL OPERATIONS

11.1 The operating season shall be from _____ to _____.

11.2 The Operator shall remove all devices from Municipal Property by _____.

11.3 Failure to remove devices may result in removal by the Municipality at the Operator's expense.

12. PROHIBITED AREAS

12.1 Prohibited Areas are identified in Schedule B.

12.2 The Operator shall implement geofencing or equivalent measures, where feasible, to restrict use within Prohibited Areas.

13. RIDER REQUIREMENTS

13.1 The Operator shall require all Riders to:

- (a) Comply with all applicable provincial legislation, including, without limitation, requirements respecting helmet use and restrictions on where Micromobility Devices may be operated, including any municipal restrictions identified in this Agreement; and
- (b) Accept a waiver confirming use at their own risk.

13.2 The Operator shall maintain verifiable records of Rider acceptance.

14. MUNICIPAL RIGHTS AND RESPONSIBILITIES

14.1 Municipal Rights

The Municipality may, at its sole discretion:

- (a) Remove, relocate, impound, or otherwise secure any Micromobility Device that is improperly placed, abandoned, non-compliant, or poses a safety hazard, without prior notice;
- (b) Recover all associated costs from the Operator;
- (c) Inspect the Operator's operations, devices, records, and data to verify compliance; and
- (d) Take any additional actions reasonably necessary to protect public safety, accessibility, and Municipal Property.

14.2 Limitation of Liability

The Municipality shall not be liable for any loss of or damage to Micromobility Devices arising from actions taken under this Agreement.

14.3 Department of Public Works

The Department of Public Works shall:

- (a) Remove or impound improperly placed, abandoned, or hazardous devices in accordance with Schedule E; and
- (b) Document non-compliance and recover associated costs.

14.4 Police Enforcement

The Police Department shall enforce applicable provisions of provincial legislation, including the *Motor Vehicle Act*.

15. COMPLIANCE AND ENFORCEMENT

15.1 Failure to comply with this Agreement constitutes default.

15.2 Upon default, the Municipality may:

- (a) Require corrective action;
- (b) Recover costs;
- (c) Adjust fleet size;
- (d) Suspend or terminate authorization.

16. TERMINATION

16.1 This Agreement may be terminated:

- (a) By either party upon ___ days written notice;
- (b) Immediately by the Municipality for:
 - i. Public safety concerns;
 - ii. Failure to maintain insurance;

iii. Repeated non-compliance.

16.2 Upon termination, the Operator shall remove all devices within ____ days.

17. GENERAL PROVISIONS

17.1 No Assignment

The Operator shall not assign this Agreement without prior written consent.

17.2 Compliance with Legislation

The Operator shall comply with all applicable federal, provincial, and municipal legislation.

17.3 Relationship

Nothing in this Agreement creates a partnership or agency relationship.

17.4 Entire Agreement

This Agreement, including Schedules, constitutes the entire agreement.

17.5 Amendments

This Agreement may only be amended in writing.

17.6 Governing Law

This Agreement shall be governed by the laws of the Province of Nova Scotia.

18. SCHEDULES

Schedule A – Approved Operating Areas

Schedule B – Prohibited Areas

Schedule C – Performance Standards, Response Times, and Enforcement

IN WITNESS WHEREOF

The parties have executed this Agreement as of the date first written above.

CAPE BRETON REGIONAL MUNICIPALITY

Per: _____

Name:

Title:

OPERATOR

Per: _____

Name:

Title:

SCHEDULE C – PERFORMANCE STANDARDS, RESPONSE TIMES, AND ENFORCEMENT

1. SERVICE LEVEL REQUIREMENTS

The Operator shall meet the following minimum response and removal timelines:

Category	Description	Required Response Time
Priority 1 – Safety Hazard	Device blocking accessible route, curb ramp, roadway, emergency access, or posing immediate safety risk	≤ 2 hours
Priority 2 – Improper Parking/Obstruction	Device obstructing sidewalk, trail, driveway, or entrance	≤ 12 hours
Priority 3 – General Complaint	Non-urgent issues (e.g., clustering, minor misplacement)	≤ 24 hours
Priority 4 – Municipal Direction	Direct request from Municipality (e.g., event, construction, emergency)	Immediate or as directed

2. NON-COMPLIANCE AND COST RECOVERY

Where the Operator fails to meet required response timelines, the Municipality may:

- (a) Remove, relocate, or impound the device; and
- (b) Recover all associated costs from the Operator.

3. ADMINISTRATIVE PENALTIES (OPTIONAL BUT RECOMMENDED)

Without limiting other remedies, the Municipality may apply the following penalties:

Violation	Penalty
Failure to respond within required timeline	\$ ___ per device
Device in Prohibited Area	\$ ___ per occurrence
Repeat improper parking (same device)	\$ ___ escalating
Failure to remove seasonal fleet	\$ ___ per device per day

3. ESCALATION MEASURES

3.1 Where the Operator fails to meet service level standards, the Municipality may:

- (a) Require a Corrective Action Plan within ___ days;
- (b) Temporarily reduce fleet size;
- (c) Suspend the ability to deploy additional devices;
- (d) Draw upon performance security; or
- (e) Suspend or terminate the Agreement.

4. REPORTING REQUIREMENTS

The Operator shall provide monthly reports to the Legal Department including:

- (a) Response times by category
- (b) Number and type of complaints
- (c) Device distribution and usage
- (d) Incidents and safety reports

Shared Micromobility Use of Municipal Property

Micromobility Device

means a small, lightweight transportation device, including but not limited to electric scooters, electric bicycles, pedal bicycles, or similar devices, whether motorized or non-motorized.

Shared Micromobility Services

means a system in which micromobility devices are made available by an Operator for short-term public use, typically through a mobile application or similar platform, and may be rented, unlocked, and operated by Riders within the Municipality.



Motor Vehicle Act

- Wear an approved bicycle helmet
- Riders must be at least 14 years of age.
- E-scooters must meet defined specifications,
- Electrically powered with a maximum output of 500 watts,
- Not exceeding a maximum design speed of 32 kilometres per hour.
- A driver's licence, registration, and insurance are not required.

Regulatory Approaches in Other Jurisdictions

- Spectrum from prohibition to highly structured regulatory programs
- Only one operator or several
- Permit or licensing
- Formal agreements
- Differentiate between municipal authority over the placement and management of devices on public property and provincial authority over rider behaviour under motor vehicle legislation

Agreement-Based Model Approach

- All Operators to enter into an agreement with the municipality prior to placing devices on municipal property
- Provides administrative control and financial protection
- Review operations of the agreement annually

The agreement can be structured to:

- Identify approved operating areas and Prohibited Areas
- Prohibit winter operations;
- Require insurance and indemnification;
- Establish Prohibited Areas
- Require a performance bond or financial security;
- Establish response timelines for improperly placed or hazardous devices;
- Permit municipal removal of devices where necessary; and
- Clarify rider waiver requirements.

Communication Strategy

- Clear communication of where devices may and may not be used or parked
- Education on compliance with the *Motor Vehicle Act*
- Promotion of safe riding practices
- Use of Operator mobile applications to reinforce rules at the point of use
- Municipal website content and social media messaging.

Recommendation

1. Authorize the Chief Administrative Officer to negotiate and execute a one-year agreement with shared micromobility Operator(s) for the placement and operation of devices on Municipal Property; and
2. Direct staff to develop a communication strategy to promote rider responsibilities, rules, and safety.

Options

1. Council may choose not to permit shared micromobility devices on Municipal Property.

2. Council could:
 - a. Impose a per-device fee.
 - b. Require designated drop-off or parking zones.

3. Council could adopt the agreement-based approach and review operations after the first year.



City Hall
 320 Esplanade
 Sydney, NS B1P 7B9

Councillor Agenda Request Form

Included on Agenda
 (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)

Late Item XXX
 (Submitted to Municipal Clerk's Office by Noon the day before the meeting)

Request from the Floor: (New Business)
 - Announcement
 - Referral
 - Submit Petition
 - Notice of Motion

Date of Council Meeting: May 5/2026

Subject: Approval Process for Contracts and Service Level Agreements

Motion for Council to Consider: That Council direct that all contracts and service level agreements entered into by the CBRM Municipality be brought forward to Council for review and approval prior to execution and becoming legally binding.

Rationale: To ensure transparency, accountability, and appropriate oversight. Council should have the opportunity to review and approve all contracts and service level agreements before they are finalized. This will allow Council to better understand commitments being made on behalf of the Municipality, including financial obligations, service expectations, and potential risks. Establishing a consistent process will also help ensure alignment with Council priorities and provide clarity on roles and responsibilities in decision-making.

Outcome Sought: A formal policy or directive requiring that all contracts and service level agreements be presented to Council for approval prior to being signed or enacted.

Kim Sheppard-Campbell
Date: April 21, 2026

Received by Clerk's Department (date):
 April 21, 2026



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

- | | | |
|--|---|---|
| <p>X Included on Agenda
 (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)</p> | <p>Late Item
 (Submitted to Municipal Clerk's Office by Noon the day before the meeting)</p> | <p>Request from the Floor: (New Business)
 - Announcement
 - Referral
 - Submit Petition
 - Notice of Motion</p> |
|--|---|---|

Date of Council Meeting: Tuesday May 5, 2026

Subject: Request for Staff Report: Tiered Commercial Property Tax System

Motion for Council to Consider:

That CBRM Council request staff prepare a report outlining the policy, financial, administrative, and legislative implications of implementing a tiered commercial property tax system. The report should include consideration of potential impacts on small businesses, large commercial properties, municipal revenues, and administrative capacity, as well as an overview of current legislative limitations under the Municipal Government Act.

Rationale:

Under the current commercial taxation framework, all commercial properties within a given service area are subject to the same tax rate, regardless of assessed value or business size. This results in small, independently owned commercial properties being taxed at the same rate as large national or multinational commercial operations.

Council has an interest in understanding whether alternative taxation approaches, such as tiered or subclass commercial tax systems used in other jurisdictions, could support small business sustainability and potentially growth, while maintaining overall municipal fiscal stability.

A staff report would provide Council with objective analysis, identify potential benefits and risks, outline legislative constraints, and inform future policy direction without committing Council to a specific taxation model at this time.

Outcome Sought:

Receipt of a staff report before December 2026 outlining:

- Policy implications of a tiered commercial property tax system
- High-level financial considerations and potential tax shifts
- Administrative and operational requirements
- Legislative limitations under the Municipal Government Act

The report will provide Council with an improved understanding to inform future discussion and decision-making related to commercial property taxation.

Steven MacNeil – District 8 Councillor
Date: April 27, 2026

Received by Clerk's Department (date):
Date: April 27, 2026



Councillor Agenda Request Form

<p>X Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)</p>	<p>Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)</p>	<p>Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion</p>
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Date of Council Meeting: Tuesday May 5, 2026

Subject: Request for Staff Report: Curbside Giveaway Weekend (August 2026)

Motion for Council to Consider:

That CBRM Council direct the Chief Administrative Officer to have staff review the feasibility of hosting a Curbside Giveaway Weekend in CBRM at the end of August 2026, with staff to report back to Council no later than middle of June 2026 on operational requirements, communications planning, resource implications, and any associated costs.

Rationale:

Prior to its discontinuation, CBRM's Heavy Garbage program that has since been replaced by the Call to Haul service, carried with it an informal social component. Residents would search through the unwanted items in advance of pickup and claim items they could use, repair, or repurpose. Call to Haul service has eliminated this community level reuse/recycling activity.

A formally organized Curbside Giveaway would restore that social and reuse/recycling component. Residents would place reusable items at the curb for the duration of a weekend, and any items not claimed would be returned to the resident's property. The municipality's role would be limited to communications and promotion.

Holding the event at the end of August would also coincide with the arrival of returning and incoming Cape Breton University and NSCC students. This timing creates a beneficial connection between residents looking to declutter and new community members looking for affordably, while diverting reusable goods from the landfill and sharing among all community members.

Outcome Sought:

- The CBRM Communications Department promotes the event through the municipality's official communication channels, including the CBRM website, social media, news releases, and any other appropriate platforms!
- A specific weekend at the end of August 2026 is identified for the event, timed to coincide with the return of Cape Breton University/ NSCC students
- Participating residents place reusable items at their curb for the duration of the weekend, and remain responsible for retrieving any unclaimed items
- Residents may freely take any items from any participating curb across CBRM during the weekend
- Following the event, staff report back to Council on participation, public response, and lessons learned potentially having an annual event.

Steven MacNeil – District 8 Councillor
Date: April 27, 2026

Received by Clerk's Department (date):
Date: April 27, 2026

April 22, 2026

Cecil Clarke, Mayor
Cape Breton Regional Municipality
320 Esplanade, Suite 400
Sydney, NS B1P 7B9
mayor@cbrm.ns.ca

Dear Mayor Clarke:

As the new President and CEO of Nova Scotia Power, I wanted to take this opportunity to introduce myself and reiterate our commitment to working with government, stakeholders and our partners in the best interest of Nova Scotians.

I've spent my first few weeks on the job meeting with and listening to many of our 2,200 employees, including the hard-working teams at our Cape Breton power plants, and I can tell you that they are a dedicated group of Nova Scotians who take great pride in the service they provide to Nova Scotians.

As I begin my new role, my goal is for our company to be a trusted, customer-centric partner that supports the growth and prosperity of the Cape Breton Regional Municipality through safe, reliable, affordable and sustainable energy.

To support this reset in our relationship with Nova Scotians, I want to ensure we are a proactive source of information for you. Whether providing regular updates throughout the year on infrastructure projects in your community or coordinating our storm preparation and response, we want to ensure our efforts are aligned with your municipal priorities.

When matters concerning electricity arise — whether through regular Council business or issues raised by residents — I encourage you to turn to our Government Relations team for assistance. Please feel free to contact **Government Relations, at 902-428-6352 or gov@nspower.ca**.

In our continued commitment to provide reliable service, we have appointed Reliability Advisors for each of the four provincial regions. Your Reliability Advisor is **Gerald MacNeil**, who will serve as an additional direct contact for you and your colleagues on reliability matters and available to connect via email at Gerald.MacNeil@nspower.ca

I would welcome the opportunity to connect and discuss how we can best collaborate to support CBRM residents and businesses. I look forward to hearing your perspectives on how Nova Scotia Power can better serve your community.

Sincerely,


Vivek Sood
President and CEO



**Municipal Affairs
Office of the Minister**

PO Box 216, Halifax, Nova Scotia, Canada B3J 2M4 • Telephone 902 424-5550 Fax 902 424-0581 • novascotia.ca

April 22, 2026

Dear Mayors, Wardens and Village Chairs:

I am writing to provide an overview of the legislative amendments approved this spring in the House of Assembly that relate to municipal governance. These changes were a part of Bill 212 ([c001.pdf](#)). We are sharing this information to ensure Council has clarity on the intent and scope of these changes, as well as next steps.

Amendments to the *Municipal Government Act* and *Halifax Regional Charter Act*:

- Clarify the oversight relationship between councils and Chief Administrative Officers, affirming council's discretion to exclude the CAOs from meetings related to CAO performance (effective immediately).
- Enable councils to delegate CAO performance oversight to a committee (effective immediately).
- Clarify council's authority in approving CAO participation in external organizations and delegating responsibilities during CAO absences (effective immediately).
- Introduce mandatory onboarding training for newly elected councillors to support strong governance and informed decision-making. Will become effective after details are established in regulations.

These amendments are intended to strengthen municipal governance and support councils in their leadership and accountability roles.

We appreciate the support that you have shared for these changes either directly, through your MLA or through your associations. If council has questions or would like additional clarification, your municipal advisors would be pleased to assist.

In the coming months, the Nova Scotia Federation of Municipalities (NSFM) will be seeking your input on what mandatory training for newly elected councillors will look like in Nova Scotia. Our intention is that councillors feel equipped to fulfill their important responsibilities, how to work effectively with their colleagues and the staff of the municipality, and how to best deliver on the priorities of their constituents, the municipality and our beautiful province. Regulations will establish the minimum standards for mandatory training, such as the types of training, the timelines for completion, and key responsibilities. We will look to you to shape these requirements, through the work of NSFM.

Thank you for your continued partnership.

Yours truly

Honourable John A. MacDonald
Minister of Municipal Affairs

c: CAOs (please share with your councillors)
Village Clerks
Juanita Spencer, CEO, Nova Scotia Federation of Municipalities
Jeff Sunderland, Executive Director, Association of Municipal Administrators Nova Scotia

Subject: Offshore wind Call for Information NS25-1R – Written Feedback What We Heard Report

Good afternoon:

On September 18, 2025, the [CNSOER received joint Strategic Direction](#) from the Government of Canada and the Government of Nova Scotia to formally initiate the process to issue a Call for Bids for offshore wind within the Canada-Nova Scotia offshore area. Strategic Direction from Ministers is part of the offshore renewable energy land tenure process and occurs prior to the CNSOER commencing Call for Information and Prequalification.

The Canada-Nova Scotia Offshore Energy Regulator (CNSOER) [announced offshore wind Call for Information and Prequalification NS25-1R](#) on October 16, 2025. The offshore wind Call for Information NS25-1R was open for 90 days, from October 16, 2025, to January 13, 2026. As part of the offshore wind Call for Information NS25-1R, the CNSOER welcomed feedback on governments' Strategic Direction letter, including:

- The Wind Energy Areas being considered and the location(s) of potential parcel(s) within these Wind Energy Areas.
- The possible evaluation criteria to be used as part of the Call for Bids process.
- The possible draft terms and conditions for a submerged land licence.

The CNSOER would like to thank Indigenous groups and rights holders, the fishing sector, industry, governments, the public, and other interested stakeholders who participated in the offshore wind Call for Information NS25-1R public engagement period. Respondents provided a wide range of perspectives and information, including areas of alignment and differing views. The feedback collected throughout this process is valuable in helping the CNSOER to understand the issues that matter most to those with interests in, or potential to be affected by, future decisions and activities as they relate to the offshore wind land tenure process. It must be emphasized that every submission, comment, letter, and attachment was read in entirety by both CNSOER staff and Members of the Regulator.

Offshore Wind Call for Information NS25-1R – What We Heard Report

The [offshore wind Call for Information NS25-1R What We Heard report](#) is a summary of key themes and perspectives that emerged in response to each of the ten questions included in the offshore wind Call for Information NS25-1R digital feedback form, expressed by Indigenous groups and rights holders, the fishing sector, industry, government, the public, and other interested stakeholders. This report, along with an executive summary and an appendix of written feedback submissions, can be found on [our website](#).

Should you have any questions, please contact the CNSOER by email: info@cnsoer.ca

Sincerely,

Canada-Nova Scotia Offshore Energy Regulator

