

Cape Breton Regional Municipality

Council Meeting

AGENDA

THURSDAY, DECEMBER 10TH, 2015

1:30 P.M.

(NOTE DATE & TIME CHANGE)

Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS

Cape Breton Regional Municipality

Council Meeting

Thursday, December 10th, 2015

1:30 p.m.

AGENDA ITEMS

ROLL CALL

O' Canada

Moment of Silent Reflection

1. APPROVAL OF MINUTES: (Previously Distributed)

➤ Council – November 17th, 2015

2. PRESENTATION:

2.1 Patriarch Vincent Waterman: on being recently enthroned as the head of the African Orthodox Unity Network.
Councillor Jim MacLeod

3. DELEGATION:

3.1 The Southend Community Development Association - Request for CBRM Land: Spokesperson, Mr. John Aylward, Venture Solutions (see page 9)

Continued....

**Council Meeting Agenda
(Continued)
December 10th, 2015**

4. PUBLIC HEARINGS:

**4.1 Request for Street Closure - Harbour Royale Developments Ltd.
Portion of Esplanade:**

Public Hearing to consider the request to close a portion of Esplanade, Sydney, following which the subject area be deemed surplus to the needs to the CBRM to allow for Harbour Royale Developments Ltd. to purchase same. Demetri Kachafanas, Solicitor (See page 13)

4.2 Conveyance of CBRM Land to Breton Ability Centre:

Public Hearing with respect to the proposed sale of CBRM land (approximately 19.56 acres) located on Kings Road, Sydney River, PID 15035132, to the Breton Ability Centre for \$1.00 and that any sale be subject to the condition that the property be developed within 5 years or the property is to revert back to CBRM for \$1.00. Demetri Kachafanas, Solicitor (see page 17)

5. BUSINESS ARISING:

5.1 CBRM Board of Police Commissioners meeting – June 23rd, 2015:

- a) Municipal Alcohol Policy (MAP): Spokespersons, Chief Peter McIsaac and Sam Hodder, Manager, Health Promotion & Prevention, Mental Health & Addiction Services (see page 40)

5.2 General Committee Meeting – September 1st, 2015:

- a) Staff Issue Paper on Litter: Malcolm Gillis, Director of Planning Department (see page 77)

5.3 Nominating Committee Meeting – December 8th, 2015:

- a) Council Appointments to Standing & External Agencies: Deborah Campbell, Municipal Clerk (*report to be distributed prior to the meeting*)

**Council Meeting Agenda
(Continued)
December 10th, 2015**

6. PLANNING ISSUES:

6.1 Final Approval – Public Hearing:

- a) **Request from Donna Perry to Amend the Municipal Planning Strategy and Land Use By-Law to Permit a Mobile Home on Wolfe Street, Louisbourg – Case 1006:**

Public Hearing to consider the request by Donna Perry to amend the Municipal Planning Strategy and Land Use By-Law to Permit a Mobile Home on Wolfe Street, Louisbourg. Malcolm Gillis, Director of Planning (see page 84)

6.2 Approval to Advertise:

- a) **Should CBRM consider amending its Municipal Planning Strategy and Land Use By-law to Allow two Businesses To Re-Locate To Archibald Avenue, North Sydney – Case 1015:**

Staff recommends approval to advertise notice of a Public Hearing to be held at the January meeting of Council to consider option 4 outlined in the September 25th staff Issue Paper which advocated an amendment to the text of the CBRM Planning Strategy and amendments to the text and map of the Land Use Bylaw to permit the sale of crafts at a boutique. Malcolm Gillis, Director of Planning (see page 94)

- b) **Zoning Amendment Application #1017 - Kristen MacLeod, 5258 Union Highway, River Ryan (PID# 15876675):**

Staff recommends approval to advertise notice of a Public Hearing to be held at the January meeting of Council to consider a zoning amendment to permit a three-unit dwelling to be located on the property located at 5258 Union Highway, River Ryan. Karen Neville, Planner (see page 106)

6.3 Requests For Municipal Planning Strategy Amendments:

- a) **Zoning at the Site of the Former Heavy Water Plant – Case #1013:**

Staff recommends that Council adopt, by resolution, a Public Participation Program to be held at the January 2016 meeting of the General Committee to explore the possibility of amending the Municipal Planning Strategy concerning the site of the Former Heavy Water Plant currently zoned for Industrial and Business development, to include residential zoning development. Malcolm Gillis, Director of Planning (see page 112)

Continued...

**Council Meeting Agenda
(Continued)
December 10th, 2015**

Planning Issues:

Requests for Municipal Planning Strategy Amendments Cont'd:

- b) Municipal Planning Strategy Amendment Application by Gratten (Duke) Fraser, 762 King Street, New Waterford (PID 15466840) – Case G-1018:**

Committee recommends that Council adopt, by resolution, a Public Participation Program to explore the possibility of amending the Municipal Planning Strategy to allow a former medical clinic located at 762 King Street, New Waterford, to be converted into a drive thru coffee shop. Karen Neville, Planner, (See page 115)

7. CORPORATE SERVICES ISSUES:

7.1 Property Matters: Ken Smith, Planner

- a) Request to Purchase CBRM Land:** 9,200 sq. ft. lot fronting on Victoria Road, Whitney Pier, PID # 15155989 (Peter Gillis) (see page 119)
- b) Request to Purchase CBRM Land:** approximate 5,179 sq. ft. portion of PID # 15437510 (Table Head Ball Field Lands), having frontage on Ryan Street, Glace Bay (Glenn Gardiner) (see page 122)

7.2 CBRM Sun Life Defined Contribution (DC) Pension Plan – Amendment No. 5 and Consolidation and Restated Plan Text:

Staff recommends approval of Amendment No. 5 to the CBRM Sun Life DC Pension Plan which reflects changes to the PBA as of June 1, 2015, and the adoption of the Revised Sun Life DC Plan text dated June 2015 as the new consolidated plan text for the Municipality, and that the Mayor and Clerk be given authority to sign on behalf of CBRM. Angus Fleming, Director of Human Resources (see page 126)

8. PUBLIC SERVICES ISSUES:

- 8.1 CBRM Energy Update:** David Brushett, Efficiency Nova Scotia, On-Site Energy Manager (see page 149)

**Council Meeting Agenda
(Continued)
December 10th, 2015**

Public Services Issues (cont'd)

- 8.2 **Expressions of Interest – Repurposing Centennial Arena:** Bill Murphy,
Director Recreation, Parks & Grounds, Building & Facilities (see page 153)
9. **PROTECTIVE SERVICES ISSUES:**
- 9.1 **Dangerous and Unsightly Properties – Notices of Intent to Demolish:**
(separate motions required)
Paul Burt, Manager Building, Planning & Licensing Laws (See page 155)
- a) File #8978 PID# 15461155 – 55 Pepperell Street, Louisbourg
 - b) File #8010 PID# 15472004 – 382 Thirteenth Street, New Waterford
 - c) File #8383 PID# 15137417 – 26 Bryan Street, Sydney
 - d) File #5917 PID# 15495757 – 115 Church Street, Sydney Mines
 - e) File #8902 PID# 15416118 – 9 Quarry Road, Glace Bay
 - f) File #9140 PID# 15138845 – 89 Henry Street, Sydney
 - g) File #8577 PID# 15012156 – 152 Regent Street, North Sydney
 - h) File #8998 PID# 15137441 – 28 Bryan Street, Sydney
 - i) File #8817 PID# 15139348 – 126 Henry Street, Sydney
 - j) File #9034 PID# 15417405 – 3 Maxie Street, Glace Bay
 - k) File #8851 PID# 15395056 – 556 Main Street, Glace Bay
10. **REPORTS:**
- 10.1 **China Trade and Port Development:** Mayor Cecil P. Clarke
- 10.2 **Sustainability Fund:** Marie Walsh, Chief Financial Officer (see page 158)
- 10.3 **Financial Reports:** Marie Walsh, Chief Financial Officer
- a) **Forecast to March 31, 2016:** (see page 164)
 - b) **Financial Statements to October 31st, 2015:** (see page 186)

Continued....

**Council Meeting Agenda
(Continued)
December 10th, 2015**

11. BY-LAWS, RESOLUTIONS & MOTIONS:

11.1 By-Laws:

a) By-Laws for First Reading:

i. Defined Benefit Pension By-Law - Consolidated Plan Text:

The Pension Committee recommends approval of the consolidated restated Plan Text for the Defined Benefit Pension Plan By-Law dated August 2015, effective January 1, 2014. Angus Fleming, Director of Human Resources (see page 188)
*(*Defined Benefit Pension By-Law Distributed Separately)*

b) By-Laws for Second (Final) Reading: N/A

11.2 Resolutions: N/A

11.3 Motions: N/A

ADJOURNMENT



Southend Community Center

28 Hillview St. Sydney, N.S. B1P 2H4, Ph. 562-8192, Fax 562-2960

November 20, 2015

Mrs. Debora Campbell
Municipal Clerk
CBRM
320 Esplanade
Sydney, NS
B1P 7B9

Re: Request for Council Agenda December 11, 2015

Dear Mrs. Campbell;

The Southend Community Development Association, would hereby make request to be placed on the agenda for the sitting of the combined council and committee of the whole meeting scheduled for December 11, 2015.

The Southend Community Development Association, a not-for-profit organization, are requesting that council declare the lands presently owned by CBRM off Welton Street in Sydney and identified as parcel PID # 15126667, (see attached executive summary parcel map) be deemed surplus and that staff be directed to convey such property to the Southend Community Development Association to be used for a proposed seniors affordable housing community development. The Southend Community Development Association further request that these said lands be conveyed to the Southend Community Development Association for the sum of \$1.00

We have attached an executive summary outlining our request for council's consideration. Should you feel that additional information such as perspectives of the proposed buildings etc. may be beneficial for members of council, we will be able to provide such in paper or electronic format at your suggestion. I may be reached at the address below for any information you may have concerning this project.

Thank You

Rick Fraser

Rick Fraser CRBO, CFI
Executive Director
Southend Community Development Association
902-577-8548
itcassociates@eastlink.ca

Executive Summary

Who we Are:

The Southend Community Development Association is incorporated as a not-for profit organization located in the former Woodhill Jr.High School building, Sydney. It has been in operation and providing service to the community for the past 19 years.

During this time, the Southend End Community Center has developed as a sustainable social enterprise, receiving no government funding. Revenue generated by the Southend Community Center allows various programming to be offered to the community at no charge, which supports our goals and objectives.

The Southend Community Development Association has a Board of Directors consisting of a broad range of experienced professionals, and fulltime staff dedicated to quality administration, financial planning and maintenance of its properties.

Recent community concerns brought to the Southend End Community Center Board members regarding lack of affordable options for seniors housing resulted in the Southend Community Development Association exploring the issue. With the help of Canada Mortgage and Housing Corporation, a Need and Demand Analysis was conducted over the past seven months which identified an active wait list of seniors needing housing as well as the growing demand for affordable housing options for seniors over the next twenty five plus years.

Goals

1. Build a seniors community of high-quality, safe and environmentally efficient housing, offering safety, comradery and on site recreation at affordable monthly rents, managed by a non profit governance model.
2. Provide sustainable living and recreating space to groups and services that would improve the social, and health outcomes of seniors living in the community.

Objectives

As a result of this community lead imitative, the Southend Community Development Association proposes:

1. Development of an innovative, self-sufficient seniors housing and services community in CBRM.
2. We will be taking a systems approach to the living environment of our tenants with the goal of providing a unique home life experience specifically for seniors.
3. Build a gated community which comprised of 16 senior units in single story, walk-in buildings which will include `age in place` design.
4. The community will offer common space for recreational, community activities and special occasions usage. A community action committee will be formed to engage residence to socialize, plan activities and to develop their community as it grows.

5. A larger multi-story building will house 24 apartments and commercial retail space, offering housing business associated to the needs of seniors, facing Welton Street.
6. This building will be provided with an elevator and underground parking.
7. The staged project is expected to be developed over a 3 to 10 year period, depending on uptake of the units and financing.

Location:

Subject Site is situated in Sydney's Ashby district ideally situated for senior's minutes away from the Downtown Business District, Retail Shopping Plazas, and Churches, Public Transit and the newly constructed Open Heart Park recreation and walking trails.

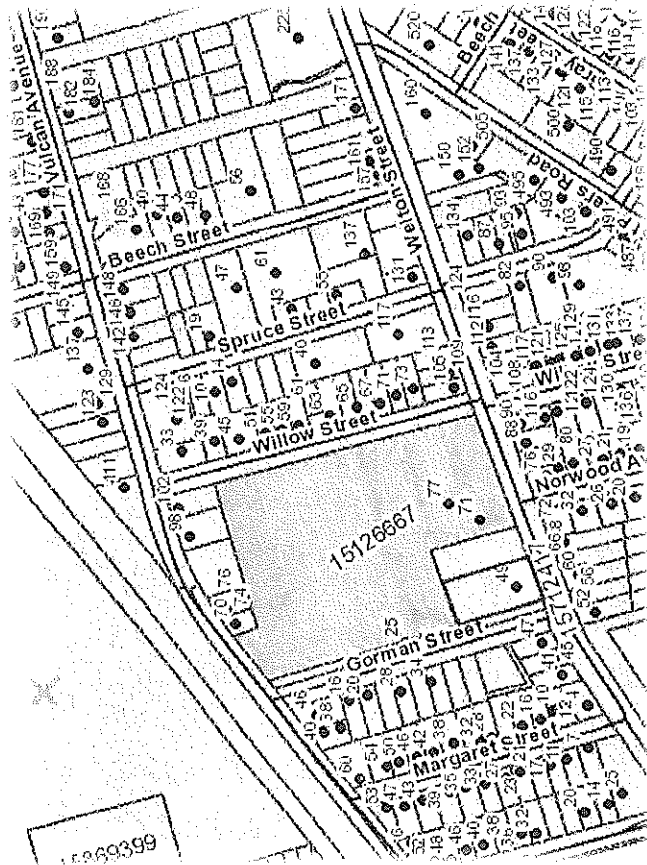
Site Characteristics -The subject property consist of a full city block approximately 5.9 acers in area bounded by Welton Street, Willow Street, Gorman Street and Vulcan Ave. The property is tucked away from the main thoroughfare of Welton Street one of Sydney's busiest roadways, connecting the area to the downtown and retail shopping plazas.

Public Transit- Travels along both Welton Street and Vulcan Ave. providing ease of access for residents to all parts of the CBRM. Grocery stores, churches banking and recreational areas are located within walking distance.

The site is fully services with water, sewer, curb and cutter, storm water and paved road ways.

The Vulcan Ave road way at the rear of the property provides an ideal access and exit point for Hidden View Seniors Community awry for the more busy traffic on Welton Street. Vulcan Ave. proved direct access to downtown business district, and shopping.

The property under lease to Sydney Minor Baseball, a division of the Southend Community Development Association for the past 20 years is presently used as recreational baseball fields. These fields have been constructed and managed by the Southend Community Development Association, operate as a sustainable and independent body without a CBRM financial or maintenance support or commitment, has seen dramatic decline in participation over the past 10 years.



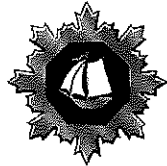
How we can make it Happen

- I. The Southend Community Development Association has begun discussions with CMHC, Housing Nova Scotia and a private investor to create the financial and administrative infrastructure required to carry this project forward.
- II. The Southend Community Development Association has assembled team with the skill sets and experience to design, manage and deliver this development and is uniquely qualified to create a spectacular community that will not only be an invaluable asset to the neighborhood, but will also establish a new standard for sustainable senior residential communities in CBRM
- III. The Southend Community Development Association team proposes that CBRM deem these lands surplus so that staff may convey said lands to the Southend Community Development Association for the sum of \$1.00.
- IV. The Southend Community Development Association will utilize existing elements from the lands to design and construct senior rental units based on need and demand, in a mixed of affordable units and market units for seniors.
- V. The Southend Community Center has arranged with the Province of Nova Scotia to construct new baseball fields and relocate the parent /child play area to the new Harbour Front Park lands located directly across the street (Vulcan Ave.) from the present location to replace the baseball fields being displaced.
- VI. Present zoning and land use requirements permit this type of development to take place and therefore will require no planning amendments or development agreements.
- VII. The Southend Community Development Association will enter into an agreement with CBRM to turn said lands back to CBRM in the event that the project does not materialize.
- VIII. The Southend Community Development Association will be paying taxes on the properties based upon current and future tax rates estimated to be $\pm$ \$200,000.00 annually.

The Ask:

The Cape Breton Regional Municipality work towards the development of this community based project for affordable seniors housing in our community by deeming the property to be surplus and offering the sale of the property for the sum of \$1.00 to the Southend Community Development Association.

That further a covenant is to be placed upon the sale which will result in the lands being returned to CBRM in the event the project does not take place.

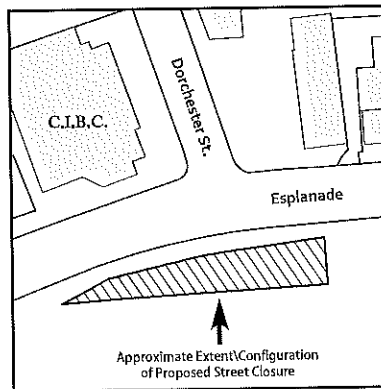


CAPE BRETON
REGIONAL MUNICIPALITY
NOTICE - STREET CLOSING

Portion of Esplanade, Sydney
Measuring approximately 4948 square feet +/-

TAKE NOTICE that the Council of the Cape Breton Regional Municipality intends to close a portion of the Esplanade, Sydney, in the Cape Breton Regional Municipality, Nova Scotia, being a piece of property measuring approximately 4948 square feet +/- more or less, which is more particularly delineated on a plan of survey prepared by W. Gregory Verner, NSLS, of Verner Surveys Limited, dated 12 November 2015.

A public hearing in relation to the closing of a portion of the said street reserve will be held on Thursday, the 10th day of December, 2015, at 1:30 p.m. at the Council Chambers, 2nd Floor, Civic Centre, 320 Esplanade, Sydney, Nova Scotia, at which time Council will hear those in favour and those opposed to the closing of a portion of this street.



Signed: Deborah Campbell - Municipal Clerk

7166841

Request for Street Closure – Harbour Royale Developments Ltd. Portion of Esplanade File No. 07211:

Motion:

Moved by Councillor MacLeod, seconded by Councillor Eldon MacDonald, that staff be directed to begin the street closure process for a portion of the Esplanade, Sydney, as outlined in the staff report dated November 13, 2015, following which the subject area be deemed surplus to the needs to the CBRM to allow for Harbour Royale Developments Ltd. to purchase same.

Motion Carried.



CBRM

A Community of Communities

Demetri Kachafanas
Regional Solicitor
563-5047

ISSUE PAPER

TO: General Committee

FROM: Demetri Kachafanas
Regional Solicitor

SUBJECT: Request for Street Closure
Harbour Royale Developments Ltd.
Portion of Esplanade
My File No. 07211

DATE: 13 November 2015

I am in receipt of a request on behalf of Harbour Royale Developments Limited to close a portion of the Esplanade, Sydney, as shown on a copy of the attached survey plan.

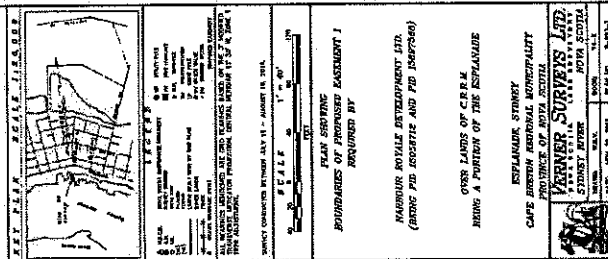
The Engineering Department has advised that there is no objection to this request. I would request a Motion to proceed with the above-requested street closure and the subject area be deemed surplus to the needs of the CBRM to allow for Harbour Royale Developments Limited to purchase same.

Thank you.

Sincerely,

ORIGINAL SIGNED BY
Demetri Kachafanas
Regional Solicitor

DK/er
Attachment



CBRM
Badge

Cape Breton Regional Municipality
"A Community of Communities"

NOTICE – PUBLIC HEARING

Pursuant to Section 51(3) of the *Municipal Government Act*, the Council of the Cape Breton Regional Municipality has directed that a Public Hearing be held to deal with the *proposed sale of CBRM property (approximately 19.56 acres) located on Kings Road, Sydney River, PID 15035132, to Breton Ability Centre for one dollar (\$1.00) for the purpose of the development of an inclusive and barrier-free residential community for persons with disabilities.* The particulars of the public hearing are as follows:

DATE: Thursday, December 10, 2015

TIME: 1:30 p.m.

LOCATION: Council Chambers – 2nd Floor
City Hall
320 Esplanade, Sydney, NS

The estimated value of the subject property is \$370,000.

Signed: Deborah Campbell
Municipal Clerk

Cape Breton Post (Sydney Section)
Size (3 x 70) or as required
Thursday, November 26 and
Saturday, December 5, 2015

Conveyance of CBRM Land to Breton Ability Centre:

Motion:

Moved by Councillor Detheridge, seconded by Councillor MacLeod, that CBRM Council recognize the Breton Ability Centre development proposal as an activity beneficial to the Municipality, and in accordance with Section 4.8 of the CBRM Property Management Policy and Section 51 of the *Municipal Government Act*, hold a Public Hearing with respect to the proposed sale to the Breton Ability Centre for \$1.00 and that any sale be subject to the condition that the property be developed within 5 years or the property is to revert back to CBRM for \$1.00.

Motion Carried.



CBRM

A Community of Communities

Cape Breton Regional Municipality

*Office of Demetri Kachafanas
Regional Solicitor*

320 Esplanade
Sydney, Nova Scotia
B1P 7B9
Tel: 902-563-5047
Fax: 902-564-0481

e-mail: dkachafanas@region.cape-breton.ns.ca

ISSUE PAPER

TO: Council

FROM: Demetri Kachafanas, Regional Solicitor

DATE: October 14, 2015

RE: Conveyance of CBRM Land to Breton Ability Centre

BACKGROUND

Breton Ability Centre (BAC) had requested CBRM transfer lands to BAC for nominal consideration in order to move forward with a mixed housing development on the site. BAC made a presentation to Council at the November 2014 Council meeting. A copy of the various correspondence from BAC is attached as Schedule "A". A copy of the mapping of the subject lands outlined in yellow is attached hereto as Schedule "B".

At that time there was discussion surrounding the value of the property. The property was assessed at over \$370,000.00. An appraisal commissioned by BAC found that the market value of the property to be \$1.00. A copy of the Appraisal is attached as Schedule "C".

Council passed a motion approving, in principle, the request made by BAC to declare the property surplus to the needs of the Municipality and to transfer the lands to BAC for \$1.00 subject to negotiations with the property. A copy of the Council motion is attached as Schedule "D". The negotiations concerned properties that CBRM wanted conveyed to it for nominal consideration. Since the time of the motion, it is my understanding that BAC has been unable to leverage funding or obtain financing because they do not presently own the property.

BAC has now requested that the property be transferred to them without the stipulation of being subject to negotiations with the Province. A copy of correspondence from Mayor Clarke to Millie Colbourne, CEO of BAC is attached as Schedule "E".

OPTIONS

Council at this point in time has two options:

1. It can simply do nothing and leave the matter as it stands;
2. Council can, considering the fact that the previous motion was simply approval in principle, pass a new motion authorizing the sale without being subject to negotiations with the Province.

RECOMMENDATION

Given that Council has already agreed with and authorized the conveyance of the land to BAC for \$1.00 in principle, it is recommended that Council pass a motion authorizing the conveyance of the property for \$1.00 pursuant to Section 4.8 of the CBRM Property Management Policy and Section 51(1) of the *Municipal Government Act* which enables the Municipality to sell property at a price less than fair market value to a non-profit organization if Council considers the organization to carry on an activity that is beneficial to the municipality. It should be noted that Section 51 (2) provides that the resolution to sell at less than market value must be passed by at least a two thirds majority of the council present and voting. Furthermore, Section 51(3) requires that Council first hold a public hearing if the property is valued at more than ten thousand dollars. I would recommend that given the discrepancy between the value of the assessment and appraisal that a public hearing be held. Copies of the relevant sections of the Policy and MGA are attached as Schedule "F" and Schedule "G" respectively.

I further recommend that the sale be conditional on BAC developing the property within five years of the conveyance.

A copy of the proposed motion is as follows:

Council recognize that the BAC development proposal as an activity beneficial to the Municipality and in accordance with Section 4.8 of the CBRM Property Management Policy and Section 51 of the *Municipal Government Act* hold a Public Hearing with respect to the proposed sale to BAC for \$1.00 and that any sale be subject to the condition that the property be developed within 5 years or the property is to revert back to CBRM for \$1.00.

Yours truly,

ORIGINAL SIGNED BY

Demetri Kachafanas
Regional Solicitor

Schedule "A"



April 2, 2014

Mayor Cecil P. Clarke
Cape Breton Regional Municipality
320 Esplanade
Sydney, Nova Scotia B1P 7B9

Dear Mayor Clarke:

**Ré: Submission to: Cape Breton Regional Municipality Council:
Acquisition of the former Cape Breton Hospital land from the Cape Breton Municipality**

Mr. Mayor and Council, Breton Ability Centre is wishing to proceed with plans for a mixed housing development on the lands it currently owns and the lands of the former Cape Breton Hospital. This mixed housing development will be an inclusive, barrier free community called Celtic Landing. We are now requesting Council to convey the Former Cape Breton Hospital Site to Breton Ability Centre to enable development of this mixed housing community on the site.

Our rationale for requesting the sale of the land for one dollar (\$1.00) is as follows:

1. Breton Ability Centre is a not for profit Society which has a vision to move away from large facility living for seniors and people with disabilities to an integrated, inclusive and barrier-free residential community. This is a major development which will fill a significant void in the diverse housing needs in CBRM.
2. The Celtic Landing Development will be a significant source of new CBRM tax revenue, with the first phase alone estimated to cost \$13 million.
3. Each phase of Celtic Landing Development is estimated to create 75 construction jobs and 20 new permanent jobs, growing to 100 new permanent jobs by the end of the third phase
4. CBRM Council has demonstrated its commitment to building jobs and assessment revenue by selling Morrison High to a for profit company for one dollar (\$1.00) – International Centre for English Academic Preparation (ICEAP) in Glace Bay. ICEAP continues to generate CBRM tax revenue, local jobs in Glace Bay, economic spin-off from students and teachers in the

community, not to mention cultural enrichment with new people and activity in Glace Bay. Celtic Landing is a similar opportunity for a not for profit Society to create tax revenue where there is none, new jobs, and diversity in the community. Celtic Landing is targeted at the very demographic that is growing with CBRM.

5. CBRM demolished the old Cape Breton Hospital building on this site in the mid-nineties. Breton Ability Centre has done some preliminary research on that building site and is aware that the foundation of the former hospital is buried beneath the site. In order to develop the site, the foundation must be removed prior to construction. There is a significant cost to removal of the foundation, which has to be done prior to any development, and this cost needs to be reflected in any purchase price.
6. Breton Ability Centre has hired CBCL Consultants to undertake an environmental assessment of this site. There are some environmental constraints to this site, including a small burial ground which must be respected and the buried foundation of the Cape Breton Hospital will have to be remediated.
7. Breton Ability Center currently has easements over the Cape Breton Hospital site owned by CBRM to the existing Breton Ability Centre buildings, most of which go back to the original Braemore Home Inception. This property is unlikely to be of interest to other potential developers, unless the developer is an abutter to the property. Any substantial development of this property will require dealing with these easements as well as finding a new road access to the existing site. Breton Ability Centre has rights of access for sewer, road, water and power, and could not be sold by CBRM for development without an agreement of some kind with BAC to deal with these issues. BAC's proposal is uniquely suited to an integrated solution encompassing housing, traffic and piped services in Sydney River.
8. Breton Ability Centre is aware of CBRM's plans for active transportation trail development along Sydney River Waterfront, as part of the Trans Canada Trail development, and supports this concept as it fits well with the integrated residential development of this site on Sydney River water frontage. The active transportation corridor can be continued from the South side of the Sydney Bypass, under the Highway, along the River, through the Keltic Plaza (Tidan Corporation) river frontage, under the railway bridge, through NS Department of Transportation Land to Keltic Drive at the site of the Sydney River Bridge, now under construction. We understand that there will be an active transportation connection across the new bridge, as well as under the bridge along the river.
9. The property does not, at present have an adequate road access for any significant new development, and the smaller .5 acre property owned by BAC near the current entrance would require an agreement with BAC for further access to the larger parcel from the #125 access ramp. NSTIR would almost certainly block significant development, if it were only by way of the

existing access, and no development would be viable with the existing right-in, right out access to the Highway ramp.

10. BAC has invested significant time, effort and money in resolving the access issue since October, 2013 as a necessary requirement for the Celtic Landing Development. We recognized that a development at this site requires a better alternate access to Kings Road. BAC has worked with abutting property owners, including Keltic Plaza, Sydney Credit Union, Sobeys, Petro Canada, Tim Horton's, the car wash and Riverside Developments, which owns the site adjacent Tim Horton's. BAC is the most logical, if not the only, potential purchaser of this property for development. The property is worth little or nothing without these road access problems resolved, and presently generates no property tax revenue for CBRM. BAC is realistically the only owner that could develop the entire 31 acre site as a comprehensive development that will integrate and complement adjoining businesses.

11. The solution of the access problem for Breton Ability Centre involves multiple businesses and land, so Breton Ability Centre has held many meetings with the local TIR staff, as well as the Minister responsible for NS Department of Transportation and Infrastructure Renewal. Solving the problem of a second access to this site is essential for a successful site development. This would also address the problem of high accident rate and dangerous left turning movements on Kings Road from Keltic Drive to the Bypass with multiple land owners/businesses. BAC has demonstrated their commitment to this concept by working with these stakeholders and the Nova Scotia Department of Transportation to a point where the Minister of Transportation has committed to an Engineering study to design a solution, not only for BAC, but for the traffic hazards in this area of Kings Road.

We believe we are offering a significant development to CBRM that will address many social housing needs in our communities and also offer an increased tax base to CBRM. We would appreciate your consideration and decision on this request as soon as possible.

Respectfully Submitted,

Millie Colbourne, CEO

ORIGINAL SIGNED BY

Terry Crawley, Chair of the Board
BRETON ABILITY CENTRE



September 23, 2014

Mayor Cecil P. Clarke
Cape Breton Regional Municipality
320 Esplanade
Sydney, Nova Scotia B1P 7B9

Dear Mayor Clarke:

Re: Addendum to Letter of April 2, 2014
Acquisition of the former Cape Breton Hospital land from the
Cape Breton Regional Municipality

Mr. Mayor & Council;

Further to our April 2, 2014 submission (attached) regarding our request for council to declare the lands of the former Cape Breton Hospital surplus and sell them to Breton Ability Centre for \$1.00 in accordance with the Municipal Government Act., we wish to provide the following update:

1. **Access Road:** Attached you will find the WSP Engineering Study that has identified a solution to the access issue that needed to be addressed in order for any future development to occur on this site. It is important to note that representatives from TIR were at the table with us in identifying this solution. They have also advised that this solution fits with their overall plans to address the traffic issue on Kings Road. This solution can also proceed on its own and tie into those future plans at a later date.
2. **TIR:** We have met with Minister Geoff MacLellan to brief him on this study and TIR involvement moving forward. The final WSP Report was forwarded to TIR within the past few days. We will be working with them to move forward on this access road as soon as possible.



3. **Environmental Assessment:** A copy of the letter regarding the Environmental Assessment completed by CBCL is attached for your review. This study did not find any significant environmental concerns for these properties.
4. **BAC:** Breton Ability Centre is a not-for-profit society. We are a major contributor to the economy of CBRM as well as being a leading service provider for persons with disabilities in this region. We are committed to working with government as services for persons with disabilities are transformed.
5. **Government-Services for Persons with Disabilities:** The Government of NS has started a transformation of Services for Persons with Disabilities in NS. That plan will see less reliance on large facilities such as BAC. The commitment is to move to community living. BAC must be in a position to respond and to prepare for the eventual closing of the large facility. We must transform our services and supports to individuals with disabilities. We must also seek out new business opportunities. Our vision for Celtic Landing – a mixed housing development is the beginning. We now have a Business Development Officer working with us so that our organization continues to excel, we protect and grow jobs and continue to be a major contributor to our economy
6. **Land Transfer:** As a not for profit society we are requesting our land transfer request be treated in the same manner as was the sale of Morrison High. This is a significant opportunity to create tax revenue, new jobs and diversity in the community. Part of Celtic Landing is also targeted at the very demographic (seniors) that is growing in CBRM.
7. **BAC:** Breton Ability Centre is a dynamic organization that is evolving into a centre of learning and excellence. We recently attained Bronze Level status with Excellence Canada with 97% alignment to their standard. It is our intent to be good neighbours, partners with all levels of government, other service providers and our partners in the community to help grow the economy and enhance social prosperity in our region.



We have completed considerable research and other work to help move this request forward.
We would be pleased to provide any further information if required.

***We therefore respectfully request that Council declare these lands surplus and sell them to BAC
for \$1.00 in accordance with the Municipal Government Act.***

Sincerely,

ORIGINAL SIGNED BY

Millie Colbourne, CEO

MC/kl

cc Deborah Campbell, CBRM Clerk
Marie Walsh, CBRM – CFO
Councillor Claire Detheridge

Attachments: Copy of Letter – April 12, 2014
WSP Report
Environmental Assessment, CBCL



October 28, 2014

Ms. Deborah Campbell
CBRM Clerk
320 Esplanade
Sydney, Nova Scotia B1P 7B9

Dear Ms. Campbell:

Further to our September 23, 2014 letter, enclosed you will find the following documents in support of our presentation to Council members on November 3, 2014.

- Copy of Letters of September 23, 2014 and April 2, 2014
- Copy of presentation slides
- Copy of property appraisal by *Stokes Property Appraisal*
- Copy of Business Plan completed by Deloitte
- Note: The Environmental Assessment by CBCL and the WSP Traffic Impact Study were submitted previously (September 23, 2014)

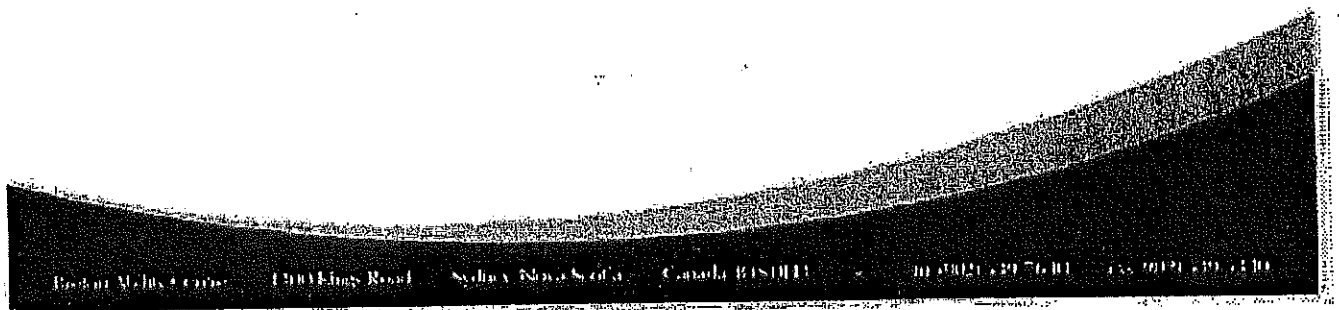
Thank you for the opportunity to present to the General Committee of Council.

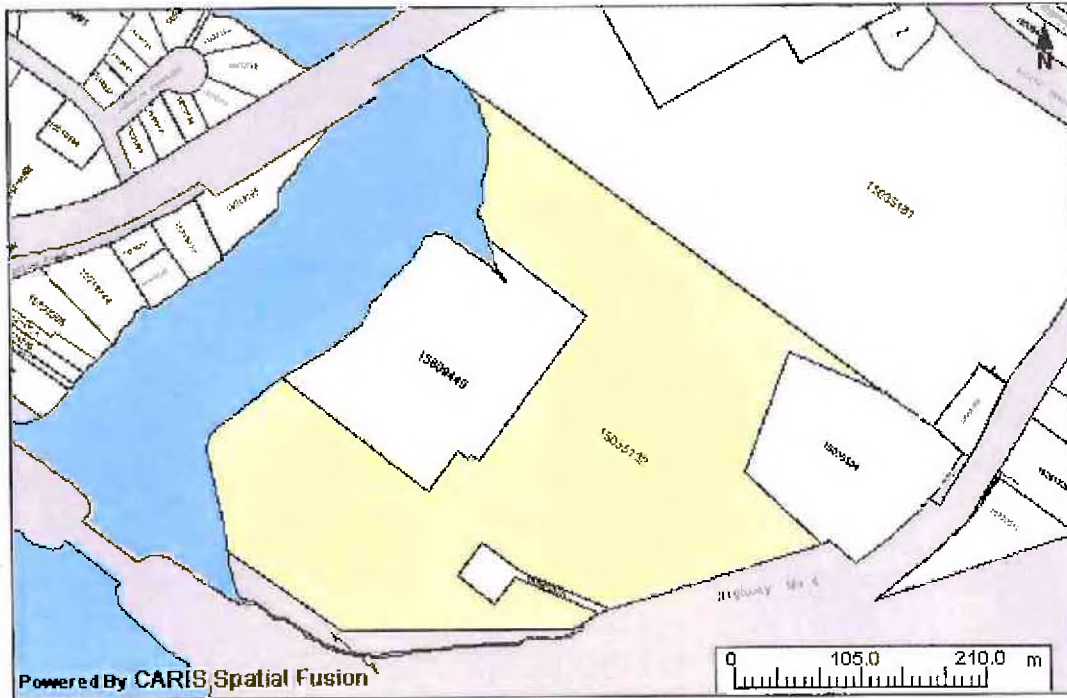
Sincerely,

ORIGINAL SIGNED BY

Millie Colbourne, CEO
BRETON ABILITY CENTRE

cc Ms. Marie Walsh, CFO
Mr. Michael Merritt, CAO
Mayor Cecil P. Clarke





Schedule "B "

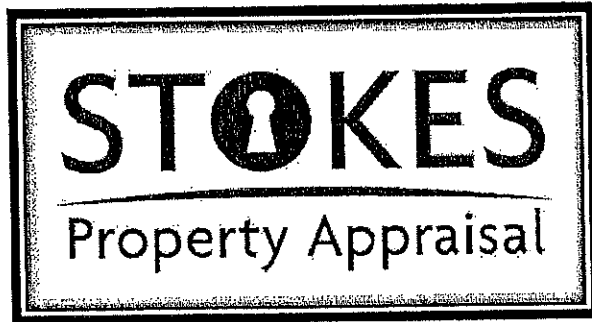
Cape Breton Regional Municipality



October 14, 2015

Created by: Cape Breton Regional Municipality

SCHEDULE "C"



Complete Appraisal – Summary Report

A 19.56 Acre Lot of Land
Property Owner: Cape Breton Regional Municipality
Civic Address: PID 15035132 Kings Road
Sydney River, Nova Scotia
B1S 0H3

A Report For:

Breton Ability Centre
1300 Kings Road
Sydney River, Nova Scotia
B1S 0H3

Prepared By:

By Todd C. Stokes, AACI, P.App
October 28, 2014

Report Publication No. 14-10-36

STOKES PROPERTY APPRAISAL & CONSULTING SERVICES
335 George Street – Suite 10, Sydney, NS B1P 1J7 • 902-564-4855 • stokesappraisal@bellalliant.com

STOKES

Property Appraisal

October 28, 2014
Our File No.: 14-10-36[©]

Breton Ability Centre
1300 Kings Road
Sydney River, Nova Scotia
B1S 0H3

Attention: Millie Colbourne

RE: A 19.56 Acre Lot of Land
Property Owner: Cape Breton Regional Municipality
Civic Address: PID 15035132 Kings Road
Sydney River, Nova Scotia
B1S 0H3

Dear Ms. Colbourne;

In compliance with instructions received, the undersigned has now carried out the necessary investigations and performed the required analyses in order to provide you with an indication of the current market value of the fee simple interest held in the above captioned property. The estimate of market value contained herein will apply as of October 15, 2014, the date of inspection.

This document and the material presented herein are intended to comply with the reporting requirements as set forth by the Canadian Uniform Standards of Professional Appraisal Practice for the development of a "summary" valuation report. As such, only summary discussions of the data assembled, reasoning and analyses performed are presented herein.

Effective January 1, 2001, the new Canadian Uniform Standards of Professional Appraisal Practice ("The Standards") came into force. The Nova Scotia Association of Real Estate Appraisers recognizes both the USPAP and CUSPAP standards. An appraiser can therefore elect to follow either set of standards when developing an appraisal report. To this end, this report has been produced in order to satisfy the Canadian Standards. Based on our review of the "Canadian Standards", this appraisal report should meet all of the requirements as set forth for the preparation of a "short narrative" style report.

Stokes Property Appraisal & Consulting Services

335 George Street, Sydney, Nova Scotia B1P 1J7
TEL: 902-564-4855 FAX: 902-564-4877 EMAIL: stokesappraisal@bellalliant.com

www.stokesappraisal.ca

STOKES
Property Appraisal

Please be advised that during the course of our inspection of the subject property which commenced on October 15, 2014, full consideration has been given to all factors and forces that influence property value at the subject location. The site was inspected on October 15, 2014 and this report was completed on October 28, 2014.

According to a Site Survey Plan completed by John S. Pope, NSLS dated February 27, 1995; the subject site has approximately 838 feet of frontage along Kings Road. The site comprises 19.56 acres or 852,133 square feet, more or less. There is currently a right-of-way which crosses over the subject property. This right of way is for access to a property owned by Breton Ability Centre which is situated at the back of the subject site. The said right-of-way essentially divides the subject site into two parcels of land as it crosses the mid-point of the property in question. The right-of-way is clearly outlined on the said Site Survey Plan. In addition, there is another parcel of land that has been severed off the subject site. This parcel contains a land mass of 19,067 square feet, more or less and is "flag" shaped. The Property Identification Number for this land is 15846876 and it is also owned by Breton Ability Centre. Access to the subject property is hampered by this aforementioned parcel of land as it crosses over the right-of-way leaving the subject property with no legal access point. I will address this access problem later within this report in the Site Data, Improvements and Services section. This "flag" shaped parcel of land again divides the subject site into a more irregular parcel of land hampering development potential. An overview of the subject site can be viewed by referring to Appendix "C" which attached to this report. The "flag" shaped parcel of land can be viewed by referring to Appendix "D".

The subject land is below the grade of the fronting road and is irregular in configuration. The site is slightly undulating in some areas however it is generally level and appears to allow for good disbursement of surface water. The site is situated in an Arterial Business District (ABC) Zone which allows for a very broad range of commercial related uses.

Unless expressly stated, the subject property, is assumed to be free and clear of pollutants and contaminants, including but not limited to moulds or mildews or the conditions that might give rise to either, and in compliance with all regulatory environmental requirements,

STOKES
Property Appraisal

government or otherwise, and free of any environmental condition, past, present or future, that might affect the market value.

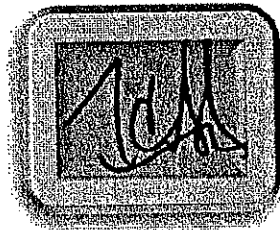
As a result of our investigations and findings, it is our considered opinion that the fee simple interest held in the property as described herein would warrant a current market value as of October 15, 2014 of:

ONE DOLLAR
(\$1.00)

We trust that the data contained herein will be of assistance in this matter. Should further detail or explanation be required, please do not hesitate in contacting the undersigned.

Yours truly,

STOKES PROPERTY APPRAISAL & CONSULTING SERVICES



Todd C. Stokes, AACI, P.App
Registered Member of the Nova Scotia
Real Estate Appraisers Association
License No. 259810

TCS/gk

Excerpt – Council Approved Minutes – November 18th, 2014

Breton Ability Centre – Request for CBRM Land:

The Chief Financial Officer provided background information on this issue and advised that staff is not in agreement with the appraisal as provided by BAC at a value of \$1.00.

The Director of Planning advised that two parcels of land have been previously conveyed by CBRM to BAC from the lot parcel; one parcel was less than half an acre at an appraised value of \$18,000 and the other parcel was two acres at an appraised value of \$71,000. The current property that BAC is requesting is 24 acres and is assessed at over \$370,000.

Motion:

Moved by Deputy Mayor George MacDonald, seconded by Councillor MacLeod, approval, in principle, of the request made by the Breton Ability Centre (BAC) to declare the CBRM lands at the site of the former Cape Breton Hospital as surplus to the needs of the Municipality, and to sell them to BAC for \$1.00 in accordance with the *Municipal Government Act*, subject to negotiations with the Province.

Motion Carried.

SCHEDULE "E"



CAPE BRETON REGIONAL MUNICIPALITY
OFFICE of the MAYOR

September 15, 2015

Ms. Millie Colbourne, CEO
Breton Ability Centre
1300 Kings Road
Sydney, NS B1S 0H3

Dear Ms. Colbourne:

Re: Conveyance of CBRM Lands for Residential and Infrastructure Supports for Persons with Disabilities

I am writing further to the request of the Board and Management for the Breton Ability Centre to have CBRM lands conveyed for the purposes of development for persons with disabilities.

Since you last presented to Council, I have been working with Councillor Claire Detheridge to explore options that would allow the transfer of lands to proceed. We appreciate that owning the lands will better position the Breton Ability Centre to leverage the needed federal and provincial funding supports in addition to being able to use the lands towards the security to finance the project.

Given the significance of your work and the impact on residents, family, and caregivers alike, I have asked our Solicitor, Demetri Kachafanas, to meet with your solicitor to discuss preparing the necessary documentation for Council consideration. Any transfer will be contingent on development occurring within a defined period of time with a covenant that the lands would revert back to the CBRM should the proposed development not proceed.

320 Esplanade Sydney Nova Scotia B1P 7B9 Canada

Millie Colbourne

- 2 -

September 15, 2015

I trust this letter will initiate the necessary next steps towards a positive outcome. Should you wish any further dialogue, please speak with Mr. Kachafanas at dkachafanas@cbrm.ns.ca or the City's CAO, Michael Merritt at mjmerritt@cbrm.ns.ca

I look forward to further positive change for the Breton Ability Centre.

Kind ~~personal~~ regards,

ORIGINAL SIGNED BY
Cecil P. Clarke

CPC:rd

cc: Michael Merritt, CAO
Marie Walsh, CFO
Demetri Kachafanas, Solicitor
Malcolm Gillis, Director of Planning
Councillor Claire Detheridge

SCHEDULE "F"

PROPERTY MANAGEMENT POLICIES

Adopted by Council on September 19th, 2000

Amendments:

February 20th, 2001
October 28th, 2003
August 25th, 2004
September 24, 2013

4.8 Sale To Non-profit Organizations

Section 51 of the Municipal Government Act enables the municipality to sell or lease property at a price less than market value to a non-profit organization if Council considers the organization to carry on an activity that is beneficial to the municipality. The procedures for this process to occur includes a public hearing respecting the sale of property if more than ten thousand dollars less than market value, and a resolution of council passed by at least two-thirds majority of the council present and voting.

4.9 Community-Based Surplus Property (August 25th, 2004, Amendment)

Various times the Cape Breton Regional Municipality will acquire title to land and/or buildings that have traditionally been seen as a community based entity. The most frequent category is discontinued schools relinquished by the Cape Breton-Victoria Regional School Board. Less common types of community-based properties that can be acquired by the Municipality would be, for example, a community club/hall, or historical worthy sites.

Any property acquired by CBRM is subject to an internal staff review to determine if the land and/or building is considered surplus to the core requirements of the Municipality. If they are not deemed essential, the properties are declared surplus, and can be sold at market value to the general public.

Where a community interests is a factor; as in the case described in the first paragraph above, and the possibility exists that a property may be sold at less than market value to a non-profit or charitable community group, a separate sales approach is required. The Community-Based Property Procedure will request Expressions of Interest to determine the level of interest in the purchase and redevelopment of community-based properties by both non-profit or charitable groups and the private sector. An internal Property Review Committee will evaluate all submissions to purchase a community-based property. Although the sale of the surplus property on the open market at full market value must always be considered a desirable option, the purpose of this procedure is to allow staff and Council to evaluate all disposal options together and not independently of one another in order to seek the best overall value for the Municipality and the community.

Not for profit organizations that offer expressions of interest will be asked to submit an application and business plan which the Property Review Committee will review. The purpose of the application and business plan is to determine the viability and level of support required by both the particular community and/or the Municipality. A not for profit group must have current registration status as a non-profit or charitable organization to be considered under the terms of the Community-Based Property Procedure, in Policy 4.9.1.

SCHEDULE "G"

40

municipal government

1998, c. 18

(d) sell deeds for cemetery lots and certificates of perpetual care. 1998, c. 18, s. 50.

Sale or lease of municipal property

51 (1) A municipality may sell or lease property at a price less than market value to a nonprofit organization that the council considers to be carrying on an activity that is beneficial to the municipality.

(2) A resolution to sell or lease property referred to in subsection (1) at less than market value shall be passed by at least a two thirds majority of the council present and voting.

(3) Where the council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale.

(4) The council shall advertise the public hearing at least twice, in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing.

(5) The notice of the public hearing shall include the date, time and place of the hearing, the location of the real property or a description of the tangible personal property, the estimated value of the property and the purpose of the sale. 1998, c. 18, s. 51.

Sale to abutting owner

51A Where a municipality holds land that is of insufficient size or dimensions to be capable of any reasonable use, in the opinion of the council, all or part of the land may be sold to the owner of any lot abutting that land and may be consolidated with such lot and, notwithstanding Section 51, the sale price of the land so sold may be set by council at a price that is less than market value at the time of the sale. 2003, c. 9, s. 51.

Expropriation

52 (1) Where the council considers it necessary to acquire real property, including real property outside the municipality, for a purpose for which it may spend money, the council may expropriate the real property, but this power to expropriate does not authorize a municipality to expropriate property of another municipality.

(2) Where real property is proposed to be expropriated,

(a) the municipality shall survey the property and prepare a description of it;

(b) municipal employees and agents of the municipality may enter upon the property to survey or examine it; and

MAY 1, 2014

Municipal Alcohol Policy Committee (MAP):

Motion:

Moved by Commissioner MacLeod, seconded by Commissioner MacMullin, that the draft Municipal Alcohol Policy (MAP) be referred to a meeting of the General Committee for consideration and deliberation.

Motion Carried.

MAP

MUNICIPAL ALCOHOL POLICY



CBRM Council Meeting
December 10th, 2015

Sam Hodder, Manager
Mental Health & Addictions, NSHA
Chief Peter McIsaac
Cape Breton Regional Police Service

It's not **that** we are drinking, it's **how** we are drinking.

Culture of Moderation



MAP

It's not **that** we are drinking, it's **how** we are drinking

It's not **that** we are drinking, it's **how** we are drinking.

Culture of Overconsumption



MAP
NATIONAL ALCOHOLISM

It's not **that** we are drinking, it's **how** we are drinking

The Issue Of Overconsumption

- We are drinking more and more often
- We are starting to drink at an earlier age
- Heavy drinking is considered "normal"
- Heavy drinking is becoming normalized for youth and young adults

MAP
NATIONAL ALCOHOLISM

It's not **that** we are drinking, it's **how** we are drinking

What Cape Breton Should Be Known For...



MAP
NATIONAL ALCOHOL FOUNDATION

It's not *that* we are drinking, it's *how* we are drinking

But the Future isn't So Bright...

Half of young Cape Bretoners struggle with alcohol: report

53% of Cape Bretoners, 20 to 34, drank heavily in the last month

CBC News | Posted: Mar 21, 2014 9:54 AM/ET | Last Updated: Mar 21, 2014 9:54 AM/ET



Fifty-ill per cent of the population aged 20 to 34 on the island report heavy drinking in the past month, compared to the provincial average of 36 per cent. (CBC)

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- Semi-automatic rifles, 500 rounds of ammunition seized in Halifax [CBC](#)
- Secret recording details plan to get Youngs' back in cabinet [CBC](#)

MAP
NATIONAL ALCOHOL FOUNDATION

It's not *that* we are drinking, it's *how* we are drinking

But the Future Is Not So Bright...

Nova Scotia drunk driving charges against women on the rise

Halifax Regional Police officer builds profile of everyone caught drinking and driving

By Andrew Lee, CBC News | Posted: Dec 01, 2015 5:39 AM AT | Last Updated: Dec 01, 2015 6:05 AM AT



Between 1995 and 2014, the number of drunk driving charges against women in Nova Scotia increased from 229 to 319, a jump of 41 per cent. (Canadian Press)

13 shares

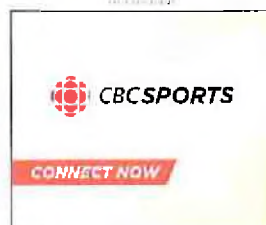


Every day when Andrea Billietti drives by a white wooden cross on Highway 207 near Lawrencetown Beach, she thinks of her husband Mark. He died there in July 2013, just a few kilometres from their home in Lake

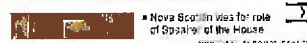
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Latest Nova Scotia News Headlines



It's not *that* we are drinking, it's *how* we are drinking

But the Future Is Not So Bright...



MAP
MUNICIPAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

The Issues Cannot Be Ignored

- Hundreds of thousands of injuries & deaths occur each year due to alcohol
 - Motor Vehicle Collisions (on & off road)
 - Falls & Spills (young & older adults)
 - Violence (assaults, sexual assaults, domestic)
 - Suicide
 - Drowning
- Alcohol is involved in up to 30% of adult hospital admissions, particularly to ERs



MAP
MICHIGAN ALCOHOL PREVENTION

It's not *that* we are drinking, it's *how* we are drinking

As of January 2015, CBRPS can conduct a query to find all calls that involve alcohol in any manner.

Jan 1-Jul 31, 2015			
Type	All Incidents	Alcohol related	% of Total
Total, all Criminal Code violations (including traffic) [0025]	2913	274	9.41%
Total, all Criminal Code violations (excluding traffic) [0050]	2749	209	7.60%
Total violent Criminal Code violations [0100]	500	103	20.60%
Total property crime violations [0200]	1698	51	3.00%
Total other Criminal Code violations [0300]	551	55	9.98%
Total Criminal Code traffic violations [0900]	164	65	39.63%
Total Drug violations [0401]	66	1	1.52%

MAP
MICHIGAN ALCOHOL PREVENTION

It's not *that* we are drinking, it's *how* we are drinking

Making Cultural Change Takes Small Steps...

Let's get Cape Breton drunk

Yes I know

I'm eating at the inn right now!

Hurry, we gotta get Turnt !!!!!



Delivered



Profile picture



Follow

The only thing better than pickup hockey is beers in the locker room after pickup hockey.
#truth



MAP
MUNICIPAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

Step One: Redefining Where & When Alcohol Can or Cannot Be Present



Follow

Only in Cape Breton do you see a group of drunk girls with open alcohol walking and being belligerent in a public Park.
#openhearthpark

MAP: Eligible and Ineligible Alcohol Service & Consumption

MAP
MUNICIPAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking



**Signage To Remind
People Where Its Illegal
To Drink**



**No Last Call or Happy
Hour At Public Events**

*It's not **that** we are drinking, it's **how** we are drinking*

A Step Towards A Culture Of Moderation MAP: Eligible and Ineligible Alcohol Service & Consumption

1. Alcohol is permitted in CBRM owned and/or operated facilities where a special occasion or permanent license has been issued by Alcohol & Gaming Division of Service Nova Scotia.
2. Alcohol is permitted at licensed public special events in designated areas, but persons under 19 years of age are not permitted in the designated area.

MAP
PUBLIC AFFAIRS DIVISION

*It's not **that** we are drinking, it's **how** we are drinking*

MAP: Eligible and Ineligible Alcohol Service & Consumption

4. The following areas are ineligible for alcohol service or consumption, unless the area is designated as an area for alcohol consumption under the authority of a Liquor License issued by Alcohol & Gaming Division of Service Nova Scotia.
 - a) Entrance lobbies of Community and Recreation Centres
 - b) Dressing rooms
 - c) Bleachers (e.g., tiered seating areas inside and outside CBRM owned facilities and properties such as arenas without a liquor license and ball fields)
 - d) Outdoor areas on CBRM property.



It's not *that* we are drinking, it's *how* we are drinking

Step Two: Reviewing The Impact Of Marketing & Communications Long Term



Children and youth are exposed to more than 300,000 alcohol ads each year through radio, television and the Internet.
Canadian Journal of Public Health

MAP: Marketing & Advertising of Alcohol Service & Consumption



It's not *that* we are drinking, it's *how* we are drinking

Step Two: Reviewing The Impact Of Marketing & Communications Long Term



16% of minors in NS
"like" alcohol brands
on Facebook

MAP: Marketing & Advertising of Alcohol Service & Consumption

MAP
MONTREAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

What We Know About Parents in NS....

PROHIBITING MARKETING OF ALCOHOL IN PUBLIC SETTINGS

There was good support among parents for the policy action of prohibiting the marketing of alcohol in public settings where children and youth may be present



(Department of Health and Wellness, 2014)

MAP
MONTREAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

CBRM: Marketing and Advertising

1. The advertisement, promotion and distribution of alcohol advertising products or brands are not permitted, except in an area that a special occasion license or permanent license has been issued.
2. Alcohol brands or logos are not permitted on any promotional materials for festivals or special events that are family orientated events or events targeting youth and children.



It's not *that* we are drinking, it's *how* we are drinking

CBRM: Marketing and Advertising

3. Alcohol industry naming rights for municipally owned and/ or operated facilities, events or services is not permitted.



It's not *that* we are drinking, it's *how* we are drinking

Step Three: Take Action To Reduce Municipal Risk & Liability

“Municipalities could be liable if an incident occurs on their property or facility or if an incident happens after an intoxicated person leaves their property or facility (impaired driving, adult, injury).”

– Progressive & Prosperous, Municipal Alcohol Policy Guide



It's not *that* we are drinking, it's *how* we are drinking

Alcohol is the second leading cause of death, disease & disability...



It's not *that* we are drinking, it's *how* we are drinking

Alcohol- Attributed Enforcement Costs – 2002

- Over 3 Billion for Canada - Over 78 Million for Nova Scotia

Enforcement Cost	Number	Percent of all charges/crimes	Cost \$
Alcohol-attributed crimes	761,638	30.4%	1,898,760,000
Alcohol-attributed charges	205,594	35.8%	513,070,000
Alcohol-attributed prison sentences (provincial + federal)	28,162	N/A	660,400,000

Total \$ 3,072,230,000

Source: Rehm et al, 2006

MAP
NATIONAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

The Costs to Systems

In Nova Scotia in 2006...

\$224 million (tax revenue)

\$243 million (direct costs)

- \$19 million

It costs more money to address the harms of alcohol than the revenue alcohol generates



MAP
NATIONAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

CBRM: Minimizing Municipal Risk and Liability

- Organizers must obtain a special occasion license and insurance and show proof of the Special Occasion Liquor License to CBRM at least five days prior to the Event.
- The Licensee and/ or event organizers shall be responsible to inform and engage the Cape Breton Regional Police Services when deciding the levels of security and what strategies should be undertaken for handling Mass-gathering Events.



It's not *that* we are drinking, it's *how* we are drinking

CBRM Should Not Accept A Culture Of Overconsumption



September 28 · 🌐

If this is going to be all ages again I hope they section the under age off this time I had the best time of my life however I would have enjoyed it a lot better if I wasn't dealing with a bunch of under aged kids who shouldn't have been in the shape they were in



It's not *that* we are drinking, it's *how* we are drinking

NS's Municipal Alcohol Policy Guide



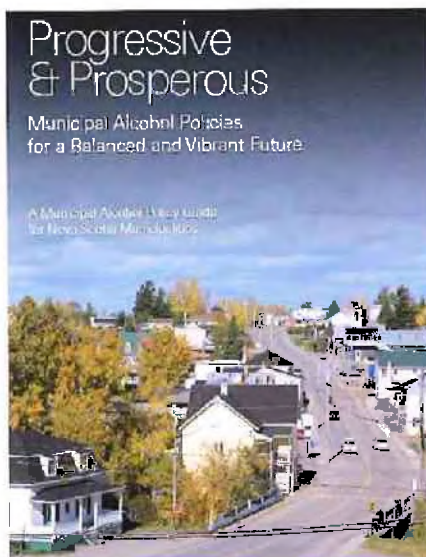
Municipal Risk
and Liability



Enjoyable and Safe
Neighbourhoods



Workplace Alcohol
Strategy



Municipally Owned
or Managed
Properties, Facilities
and Special Events

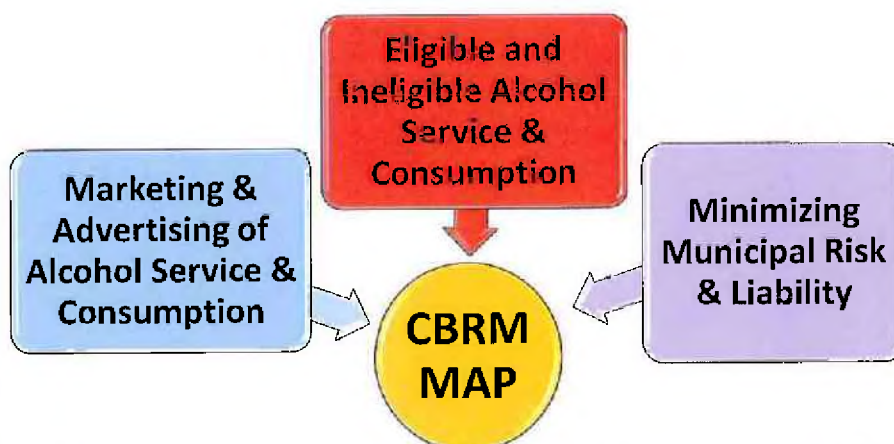


Marketing,
Advertising and
Sponsorship

MAP
MUNICIPAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

The CBRM MAP Pillars



Recommendation: Workplace Alcohol/ Substance Use Policy

MAP
MUNICIPAL ALCOHOL POLICY

It's not *that* we are drinking, it's *how* we are drinking

What can a Municipal Alcohol Policy Do?

- Increase public safety
- Reduce policing and community costs resulting from the overconsumption of alcohol
- Protect the Municipality from liability issues
- Reduce impaired driving, underage drinking, violence/ vandalism, public intoxication, injuries and deaths.
- Reduce children and youth's exposure to alcohol promotion/consumption



It's not *that* we are drinking, it's *how* we are drinking

Recommendations:

1. Approve this proposed CBRM Municipal Alcohol Policy (MAP).
2. Endorse the continuation of the CBRM MAP Working Group in order to support the implementation of a CBRM MAP.



It's not *that* we are drinking, it's *how* we are drinking

Let's Ensure The Future Of Cape Breton Is Bright



MAF
Municipal Alcohol Fund

It's not *that* we are drinking, it's *how* we are drinking

The Municipal Alcohol Policy (MAP) Working Group is committed to helping communities take a more active role in addressing the health and social consequences of alcohol-related harms within the Cape Breton Regional Municipality (CBRM). The primary goal of the MAP working group is to inform and advocate for the development and implementation of a CBRM Municipal Alcohol Policy that will influence how alcohol is consumed and how alcohol impacts our health, our environment and our economy.

A Municipal Alcohol Policy (MAP) is a tool to be used by communities looking for ways to better manage and reduce the number of alcohol-related issues at municipally owned facilities and special events. There is widespread evidence that supports positive community outcomes that can stem from the development and implementation of a Municipal Alcohol Policy. MAPs that focus on population level interventions, along with targeted strategies that include harm reduction, education, social marketing, etc. are considered to be the most effective methods to reduce alcohol related harms¹. Ultimately MAPs encourage individuals to create a cultural shift (i.e., a change in thinking, attitudes & behaviors in relation to alcohol) and environmental changes that limit access and availability of alcohol².

Halifax Regional Municipality developed their Municipal Alcohol Policy based on these objectives³:

1. To increase the enjoyment and protect the safety of people who use municipal community facilities and recreation areas and who participate in municipal events.
2. To reduce disorder and vandalism; reduce policing and community costs resulting from the overconsumption of alcohol, and protect the Municipality from liability issues.
3. Reduce the exposure of alcohol promotion/consumption to children and youth.

Background

In 2012 Nova Scotia's Department of Health and Wellness released its first Mental Health and Addictions Strategy titled: *Together We Can: The plan to improve mental health and addictions care for Nova Scotians*. This strategy highlights the importance of supporting municipalities to collaborate with police, businesses, healthcare providers and community groups in an effort to reduce harms associated with alcohol use⁴.

With support from the Strategy the MAP working group was formed, which includes representation from Nova Scotia Health Authority's (NSHA) Mental Health and Addiction Services, Public Health Services, Cape Breton Regional Police Services (CBRPS), Cape Breton University, Native Council of NS and CBRM council and staff. In early 2013, members of the working group presented to CBRM's Mayor and Council on the health, social and economic impacts and harms associated with alcohol use and received official endorsement to develop recommendations to inform a municipal alcohol policy for CBRM. In 2014, the MAP working

group developed and released a report titled, *A Snapshot of alcohol use in CBRM communities* that provided a picture of alcohol related issues and harms within the CBRM⁵.

Alcohol Problem(s) and Harm(s)

Alcohol use is widely accepted as a normal part of our culture in Nova Scotia – it is easily accessible, cheap and promoted as being an essential ingredient for having fun.

Alcohol is the second leading cause of death and disability in high income nations⁶. It is a contributing factor to more than 60 chronic diseases including but not limited to: cardiovascular diseases, liver disease, gastrointestinal diseases, breast cancer, colorectal cancer, as well as cancers of the mouth, throat and esophagus⁷. Additional health concerns include the mixing of alcohol with prescription medications, illegal substances, and energy drinks, as well as the impact of alcohol on vulnerable populations, such as, children, women, people living with mental illness and First Nations in Nova Scotia.

Alcohol harms come at a huge cost to Nova Scotia. The direct and indirect costs of alcohol-related harms more than double the revenue generated from alcohol sales in Nova Scotia in 2006, (i.e., fiscal revenue to the provincial government was \$224.2 million vs. direct and indirect social costs from alcohol consumption was estimated \$492.5 million⁸). The harms associated with heavy alcohol consumption include injury, alcohol poisoning, violence (violent crime, assaults, and sexual violence), drowning, suicides, motor vehicle collisions, vandalism, property damage, noise complaints, family problems, abuse, unplanned sexual activity, poor work and school performance, and financial problems⁹. Alcohol consumption can impact brain development and function across the life span (prenatal through older adulthood). Heavy drinking, binge drinking and underage drinking are of particular concern. On average children in Nova Scotia start to drink at 13 years of age¹⁰ and anecdotal reports indicate that the average age of first use is even younger in Cape Breton.

The role of municipalities in alcohol policy

While the control of alcohol production, alcohol consumption and reduction of alcohol related harm fall primarily under the provincial and federal jurisdictions, municipalities have the authority to help implement effective alcohol-related policies. Municipalities can demonstrate leadership, raise community awareness, advocate to other levels of government and engage in supportive initiatives targeting change at provincial and federal levels. Municipalities can also align themselves with provincial, national and international strategies².

Municipalities have an important role in advocating and lobbying the provincial and federal government(s) in implementing controls on various aspects of health policy, and when applied effectively both municipal and provincial alcohol related policies can create long term improvements in community health and safety.

The MAP working group understands the pivotal role CBRM can play in drawing attention to an important issue and making it a priority, for the purpose of improving overall community health, and the economic and social well-being of the CBRM. For example, the impact and role municipalities' can have in developing alcohol policy are as follows:

1. **Advocacy:** Advocate to change legislation/policy under the purview of other levels of government
2. **Municipal Regulations:** Exert indirect control over the sale of alcohol
3. **Policy:** Increase the safety and enjoyment of people using municipally owned and operated facilities or who participate in municipal events².

Working together: Municipal Alcohol Policy Working Group position on alcohol policy

A municipal alcohol policy will be important for the growth and development of CBRM communities. Healthy and vibrant communities, where safe and moderate alcohol use is the norm among adults, will support the physical and social environment, economic sustainability and overall community well-being. The MAP working group recognizes that this is a collaborative process and municipalities cannot do it alone. We encourage businesses, community groups and individuals to reflect on how each of us can contribute to making meaningful changes in our community and make a difference in the culture of alcohol in Cape Breton. In order to decrease the harmful level of alcohol consumption, the surrounding environment needs to change to be one that is supportive of following Canada's Low Risk Drinking Guidelines among adults and prevent alcohol consumption among children and youth.

Canada's Low Risk Drinking Guidelines (for 25-65 age group)

Women: 0 to 2 drinks a day, up to 10 drinks a week

Men: 0 to 3 drinks a day, up to 15 drinks a week

Once in a while you might have an extra drink, but it's important to stay within weekly limits.

See Appendix B for more information on Canada's Low Risk Drinking Guidelines

RECOMMENDATIONS FOR A CBRM MAP

The MAP working group has reviewed best and current evidence that supports alcohol policy and the following three policy pillars and draft policy (See Appendix A) are adapted from Halifax Regional Municipality Administrative Order 53 Respecting Alcohol in Municipally Owned and Operated Facilities and at Municipal Events^{3 11}, City of Toronto Municipal Alcohol Policy (Staff Report & Draft)^{12 13}, and the draft version of the newly released [Municipal Alcohol Policy Guide](#) for Nova Scotia Municipalities developed for the Union of Nova Scotia Municipalities (UNSM).

Marketing and Advertising of Alcohol Service and Consumption

The alcohol industry has increasingly relied on sponsorship of community events as a tactic for marketing its products. Sponsorship is an integral part of modern marketing, which seeks to integrate commercial products into all aspects of social interactions, creating cultural icons and symbols. A sponsor typically places banners and other outdoor signs in key locations at the event; includes logos and advertising on tickets, publicity, programs, and other documents and messages regarding the event; ties in the sponsorship with other promotional activities and commercial messages; and may have exclusive rights to sell its products at the event. Sponsorship is therefore an ideal venue for accomplishing the goals of modern marketing since the commercial messaging at the event being sponsored is seamlessly combined with cultural, musical, and other forms of community celebrations.

Liquor Licensing Regulation Section 74 (4) of the Liquor Control Act provides guidelines regarding what constitutes acceptable advertising for licensed premises:

A licensee must not use an advertisement that does any of the following:

- a) encourages people to drink liquor irresponsibly;*
- b) depicts people drinking liquor;*
- c) depicts a person who is intoxicated;*
- d) depicts a person behaving irresponsibly or illegally;*
- e) implies that driving while consuming or having consumed liquor is acceptable conduct;*
- f) directly targets minors or is used in locations used or visited mostly by minors;*
- g) depicts liquor as one of life's necessities;*
- h) depicts liquor as a key to social acceptance or personal success;*
- i) depicts liquor as central to the enjoyment of any activity;*
- j) depicts liquor as a status symbol;*
- k) uses pictures or descriptions of minors or of personalities, images or activities that may appeal to minors¹⁴.*

Although municipalities do not have any jurisdiction over the content of alcohol-related signage, municipalities can exert control over advertising that takes place on their land and at municipally held events. A municipal unit can approve policies that stipulate that an event on their land cannot receive alcohol industry sponsorship, advertise alcohol, and/or serve alcohol².

Marketing and Advertising

It is recommended that CBRM prohibit alcohol advertising or promotion at CBRM owned and operated facilities or for placement on Cape Breton Transit assets, bus and park benches owned by CBRM, or billboards owned by CBRM except in an area for which a special occasion license or a permanent license has been issued.

It is recommended that all sponsorship and promotion of alcohol allowed under the MAP must include messages about safe transportation and any messages regarding consumption of alcohol are in accordance with Nova Scotia's Low Risk Drinking Guidelines.

It is also recommended that alcohol industry naming rights for municipally owned and/ or operated facilities, events or services not be permitted.

Rationale

In Canada, children and youth are exposed to more than 300,000 alcohol advertisements each year through venues such as popular sporting/community events, billboards, Internet sites, magazines, television and radio². Children and youth are particularly vulnerable to this messaging. The promotion of alcohol through marketing, advertising and sponsorship has been shown to increase consumption and alcohol-related harms. Greater exposure to alcohol products and advertising increases the likelihood for those who don't drink to start to drink and for those who already drink to drink more heavily¹⁵. Marketing, advertising and sponsorship encourage us to see alcohol as commonplace, risk-free and necessary – it normalizes alcohol use across our communities and populations. By implementing policies to restrict and limit exposure to alcohol marketing, advertising and sponsorship, municipalities can slow recruitment of drinkers, reduce heavier drinking, protect children and youth⁹, and begin to create a more balanced depiction of the role of alcohol in our communities.

Eligible and Ineligible Alcohol Service and Consumption

This policy pillar outlines eligible and ineligible CBRM properties, facilities, and areas for alcohol service and consumption. In short it is the Working Group's position that alcohol not be permitted in CBRM owned and operated facilities, except where a special occasion or permanent license has been issued by Alcohol & Gaming Division of Service Nova Scotia.

Rationale

Alcohol availability is one of the strongest predictors of adolescent alcohol use^{16 17}. While this is true across the life span it is of particular concern to vulnerable groups (children/ youth and young adults, seniors, women, aboriginal peoples). There is strong evidence for limiting alcohol density (number of and 'clustering' of establishments), confining hours of service and limiting alcohol allowed at public events. Restricted availability and clear designation of properties, facilities, and events where alcohol may or may not be used will reduce total volume consumed and protect those most vulnerable⁹. The amount of alcohol consumed directly relates to the number and degree of problematic events.

Minimizing Municipal Risk and Liability

This policy pillar outlines operational procedures to Event Organizers, including information about their responsibilities to minimize risk and limit their liability and applies to licensed private special events and licensed public special events at CBRM owned and/or operated facilities.

Rationale

Legal responsibilities, both for those who provide alcohol and for those who own or manage property where alcohol is consumed are coming under increasing scrutiny. "Claims have been brought against licensed establishments, municipalities, universities, service clubs, government alcohol outlets, employers ... and the police"¹⁸ Current evidence suggests that third-party liability lawsuits against licensees who served intoxicated customers serve as an effective deterrent in both Canada and the United States. When one particular American state publicized the legal liability of servers, there was a 12 per cent decrease in vehicle crashes producing injury¹⁹. Limiting the amount of available alcohol consumed at public and private events will minimize harms by protecting families, especially children and youth, and by establishing a cultural expectation of moderation. Regulating and managing conditions under which alcohol will be permitted is also a potential issue of liability. Municipalities are potentially liable if an incident occurs on their property or facility or if an incident happens after an intoxicated person leaves their property or facility (impaired driving, assault, injury). They will need to do everything in their power to reduce liability and protect the public.

Recommendations for Consideration

- 1) It is recommended that CBRM Council approve the continuation of the CBRM MAP Working Group in order to support the implementation of a CBRM MAP. (see Appendix C for the Working Group's Terms of Reference)

Successful implementation of a Municipal Alcohol Policy (MAP) in the CBRM requires citizen support; to gain that support, it's important for citizens to fully understand alcohol related harms. The Working Group has created a communication strategy with objectives to increase awareness and understanding of costs associated with alcohol use – physical, emotional, societal; and to clarify misconceptions and misunderstandings around the purpose of a municipal alcohol policy – specifically, that it is not about prohibition, but rather about making healthy choices.

- 2) It is recommended that CBRM establish a workplace alcohol/substance use policy for elected officials and staff to promote the health, wellness and safety of employees, families and the surrounding community.

The Working Group could help CBRM's Human Resources Department develop such a policy. The policy could include such elements as:

- Communicating municipality's position on alcohol/substance use to elected officials and staff.
- Developing education and awareness program that outlines available treatment resources to elected officials, staff, and their families.
- Ensuring consistency in how alcohol/substance use issues are addressed.

The Working Group could also help with advocacy efforts on matters outside the direct responsibility of CBRM. These efforts could be considered after further research and consultation with stakeholders.

- Work with the Province of Nova Scotia and encourage the systematic review of policies pertaining to the availability of alcohol, such as hours and days of sale as well as outlet density.
- Continue to encourage the Province to work with industry partners to review and update its responsible beverage service training for bar staff and consider mandatory training similar to other Canadian cities.

- 3) It is recommended that CBRM develop a Sponsorship Policy and include as a general principle that alcohol sponsorships must comply with a Municipal Alcohol Policy.

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- ¹⁹ Liquor Licensing Regulations made under Section 50 of the Liquor Control Act RSNS 1989, Section 8c

Appendix A

CAPE BRETON REGIONAL MUNICIPALITY MUNICIPAL ALCOHOL POLICY (MAP)

The Cape Breton Regional Municipality is committed to providing a safe, secure, and enjoyable environment for patrons, staff, citizens, and visitors by ensuring responsible practices for the use of alcohol in municipally owned and operated facilities and at municipal events. CBRM is further committed to the health, well-being and safety of its citizens through the reduction of children and youth's exposure to alcohol promotion and the encouragement of following Canada's Low Risk Drinking Guidelines (see Appendix B).

The objectives of this policy are specifically to:

- Outline requirements for alcohol marketing and advertising.
- Outline CBRM properties, facilities, and areas where alcohol may and may not be served/consumed.
- Outline operational procedures to Event Organizers, including information about their responsibilities and how to limit their liability.
- Encourage and support Nova Scotia's Low Risk Drinking Guidelines.

The CBRM MAP provides direction on alcohol use and promotion on CBRM owned property; including community recreation centres, halls, sports facilities and fields. Municipal Alcohol Policies do not supersede provincial liquor regulations; rather it serves as a refinement of the liquor licenses, tailored specifically for the events and facilities in each community.

Part I – Marketing and Advertising of Alcohol Service and Consumption

Application

This Part applies to:

- a) all CBRM owned and/or managed facilities;
- b) all Cape Breton Transit assets, including buses, transit shelters, and transit terminals;
- c) all bus and park benches owned by CBRM;
- d) all billboards owned or managed by CBRM, located on CBRM property; and
- e) all public special events, licensed public special events, and festivals organized and/or supported by CBRM, whether or not they are held on CBRM owned property.

Alcohol Marketing and Advertising

1. The advertisement, promotion and distribution of alcohol advertising products or brands are not permitted, except in an area that a special occasion license or permanent license has been issued.
 - a) Advertisements for alcohol must not exceed more than 20% of the total authorized advertising space.
 - b) Distribution of alcohol promotional items and/ or brands (e.g., hats, t-shirts, mugs, etc.) shall not be permitted except in areas designated for people 19 years of age and older.
 - c) Safer transit programs cannot be associated with alcohol advertising and/ or promotions (e.g., branding, logos, industry messaging etc.).
 - d) Large scale products such as banners or inflatables used for advertising purposes that display the name or logo of an alcohol product or brand are not permitted. Dimensions of a banner must not exceed 10 square feet or .929 square metres.
 - e) Canopies and tents with the name or logo of an alcohol product or brand are only permitted in a designated licensed area.
2. Alcohol brands or logos are not permitted on any promotional materials for festivals or special events that are family orientated events or events targeting youth and children.
 - a) Alcohol brands or logos are not permitted on any promotional materials for festivals or special events (e.g., posters, tickets, umbrellas, social media, etc.) unless the festival or special event entrance requirement is 19 years of age or older.*

**Promoters and/or organizers can submit a written request to CBRM Council for an exemption to (2.a) if an alcohol company is the main financial sponsor and the event cannot happen without said sponsorship.*

3. Alcohol industry naming rights for municipally owned and/ or operated facilities, events or services is not permitted.

Signage

1. All signage must comply with Liquor Licensing Regulation Section 74 (4) of the Liquor Control Act:

A licensee must not use an advertisement that does any of the following:

 - a) encourages people to drink liquor irresponsibly;*
 - b) depicts people drinking liquor;*
 - c) depicts a person who is intoxicated;*
 - d) depicts a person behaving irresponsibly or illegally;*
 - e) implies that driving while consuming or having consumed liquor is acceptable conduct;*

- f) *directly targets minors or is used in locations used or visited mostly by minors;*
 - g) *depicts liquor as one of life's necessities;*
 - h) *depicts liquor as a key to social acceptance or personal success;*
 - i) *depicts liquor as central to the enjoyment of any activity;*
 - j) *depicts liquor as a status symbol;*
 - k) *uses pictures or descriptions of minors or of personalities, images or activities that may appeal to minors.*
2. Signage promoting safe transportation options for attendees who consume alcohol must be posted at all licensed events and clearly visible (e.g., *Please use a designated driver. Call a friend, relative, taxi or take a bus. Thank you for not drinking and driving.*)
 3. Canada's Low Risk Drinking Guidelines must be posted and clearly visible at all licensed events.
 4. Where alcohol service and consumption is ineligible clear signage is required (e.g., No alcohol beyond this point, no alcohol permitted in this area, etc.)

Part II – Eligible and Ineligible Alcohol Service and Consumption

Application

This Part applies to the all CBRM owned and/ or managed facilities, properties, areas, as well as CBRM organized and/ or supported special events.

Eligible - Alcohol Service and Consumption

1. Alcohol is permitted in CBRM owned and/or operated facilities where a special occasion or permanent license has been issued by Alcohol & Gaming Division of Service Nova Scotia.
2. Alcohol is permitted at licensed public special events in designated areas, but persons under 19 years of age are not permitted in the designated area.
3. To reduce the risk of alcohol related harms, CBRM requires the following:
 - a) No marketing practices that encourage increased consumption (e.g., "Happy Hour");
 - b) No announcement of "last call";
 - c) The licensee makes available low alcohol and no alcohol beverages;
 - d) To avoid over serving, no service of more than 2 drinks per person at one time;
 - e) At an Event where tickets are provided for complimentary alcoholic beverages, no more than two tickets should be redeemed per person at one time. Distribution of these tickets should be restricted to a maximum number to avoid over consumption of alcohol, and should only be distributed to those 19 years of age or older;

- f) Promotion of safe transportation options for attendees who consume alcohol, including: designated drivers, public transportation, taxis;
- g) Promotion of Nova Scotia's Low Risk Drinking Guidelines

Ineligible – Alcohol Service and Consumption

- 4. In accordance with Nova Scotia's Liquor Licensing Regulations made under Section 50 of the Liquor Control Act, the following areas are ineligible for alcohol service or consumption, unless the area is designated as an area for alcohol consumption under the authority of a Liquor License issued by Alcohol & Gaming Division of Service Nova Scotia:
 - a) Entrance lobbies of Community and Recreation Centres
 - b) Dressing rooms
 - c) Bleachers (e.g., tiered seating areas inside and outside CBRM owned facilities and properties such as arenas without a liquor license and ball fields)
 - d) Outdoor areas on CBRM property.
- 5. A minimum of 10% of all seating areas must be designated as ineligible for alcohol consumption and/ or serving of alcohol where a special occasion or permanent license has been issued by Alcohol & Gaming Division of Service Nova Scotia.
- 6. When the target population for attendees is children and youth under 19 years of age alcohol service and consumption is not permitted.

Part III – Minimizing Municipal Risk and Liability

Application

This Part applies to the all CBRM owned and/ or managed facilities, properties, areas, as well as CBRM organized and/ or supported special events.

- 1. Where individuals or groups rent a CBRM owned and/or operated facility for a licensed private special event or a licensed public special event they are the licensee for the purposes of this Part, and the following shall be included as conditions of the facility rental:
 - a) The licensee shall obtain a special occasion license from the Alcohol & Gaming Division of Service Nova Scotia.
 - i. The licensee shall provide proof of the Special Occasion Liquor License to CBRM at least five (5) days prior to the Event.
 - b) It is the responsibility of the licensee to comply with the terms and conditions of the license, as well as the *Liquor Control Act* and the Liquor Licensing Regulations under which the license was issued.

- c) For licensed private special events, the licensee shall contact CBRM and it will be determined the appropriate level of insurance coverage required for the private special event. The licensee shall be required to provide proof of Commercial General Liability Insurance evidencing limits as required by CBRM, inclusive of Bodily Injury and Property Damage and with liquor liability not excluded. Cape Breton Regional Municipality shall be named as an "Additional Insured" on the policy. The licensee shall provide a Certificate of Insurance evidencing proof of the above insurance to CBRM no later than five (5) days prior to the event.
- d) For licensed public special events:
 - i. The Licensee shall provide proof of Commercial General Liability Insurance evidencing limits of not less than Five Million Dollars (\$5,000,000.00), inclusive of Bodily Injury and Property Damage and with liquor liability not excluded. Cape Breton Regional Municipality shall be named as an "Additional Insured" on the policy. The licensee shall provide a Certificate of Insurance evidencing proof of the above insurance to CBRM no later than five (5) days prior to the event.
 - ii. The Licensee and/ or event organizers are responsible for ensuring final security arrangements and comply at minimum with the recommendations made by Nova Scotia Alcohol and Gaming Division.
 - iii. The Licensee and/ or event organizers shall be responsible to inform and engage the Cape Breton Regional Police Services when deciding the levels of security and what strategies should be undertaken for handling Mass-gathering Public Events. Mass-gathering Public Events are those public events in which there is a congregation of 500 or more people at an event or activity and there is potential to place exceptional demands on, or have impact on, the community and its services and resources.
 - iv. The licensee and/or event organizers is responsible to ensure that entrances and exits to the area of the facility to which the License applies comply with the terms and conditions of the license, as well as the *Liquor Control Act* and the Liquor Licensing Regulations under which the license was issued.
- e) As part of the application process with CBRM, the licensee shall provide the name of the individual who they have designated as being in charge of their licensed premises for the purposes of their special occasion license, and it is the responsibility of that person to remain at the Facility until all attendees have left the event.
- 2. Individuals or groups who fail to comply with these conditions may be refused access to the space they have rented/booked, may lose their deposit, and may be prohibited from future rentals/bookings, at the discretion of the Chief Administrative Officer or designate.

Appendix B

Canada's

Low Risk Alcohol Drinking

Guidelines

Drinking alcohol **ALWAYS** has some risk. There is a way to drink that will limit your risk of long- and short-term harm.

The Limits

Over time, even moderate drinking can increase your risk of some chronic diseases, including high blood pressure, depression and many forms of cancer. To reduce your long-term health risks, follow these guidelines:

Women: 0 to 2 drinks a day, up to 10 drinks a week

Men: 0 to 3 drinks a day, up to 15 drinks a week

Once in a while you might have an extra drink, but it's important to stay within the weekly limits.

Pick a couple of non-drinking days each week. This will help you to avoid developing a drinking habit.

Once in a while

The more alcohol you drink on any one occasion, the more likely you are to be hurt or injured. Reduce your short-term safety risks by limiting how much you drink at any one time.

Women: no more than 3 drinks

Men: no more than 4 drinks

Stay within your weekly limits.

Children and youth

Children and youth should not drink before they reach Nova Scotia's legal age of 19. A young person's brain and body continue to develop into the late teens and early 20s. Alcohol can harm mental and physical development. It is safer to delay drinking for as long as possible.

Is it OK to drink my weekly limit on the weekend?

No. The weekly limits are designed to be just that – a weekly limit, not a daily or weekend limit.

Even if you only drink heavily once in a while, it increases your risk of injury and long-term health problems.

Pregnant? Breastfeeding?

If you are pregnant, or planning to become pregnant, the safest choice is to drink no alcohol at all.

If you are breastfeeding, there will be alcohol in your breast milk after you drink. If you plan to drink alcohol, there are things you can do to make sure the alcohol doesn't reach your baby. For example, you can breastfeed right before you drink alcohol so the alcohol can leave your breast milk before your baby's next feed. Talk to your health care provider about how you can continue to breastfeed.

When the limit is zero

Sometimes it isn't safe to drink alcohol. Do not drink when:

- driving any vehicle or using machinery or tools
- pregnant or planning to become pregnant
- taking medicine or other drugs that interact with alcohol
- doing any kind of dangerous physical activity
- living with mental or physical health problems
- responsible for the safety of others
- making important decisions
- living with alcohol dependence.

Canada's **Low Risk Alcohol Drinking** Guidelines*

To use these guidelines...

Set limits for yourself and stick to them.

- Stick to the daily and weekly limits.
- Drink slowly. Have no more than 2 drinks in any 3 hours.
- For every alcoholic drink, have one non-alcoholic drink.
- Eat before and while you are drinking.
- To avoid developing a habit, have non-drinking days every week.
- Always consider your age, body weight and any health problems. These might make lower limits, or not drinking at all, a good idea.

Pay attention to your surroundings when drinking.

- Your safety is affected by where, when and with whom you drink.

Don't drink "for your health."

- Starting to drink, or increasing your drinking, will not improve your health.
 - Only middle-aged men and women get health benefits from drinking small amounts of alcohol.
 - Any health benefits are cancelled if you drink more than the recommended daily limit even once in a while.
 - Your risk of getting some kinds of cancer increases when you drink as little as one drink per day.

Talk with the young people in your life about the risks of drinking.

- Make sure they know that in Nova Scotia:
 - It is illegal to drink alcohol if they are under the age of 19.
 - It is illegal for anyone to buy or give alcohol to anyone under the age of 19.
- Teens:
 - Help teenagers find ways to delay drinking for as long as possible.
 - If they choose to drink, they should never have more than 1 – 2 drinks at a time, and never drink more than 1 – 2 times per week.
- Young people in their late teens to age 24:
 - Be sure they know that the brain continues to develop into the early 20s. Because of this, they should never exceed the daily and weekly amounts outlined in "The Limits".

What does "a drink" mean?



- 341 ml (12 oz.) bottle of 5% beer, cider, or cooler



- 142 ml (5 oz.) glass of 12% wine



- 43 ml (1.5 oz.) serving of 40% distilled alcohol (rye, gin, rum, etc.)

To find out more: www.gov.ns.ca/hpp/addictions/alcohol/

NOVA SCOTIA

*Adapted from Canada's Low-risk Alcohol Drinking Guidelines (2012) with permission from the Canadian Centre on Substance Abuse.

Appendix C

CBRM MAP Working Group - Terms of Reference

Purpose: To help communities take a more active role in addressing the consequences of alcohol harms through the development of municipal alcohol policy in CBRM.

Goals: To gain citizen support for the implementation of a municipal alcohol policy in CBRM.
To increase awareness of the harms associated with alcohol among CBRM residents and students at CBU.

Co-Chairs: Chief Peter McIsaac and Sam Hodder

Membership: Cape Breton Regional Municipality

- Jim MacLeod
- George MacDonald
- Richard Wadden

Cape Breton Regional Police Service

- Chief Peter McIsaac
- Inspector Robert Walsh
- Desiree Vassallo

Cape Breton University Students' Union

- Brandon Ellis

Health Promotion & Prevention, Mental Health and Addiction Services

- Sam Hodder, Manager
- Beth Currie
- Jenna MacQueen
- Laura Chapman
- Jean MacQueen

Native Council of Nova Scotia

- Nadine Bernard

Public Health Services

- Erin Neville, Manager
- Erin Forsey

Interested Individuals/Consultants/Ad Hoc Members

- Marcie McKay

Objectives:

1. Create and implement a communication strategy to generate awareness and understanding of alcohol related harms in CBRM. This strategy will also clarify misconceptions about the intent of a MAP and will be used to gain support for future policy change.
2. Work closely with students, faculty, and staff at Cape Breton University to raise awareness about the harms associated with alcohol use for university students.
3. Host Knowledge Exchange Events to engage and inform municipal leaders, key stakeholders, CBU students and community on best practice policy options that will reduce harms associated with alcohol.
4. Develop recommendations for a CBRM MAP and help support the implementation of alcohol policy within our communities.

Sub Groups and leads of MAP Working Group:**A. Communication Strategy (Desiree Vassallo)**

The Communication Strategy will be used to guide clear and consistent messaging around the issues of alcohol overconsumption and its associated harms. This strategy will include goals, objectives, strategic considerations, tools/tactics, key messages, advocacy opportunities and an evaluation plan.

B. CBU (Beth Currie)

Partner with CBU students to hold various community conversations on campus on topics areas that include alcohol, mental health, and sexual violence.

C. Knowledge Exchange Events (Health Promotion Specialist Team, HPP)

Host Knowledge Exchange Events to encourage engaging and thought-provoking conversations about alcohol use in CBRM.

D. CBRM MAP Recommendations and Implementation (Jean MacQueen)

Coordinate a series of meetings with key stakeholders to develop a draft CBRM MAP, seek CBRM Council approval, and help implement approved municipal alcohol policy.

Frequency of Meetings:

MAP Working Group Meetings: Monthly

Sub-Group Meetings: (to be determined by sub-group)

Communication/Minutes: Health Promotion & Prevention will take minutes and circulate to membership by at least one week prior to next scheduled meeting

Reporting: Sub-groups will report to MAP Working Group

Decision Making: Consensus – (through discussion the group arrives at a decision that all can live with)

Date Approved: October 28, 2014

Review Date: October 2015

DRAFT

What is a MAP?

A Municipal Alcohol Policy (MAP) is a tool for communities to help reduce the number of alcohol-related issues at municipally owned facilities and special events.

It's not about prohibition or banning alcohol; it's about promoting and supporting safer drinking. It's not that we are drinking; it's how we are drinking.

It's nothing new; many aspects of the MAP are based on current law or policies.

A MAP helps to educate people and guide their decision making so drinking is done safer and in healthier ways in our communities.

What can a MAP do?

- Increase public safety
- Reduce policing and community costs resulting from the overconsumption of alcohol
- Protect the Municipality from liability issues
- Reduce children and youth's exposure to alcohol promotion/consumption
- Prevent impaired driving, underage drinking, violence/vandalism, public intoxication, injuries and deaths.

Why a MAP at all?

The report, [*A Snapshot of Alcohol Use in CBRM Communities*](#), tells an alarming story about CBRM's culture of harmful alcohol use. Respondents were clear, we have an alcohol problem.

Alcohol is involved in up to 30% of Nova Scotia adult hospital admissions, particularly those to emergency rooms.

The Canadian Community Health Survey, 2012, indicates that overall Nova Scotians are among the heaviest drinkers in Canada. A Municipal Alcohol Policy can help reduce heavy drinking.

According to the Nova Scotia Student Drug Use Survey (2012), the average age of first use of alcohol is 13 years. These results are alarming as no amount of alcohol is safe for children and youth.

In Nova Scotia there is concern about alcohol use because....

- We are drinking more and more often
- Heavy drinking is considered "normal"
- Heavy drinking is becoming normalized for youth
- We are starting to drink at an earlier age
- Binge drinking is high for university students

Dr. Robert Strang
Nova Scotia Chief Medical Officer

MAPs exist across Canada but are adapted to the local context where they exist. Currently in Nova Scotia, eight municipalities have developed a MAP Report outlining the alcohol harms experienced in their respective communities and Halifax Regional Municipality approved a MAP in the fall of 2013.

It's not that we are drinking, it's how we are drinking

What's in the MAP for CBRM?

The CBRM MAP is divided into 3 areas:

- **Marketing & Advertising:** This piece of the policy will limit the advertisement or promotion of alcohol in areas or at events without a license or permit and where children are present. It focuses on reducing marketing that increase consumption and restricts alcohol industry naming rights of municipality owned facilities.
- **Areas for Alcohol Service & Consumption:** It's against the law to consume alcohol in public places unless you are in a designated licensed area. Examples of areas that are not included in a liquor license are dressing rooms in rinks and bleachers on ball fields. The MAP outlines the CBRM properties, facilities, and areas where alcohol may and may not be served or consumed.
- **Minimizing Risk & Liability:** The policy helps organizers manage liability and reduce over consumption by outlining event requirements such as insurance, special occasion liquor license, signage, and rules when serving alcohol, as well as, the promotion of safe transportation and low risk drinking guidelines.

Why should we be concerned about alcohol?

Children and youth are being targeted by and exposed to more marketing messages than ever before. Each year, children are exposed to more than 300,000 alcohol ads.

Heavy drinking is on the rise for women and alcohol affects women differently than men. Alcohol puts women at greater risk for certain alcohol-related illnesses such as breast cancer, stroke, diabetes, high blood pressure and liver disease than men.

Youth who start drinking before the age of 15 are five times more likely to develop alcohol dependence or abuse in their lifetimes than those who begin drinking at age 21 years or later.

Binge drinking is high for university students.

Alcohol use is a significant burden on the Nova Scotia economy. The economic, health and social costs far outweigh any revenue generated.

Alcohol availability is one of the strongest predictors of adolescent alcohol use.

Alcohol consumption can be harmful to the brain development of children and youth. The consequences of youth alcohol consumption may include:

- suicide and depression
- motor vehicle crashes resulting in injuries or fatalities
- violence
- poor academic performance, loss of memory
- high risk sexual behavior

Alcohol is the second leading cause of death, disease & disability.

*It's not **that** we are drinking, it's **how** we are drinking*

Littering, Littering Fines and Enforcement:

Motion:

Moved by Councillor Detheridge, seconded by Councillor Cormier, that staff be directed to prepare an Issue Paper regarding the development and enforcement of a CBRM littering bylaw

Motion Carried.



TO: CBRM Council's General Committee

FROM: Malcolm Gillis

SUBJECT: STAFF ISSUE PAPER ON LITTER

DATE: November 9th, 2015

Introduction

At the request of Councillor Claire Detheridge, a motion was passed at the September 1st, 2015 meeting of Council's General committee instructing staff to prepare an issue paper on litter. This issue paper was written by staff of the Planning and Development Department in response to that motion with input from several departments.

Background

Litter is a very real and noticeable problem in CBRM, Cape Breton, and Nova Scotia. Litter has negative consequences for public health, the economy and the environment. While there have been initiatives to deal with litter greater action needs to be taken to combat the problem with litter within the CBRM.

"Litter begets litter" this means an area prone to litter which is not cleaned up will only attract more litter. To effectively address the problem of littering, it is important to discuss why people litter. While there is no one answer, the following are some of the more common reasons litter becomes a problem:

- Lack of community ownership and pride
 - People are more likely to litter when they do not feel a sense of community
- Belief that it is someone else's responsibility to pick it up
 - By littering they are creating jobs. But often whose job it is clean up litter is a municipality employee which in turn costs all taxpayers
- Laziness or Habit
 - When there is no garbage bin nearby, people often throw their garbage in a location convenient to them
 - The presence of ash trays in vehicle is decreasing, as a result, individuals that smoke in their vehicles tend to dispose of them out the window
- Litter already exists
 - There is often a perception if an area is already littered that it is ok for them to litter there too
- Unintentional

- Items blown from yards and vehicles, items are lost, or debris left over from accidents.

Legislation

Provincial Legislation¹

In 1988 the Nova Scotia Minister of Environment created a task force to address litter in Nova Scotia. The strategy included stricter punishments and heftier fines for offenders as well as better education and signage and increased recycling programs. In 2006 the Province amended the *Environment Act* which toughened anti-litter legislation. Such amendments include increasing the amount of litter fines and creating a minimum fine for first time offenders, differentiating between individual offenders and businesses as well as allowing the courts to order an offender to clean up a site. Currently in Nova Scotia there are littering laws found under the:

Environment Act
Motor Vehicle Act
Public Highways Act
Beaches Act
Provincial Parks Act

Trails Act
Wilderness Areas Protection Act
Protection of Property Act
Municipal Government Act

Currently under the *Environment Act* a first time offender can be subject to a fine of \$452. Under the *Motor Vehicle Act* the fine for littering is \$387.50 and the offender can be imprisoned for up to 15 days when in default of payment. The range of fines in Nova Scotia from the various Acts, Regulations and Bylaws runs from as low as \$135.75 to as high as \$1,487.00 for Third or subsequent offences.

CBRM By-law

The CBRM does have a Solid Waste Resource Management By-law; however, it predominately deals with solid waste collection and disposal. That being said, Section 12 of the By-law states that no owner or occupier of any eligible premises shall permit the accumulation of litter in or around a premise. In particular Section 12 has provisions related to litter associated with industrial, commercial, and institutional properties. The By-law is silent on litter on public properties and on individuals who litter.

A provision could be added to the Solid Waste Resource Management By-law stating that persons owning or occupy properties within the CBRM shall keep the sidewalks in front of their property free of litter. Those individuals that did not comply with this provision could be penalized. However, this would mean that the individuals actually littering are not being penalized. To address the individual litterer a provision specific to the act of littering would need to be included in the By-law.

A provision could also be added to the Solid Waste Management By-law which would penalize an individual that litters, but to be effective this provision would need to be enforced. Council would need to consider:

¹ Nova Scotia Youth Conversation and Nova Scotia Environment, *Characterization of Nova Scotian Litter: 2008 Litter Survey*, 2008 (www.novascotia.ca/nse/waste/doc/LitterSurvey_2000.pdf)

- Who would be responsible for issuing these penalties?
- How will these penalties be enforced?
- Is this something the CBRM would be asking of its Police Department?
- If not, the CBRM would need to hire an enforcement officer(s).

It is important to note that provisions can be added to a municipal by-law to penalize litterers but in order for a **Summary Offence Ticket (SOT)** to be issued the offence must be designated in the *Summary Offence Tickets Regulation*. The penalties presently included in the CBRM's Solid Waste Management By-law are not included in the *Summary Offence Tickets Regulation* which means a Police Officer or By-law Enforcement Officer is not able to issue a ticket for an individual that violates this By-law.

When it comes to by-law enforcement, the *Municipal Government Act* provides a municipality the authority to create offences and to impose a fine for such offences. If these offences are not included in the *Summary Offence Tickets Regulation* and the municipality wishes to enforce its by-law, offenders will have to be served with a Long Form Information. Long Form Information is a type of charge that compels a person to attend court and enter a plea. A Summary Offence Ticket carries a monetary penalty. The recipient must challenge the Summary Offence Ticket in court with a plea of no-guilty. Failure to attend in court is admission of guilt.

Other Municipal Jurisdictions within Nova Scotia

When it comes to Municipal By-laws within Nova Scotia, most municipalities have a Solid Waste Management By-law similar to that of the CBRM. These By-laws focus predominantly on waste collection and disposal. While some of these Municipal Solid Waste Management By-laws do reference litter, it is relation to a property owner's premises and not on the act of littering. The penalties for individuals that violate these By-laws apply to illegal dump sites rather than to an individual littering.

The Towns of Mahone Bay, Mulgrave, and Oxford do have active Anti-Littering By-laws. In these cases, a By-law Enforcement Officer is responsible for enforcing the By-law; however, it is often not the only By-law they are responsible for enforcing. Penalties outlined in these By-laws range from \$100 to \$1000. None of these By-laws are included in the *Summary Offence Tickets Regulation* and would therefore be enforcement through Long Form Information.

Litter vs Illegal Dumping

The CBRM does have one Police Officer-dedicated to regulating illegal dump sites. This dedicated Officer chooses not to enforce the CBRM Solid Waste Management Bylaw. Rather he enforces the *Protection of Property Act* applying penalties for illegal dump sites under Section 3 (1) (d) of that Act because he can issue Summary Offence Tickets.

While both littering and illegal dumping involve the improper disposal of trash, there are subtle differences between the two. Litter is primarily small items such as paper,

food containers, beverage containers, convenience products, newspapers, and cigarette butts. Littering can be an intentional act or it can be accidental. While litter is often easy to remove, keeping an area litter free can be costly and time consuming. Illegal dumping is always intentional. It often involves large items or large quantity of items. These sites are often difficult and costly to clean up and take a greater toll on the environment.

Approaches to Litter

Litter is created by the actions of individuals, and the problem will only be dealt with by the same individuals taking responsibility for their actions. Removal of litter by municipal staff does not solve the problem and it is a major drain on valuable municipal resources both monetary and manpower.

To effectively combat litter in the CBRM more needs to be done than regulating behaviour. Because of the nature of littering, the individual who is responsible for By-law Enforcement needs to witness the person actually littering. Littering does not occur 9-5, Monday to Friday, and the municipality cannot watch every person within the CBRM waiting for them to litter. Any future litter reduction strategies would need focus on several key areas:

Education and Awareness

Education and Awareness is the most important factor in long term behaviour. Education must emphasize the message that littering is not an acceptable behaviour and that litter is everyone's problem to solve.

There are a number of ways to educate and increase awareness on the impacts of littering. A school program could be developed in conjunction with the Cape Breton Regional School Board which would bring the idea of litter into the classroom. A print and radio campaign could be created to promote endeavors being undertaken by the CBRM to reduce litter.

Another possible way to educate and spread awareness could be through an anti-litter mascot, similar to Tappy, the CBRM Water Utility Mascot. A mascot can be used to educate the public about the impacts of litter, but could be used as a part of the Solid Waste Department's outreach activities. The adoption of an anti-litter mascot could also inspire community involvement. There could be a contest to design and name the mascot or to write an educational short story about the mascot's adventures preventing littering.

It is important to note, to be effective, an education and awareness campaign would require coordination by an individual whose sole responsibility was implementing a litter reduction strategy.

Community Involvement

Opportunities need be created that encourage community involvement in the reduction of litter within the CBRM. Community involvement can help create a sense of ownership of the problem which in turn can also create a sense of community and pride. This can be achieved by community incentives for participation and reward for positive behaviours.

The CBRM could have a "Clean-Up CBRM Day" where the municipality could coordinate sites for clean-up and the removal of waste collected from "Clean-Up CBRM Day".

CBRM reduction strategy could coincide with Communities in Bloom. Community groups or local businesses could be encouraged to adopt a local area, street or stream. This would be an opportunity for groups to get involved in beautifying the CBRM with the added incentive of recognition of their actions through signage.

Infrastructure

Infrastructure provides the tools for change. Physical infrastructure needs to be established to make it easier for people to do the right thing. Infrastructure would include garbage and recycling bins along with signage.

Having an increased presence of garbage and recycling receptacles could discourage litter. Receptacles should be placed in convenient locations accessible to the public. These receptacles could be sponsored by local business, designed by a local artist, or have an innovative design such as in the shape of the anti-litter mascot. When designing these receptacles, the openings should be small enough to discourage illegal dumping while still able to accept standard litter items.

Cigarette specific receptacles could be placed near entrances of buildings. Again these could be have an innovative designed, or they could display information to educate and inform the public that cigarette filters are toxic, do not compose, pollute our waterways, and enter our food chain.

The intention of having more of garbage, recycling, and cigarette receptacles is to encourage their use, so it is important that these receptacles are emptied routinely. Overflowing receptacles can contribute to unintentional litter. However, increased receptacles throughout the CBRM would be a cost to the municipality in terms of monetary resources and man-power to install and maintain these receptacles.

Compliance and Enforcement

Enforcement is a strong tool in behaviour change. Consequences, and the possibility of being detected for non-compliance, impacts behaviour. However, compliance is challenging because of the resources required to focus on litter and offenders. It is costly and time consuming but litterers will think twice when the risk of a fine is more real, *but the risk needs to be real.*

When it comes to compliance and enforcement the question that must be considered is **who will be responsible for enforcement**, is this something that Council will be asking of the Police Department or By-law Enforcement Officer. **If the expectation is that the By-law Enforcement Officer will be responsible, an additional employee would be necessary.**

Collaboration and Partnerships

Litter prevention is the responsibility shared by many stakeholders including Municipal Departments (By-laws, Recreation, Public Works and Solid Waste, and Police), the Provincial Government (Nova Scotia Departments of Environment and Transportation of Infrastructural Renewal), industry and businesses, not-for-profits and community groups, families and individuals. Increased collaboration is needed to build consistent and effective approaches to reduce litter.

The CBRM could provide assistance to litter prevention projects with funding and/or resources. Currently the CBRM partners with ACAP Cape Breton on the Trashformers. The Trashformers is a trash pick-up team that has been collecting trash within the CBRM since 2011.

Financial Implications

It is important to note that to implement a litter reduction strategy will require additional resources. There is a real cost to institute any new programs and to increase enforcement. These required resources are both monetary and manpower.

Recommendation:

Reducing litter is a complex issue and requires more than regulation. If Council wants to pursue ways to reduce litter in the CBRM it is recommended that a dedicated staff position be created and budgeted for with a mandate to **prepare and implement a litter reduction strategy**. That strategy should focus on:

1. Education and Awareness
2. Community Involvement
3. Infrastructure
4. Compliance and Enforcement
5. Collaboration and Partnerships

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis on behalf of Paul Burt and Karen Neville
Staff of the Planning and Development Department

Request from Donna Perry to Amend the Municipal Planning Strategy and Land Use By-Law to Permit a Mobile Home on Wolfe Street, Louisbourg – Case 1006:

Motion:

Moved by Councillor Saccary, seconded by Councillor Eldon MacDonald, approval to advertise notice of a Public Hearing to be held at the December 10th, 2015 meeting of Council to consider amending the Municipal Planning Strategy and Land Use By-Law, case 1006, to:

- keep the ban on mobile homes for the sector of Main Street, Louisbourg, considered to be in the downtown Central Business District; and
- that mobile homes permitted elsewhere along the Louisbourg Highway/Main Street/Wolfe Street corridor be permitted if they comply with the current construction specifications of the Provincial Building Code for any single detached dwelling and incorporate some of the types of architectural embellishments found in the modern mini home and site design provisions that would put the more attractive aspects of the mini home facing the street.

Motion Carried.



TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: Request from Donna Perry to amend the
Municipal Planning Strategy and Land Use
By-law to permit a mobile home on Wolfe
Street, Louisbourg – case 1006**

DATE: November 15th, 2015

Introduction

When the current CBRM Municipal Planning Strategy was being prepared Council could not decide on a uniform policy regulating mobile homes. The decision rendered, and implemented as policy in the current Planning Strategy, respected the land use policy of each of the Municipal Planning Strategies of the former municipalities adopted prior to amalgamation including the way the policy was implemented in its Land Use Bylaw. The last Planning Strategy of the Town of Louisbourg and its implementing Land Use Bylaw prohibited mobile homes along the Louisbourg Highway/Main Street/Wolfe Street corridor.

Donna Perry wants to place a mobile home on property she owns along Wolfe Street in Louisbourg. After learning that she would not be entitled to a Development Permit and that Planning Department staff could not accept a zoning amendment application, she appealed to Council. Council passed a Motion instructing staff to work with Councillor Kevin Saccary to organize a Public Participation Program and bring back an issue paper with the results of it.

The Public Participation Program consisted of a letter being mailed by Canada Post to every assessed owner of property fronting along the Louisbourg Highway/Main Street/Wolfe Street corridor asking them to recommend one of three options i.e. (1) continue the ban, (2) keep the ban only along Main Street and just within downtown Louisbourg, (3) lift the ban entirely. A copy of the letter is included with this issue paper. Approximately 170 property owners received it. They were given 2 weeks to respond by phone call or e-mail, or a return letter.

20 responses were made. 11 of the 20 said the ban should be continued. 9 responded by saying the ban should be either partly, or entirely lifted.

Although the results of the survey could be interpreted to mean there is no clear direction (i.e. a little more than ½ want us to maintain the ban and a little less than half want some or all of the ban lifted) that is not my take on what happened. Less than 12% of those in receipt of the survey letter responded. My experience is that when people don't like a proposal they are more likely to tell you than if they do like a proposal. I'm reading into this that there is an overwhelming majority of those surveyed who did not care enough to respond. That indicates to me they really aren't opposed to the idea.

Also, judging from some of the conversations I had, some of those opposed to the proposal would possibly reconsider if they knew only the contemporary style mobile home would be permitted. From what I heard the fear was that a 2nd hand mobile home of inferior construction and poorly maintained would be placed along the main transportation corridor through Town towards the National Historic Park.

One person (i.e. the person who didn't vote) said we should consult with the whole community. We consulted with the 170 individuals who own property on the Street that is the subject of the ban. I don't believe we would get any clearer message if we took the time and effort to consult the whole community. And no one else suggested we should make more of an effort.

Another point I'd like to make. The policy in the Louisbourg Municipal Planning Strategy, its preamble, and the Land Use Bylaw all appear to contradict each other. The preamble specifically references "Main Street within the Central Business District ..." as the sector where mobile homes should be banned. Yet the Policy and how it is implemented in the Land Use Bylaw extends the ban throughout Main Street, Wolfe Street and the portion of the Sydney-Louisbourg Highway within the jurisdiction of the Town. As well, the reasons given are vague with a reference to the effort put in by the merchants, the Commission and the Governments and an assumption that mobile home property owners do not take care of their property.

One could make the assumption the community was attempting to implement an architectural standard for the corridor. But if so, why just mobile homes? If that was the direction intended, the Planning Strategy policy and its preamble did not do a good job explaining it.

Recommendation:

For all of the reasons given in this report I would be prepared to advocate that Council schedule a Public Hearing to consider adopting an amendment to the CBRM Municipal Planning Strategy and Land Use Bylaw that would:

- keep the ban on mobile homes for the sector of Main Street considered to be in the downtown Central Business District; and
- that mobile homes permitted elsewhere along the Louisbourg Highway/Main Street/Wolfe Street corridor be permitted if they comply with the current construction specifications of the Provincial Building Code for any single detached dwelling and incorporate some of the

types of architectural embellishments found in the modern mini home and site design provisions that would put the more attractive aspects of the mini home facing the Street.

The draft amending Bylaws that would have to be adopted by Council to implement these changes are included with this report. In the advertisement in the Cape Breton Post we would encourage all residents of Louisbourg to call or e-mail the Planning Department or their local Councillor to express their opinion.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning and Development Department



CBRM PUBLIC HEARING
To consider amendment to permit mobile homes on Main Street in
Louisbourg (outside downtown) and Wolfe Street

Council of the Cape Breton Regional Municipality (CBRM) has scheduled a Public Hearing to consider a change in Planning Strategy policy and a zoning amendment to permit the placement of mobile homes on properties fronting:

- along Wolfe Street; and
- along Main Street on either side of the downtown Central Business District in the community of Louisbourg.

The sectors of Main Street that would be affected by this proposed amendment are identified in the table below.

SOUTHWEST OF DOWNTOWN	NORTHEAST OF DOWNTOWN
West of 7558 on the north side	East of 7462 on the north side
West of 7565 on the south side	East of Marven Street on the south side

The Public Hearing will take place during the Thursday, December 10th meeting of Council scheduled for 1:30 p.m. It will take place in the Council Chambers, Civic Center, 320 Esplanade, Sydney.

Using the enabling authority in the Municipal Government Act to "... regulate the external appearance of structures" these proposed amendments would allow mobile homes on conventional building lots (i.e. not a mobile home park) provided the front of the mobile home is facing the Street, the roof has at least a 12/4 pitch, and at least two types of architectural embellishments are included in the exterior of the mobile home over and above the base model. Compliance with the current version of the Province's Building Code Act is also a requirement for a Building/Development Permit from the Regional Municipality.

Anyone wishing to inquire, comment, critique, or advocate for or against this proposed amendment is welcome to make a presentation at the Public Hearing. For more detailed information on this proposed amendment, including copies of the proposed amendments, please call the Planning Department at S63-S027 or e-mail mggillis@cbrm.ns.ca.

By-law
of the Cape Breton Regional Municipality
amending the

**Cape Breton Regional Municipality's
Municipal Planning Strategy**

Pursuant to Section 205 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Municipal Planning Strategy in the following manner:

THAT: Part 4, Policy 3.b.1 is amended by adding the sentence at the end of 3.b.1.b. printed in **bold** and *italicized* below :

- 3.b.1 Mobile homes shall be permitted on conventional building lots throughout any community where the majority of the dwelling units are serviced by a sanitary sewer main except under the following circumstances:
- a. since the imposition of zoning controls intended to implement Municipal Planning Strategy policy, mobile homes have generally been prohibited throughout the community and the prohibitive zoning provisions have consistently been upheld.
 - b. In neighbourhoods or along streetscapes within communities where they have exclusively been prohibited since the imposition of zoning controls intended to implement Municipal Planning Strategy policy (while permitted everywhere else in the community) and the prohibitive zoning provisions have consistently been upheld, mobile homes shall continue to be prohibited with the exception of the community of Louisbourg. ***As a result of an amendment to this Planning Strategy adopted by CBRM Council in December 2015, the placement of mobile homes in the community of Louisbourg shall be subject to Policy 3.e of this Part.***
 - c. In communities where the overwhelming bulk of the geography of the community is rural yet the majority of the dwelling units are serviced by a sanitary sewer main in a neighbourhood on the urban fringe of one of the four major urban concentrations and there is little or no evidence of mobile homes in this serviced neighbourhood (or in the major urban concentration), mobile homes shall be prohibited on conventional building lots within these serviced neighbourhoods on the urban fringe and permitted elsewhere in the community.
 - d. In neighbourhoods now completely within one community boundary which were previously divided by former municipal boundaries that resulted in opposite zoning provisions dividing the neighbourhood (i.e. one sector mobile homes were permitted, while in the other they were prohibited), the more restrictive zoning provisions shall now be imposed throughout the neighbourhood.

THAT: Part 4 is amended by adding the following policy statement:

- 3.e With two exceptions, mobile homes are permitted throughout the urban and rural neighbourhoods of the community of Louisbourg in compliance with the lot parcel development standards for conventional homes.
- (1) Within the downtown Central Business District mobile homes are prohibited. This ban has been in effect since the first Planning Strategy for the community came into effect. The purpose of the ban is to respect the effort and expense the local business community and all three levels of Government have taken to present an aesthetically attractive downtown streetscape to those attracted to what is one of the most significant tourism destinations in the Province i.e. the Fortress of Louisbourg National Park. The ban is lifted elsewhere along the route traveled to first enter the community and then towards the National Park (i.e. the rest of Main Street and then along Wolfe Street), but here mobile home placement is regulated by the imposition of standards intended to ensure their external appearance incorporates architectural features exceeding the typical base models of these manufactured homes and that the dwelling is so oriented to put these architectural features on display from the streetscape. A unique Zone, only in effect in this corridor of Louisbourg, shall be established to implement this policy directive.
- (2) Mobile homes are also banned from the neighbourhood centered on Vernier Crescent, first developed after the Fortress of Louisbourg National Park was established, where there has been no history of their placement.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on December 10th, 2015.

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is 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 December 10th, 2015 to amend the CBRM's Municipal Planning Strategy.

Deborah Campbell, CLERK

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: the following Part is inserted into the Land Use Bylaw text between the Definitions Part and the Part before it:

LOUISBOURG MINI HOME (LMH) ZONE

Section 1 LMH Uses Permitted

Development Permits shall only be issued in the LMH Zone for the following uses in compliance with any relevant section of the General Provisions Part, and any specific section of this Part devoted to the use.

- All uses permitted in the RUD Zone in compliance with the provisions of the RUD Zone with the exception of mobile homes. Mobile homes shall be regulated in this Zone in compliance with Section 2 below.

Section 2 Special Provisions for mobile homes

- a. The front façade of the mobile home must face Main Street or Wolfe Street at an angle no greater than 20% of being perpendicular to the Street. The front façade is defined as the exterior wall where the main entrance to the dwelling is located.
- a. The roof of the mobile home must have a minimum two planes (i.e. slopes) with a minimum 12/4 pitch.
- b. The mobile home exterior must include at least two ornamental embellishments, protuberances, or adjuncts attached to the basic exterior walls, windows or doors. They can be in the form of arches or transoms over the door facing the Street, a roofed veranda separate from the main roof of the dwelling, windows with a shape other than a square or rectangle, windowed protuberances (e.g. bay, dormer, or oriel windows), accented molding, or windows.
- c. The above referenced embellishments, protuberances, or adjuncts must be attached to the front façade or the abutting exterior side walls.

THAT: the Land Use Bylaw map is amended by:

- a. Replacing the RUC Zone located between the CBD Zone in Louisbourg and the WSN Zone with the LMH Zone.
- b. Replacing the RUC Zone east of the CBD Zone centered on Main Street with the LMH Zone.

THAT: the Wolfe Street Neighbourhood (WSN) Zone is amended by:

- a. Adding allowing mobile homes on lot parcels fronting along Wolfe Street subject to the new Section 5 added to the text of the Zone as a result of this Amending Bylaw.
- b. Adding the following Section to the WSN Zone:

Section 5 Special Provisions for mobile homes

- d. The front façade of the mobile home must face Main Street or Wolfe Street at an angle no greater than 20% of being perpendicular to the Street. The front façade is defined as the exterior wall where the main entrance to the dwelling is located.
- b. The roof of the mobile home must have a minimum two planes (i.e. slopes) with a minimum 12/4 pitch.
- e. The mobile home exterior must include at least two ornamental embellishments, protuberances, or adjuncts attached to the basic exterior walls, windows or doors. They can be in the form of arches or transoms over the door facing the Street, a roofed veranda separate from the main roof of the dwelling, windows with a shape other than a square or rectangle, windowed protuberances (e.g. bay, dormer, or oriel windows), accented molding, or windows.
- f. The above referenced embellishments, protuberances, or adjuncts must be attached to the front façade or the abutting exterior side walls.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on December 10th, 2015.

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is 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 December 10th, 2015 to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK

Excerpt – CBRM Council Minutes: September 6, 2015

**Should CBRM Consider Amending Its Municipal Planning Strategy and Land Use Bylaw to Allow 2 Businesses or More to Re-Locate to Archibald Avenue, North Sydney
– Case 1015**

Motion:

Moved by Councillor Keagan, seconded by Councillor Detheridge, that Council instruct staff to conduct a Public Participation Program that would consist of consultation with the North Sydney and Sydney business improvement development associations and the immediately surrounding neighbourhood at Archibald Avenue, North Sydney, in consideration of amending the Municipal Planning Strategy and Land Use Bylaw in relation to option #4 outlined in the staff report dated September 25, 2015 as follows:

#4: The Planning Strategy currently has a policy that creates a Zone which can be used in neighbourhoods in proximity to a downtown Central Business District permitting a range of service business developments in converted residential buildings provided the architectural integrity of the building is preserved, but the range of permitted uses does not include retail. The only neighbourhood currently under the jurisdiction of this Zone is between Townsend Street and Wentworth Park. The Wentworth Perk coffee shop is a well known example of how this Zone works. Council could consider expanding this policy and its implementing Zone to include certain retail types and then introduce this Zone in this neighbourhood in North Sydney.

Motion Carried.



TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: SHOULD CBRM CONSIDER AMENDING ITS
MUNICIPAL PLANNING STRATEGY AND
LAND USE BYLAW TO ALLOW 2 BUSINESSES
TO RE-LOCATE TO ARCHIBALD AVENUE
NORTH SYDNEY – case 1015**

DATE: November 30th, 2015

Local Councillor Charlie Keagan, the Mayor's office, and the Planning Department have been recently approached by the proprietors of 2 separate businesses asking if they could re-locate their business at different sites within the same block of Archibald Avenue in North Sydney between the Avenue's intersection with Pleasant Street and Pierce Street. Both sites are outside the jurisdiction of North Sydney's downtown Central Business District Zone. This block of the Avenue is in the jurisdiction of a residential Zone that only permits small scale service based home businesses (e.g. a hair salon is permitted with a maximum of 2 barbers and retail is prohibited as a main use). However, this block of the Avenue is adjacent the Central Business District Zone which ends with the properties on the east side of Pleasant Street. During its September 15th meeting Council instructed Planning Department staff to prepare an issue paper explaining what options are available to the Regional Municipality if this request is to be considered.

That requested issue paper was presented to Council's General Committee during its October 6th meeting. The General Committee instructed staff and local Councillor Charlie Keagan to conduct a Public Participation Program as required by Section 204 of the Municipal Government Act for all considered Planning Strategy amendments. This Public Participation Program consisted of a public meeting held on November 19th, a meeting with the Parish Council of St. Joseph's parish, letters to the adjacent property owners, and a meeting with the North Sydney Business Improvement and Development Association.

The result of the Public Participation Program is that the above referenced people and agencies are generally in acceptance of the proposed conversion of the dwelling and home business at 33 Archibald Avenue only because of the specific amendments proposed by staff as options 3 or

4 in the original staff report regarding this issue dated September 25th. There was very little appetite for simply extending the boundary of the downtown Central Business District (CBD) Zone into this neighbourhood. Because of the significantly less restrictions on the types of development and how they are regulated in the CBD Zone, it was generally considered an incompatible regulatory tool for this neighbourhood.

Recommendation:

I recommend that Council consider option 4 from the September 25th issue paper which advocated an amendment to the text of the CBRM Planning Strategy and amendments to the text and map of the Land Use Bylaw by:

- replacing Residential Urban C (RUC) Zone with the Central Urban Neighbourhood (NCU) Zone in the neighbourhood of North Sydney colored red on the map with this report; and
- amending the text of the Planning Strategy and of the NCU Zone in the Land Use Bylaw to permit the sale of crafts at a boutique scale in buildings originally constructed as residential dwellings prior to 1940.

I therefore request a Motion to schedule a Public Hearing to consider these amendments to take place during the January meeting of Council.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning Department

By-law
of the Cape Breton Regional Municipality
amending the

**Cape Breton Regional Municipality's
Municipal Planning Strategy**

Pursuant to Section 205 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Municipal Planning Strategy in the following manner:

THAT: Part 2, Policy 12 is amended to read as follows:

12. It shall be a policy of Council to create a Zone designed to be in effect in neighbourhoods in proximity to any downtown Central Business District intended to provide for alternative uses of buildings originally constructed several generations ago as substantial residential dwellings. In this Zone, by the use of site plan approval, performance and bonus zoning incentives, buildings originally constructed several generations ago as substantial residential dwellings may be converted into (1) boutiques specializing in retailing crafts and/or (2) service businesses specializing in:

- artist or artisan establishments;
- dining;
- health care;
- personal care and service;
- business office.

The performance and bonus zoning provisions shall be in effect to preserve the architectural integrity of the building. The site plan approval criteria shall be used to ensure the property is attractively landscaped, neighbouring properties are respected, and motor vehicle traffic emanating to and from the site does not exacerbate motor vehicle and pedestrian traffic movement problems along any public street/road.

This Zone can be implemented in any central urban neighbourhood that meets this description by zoning amendment.

PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on January 19th, 2016.

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is 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 January 19th, 2016 to amend the CBRM's Municipal Planning Strategy.

Deborah Campbell, CLERK

By-law
of the Cape Breton Regional Municipality
amending the

**Cape Breton Regional Municipality's
Land Use Bylaw**

Pursuant to Section 219 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: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is amended by adding the following to the list of permitted uses in Section 1

- **sales - only the following**
retail stores specializing in crafts at a boutique scale *in compliance with the site plan approval provisions of Section 3 and the Performance Zoning provisions of Section 4*

THAT: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is amended by:

- adding the words "Sales and" to the beginning of the title of Section 3;
- deleting Section 3.e and 3.f; and
- renumbering the subsequent sub-sections accordingly.

THAT: Part 15, titled the "Central Urban Neighbourhood (NCU) Zone" is also amended by revising Section 4 to read as follows:

Section 4 Performance Zoning Provisions

No Development Permit for any of the sales or service uses listed in Section 1 subject to Performance Zoning provisions shall be issued unless the proposed business development is to be located within a converted dwelling originally constructed prior to 1940, unless the building was previously converted into a business development. No Development Permit shall be issued unless a total of 4 points is compiled by preserving or incorporating any combination of the types of protuberances, embellishments, or adjuncts listed in the table below into the overall design of the building. Additions may be included as part of the development provided the floor area of the addition does not exceed 25% of the total floor area of the building before the addition.

THAT: the word "boutique" is deleted from the row in the left column of the table in Section 30 of Part 2 which currently reads "convenience stores/boutiques,/agricultural products markets".

THAT: the Land Use Bylaw map is amended by replacing the Residential Urban C (RUC) Zone in the neighbourhood colored red on the map with this amending Bylaw with the Central Urban Neighbourhood (NCU) Zone.

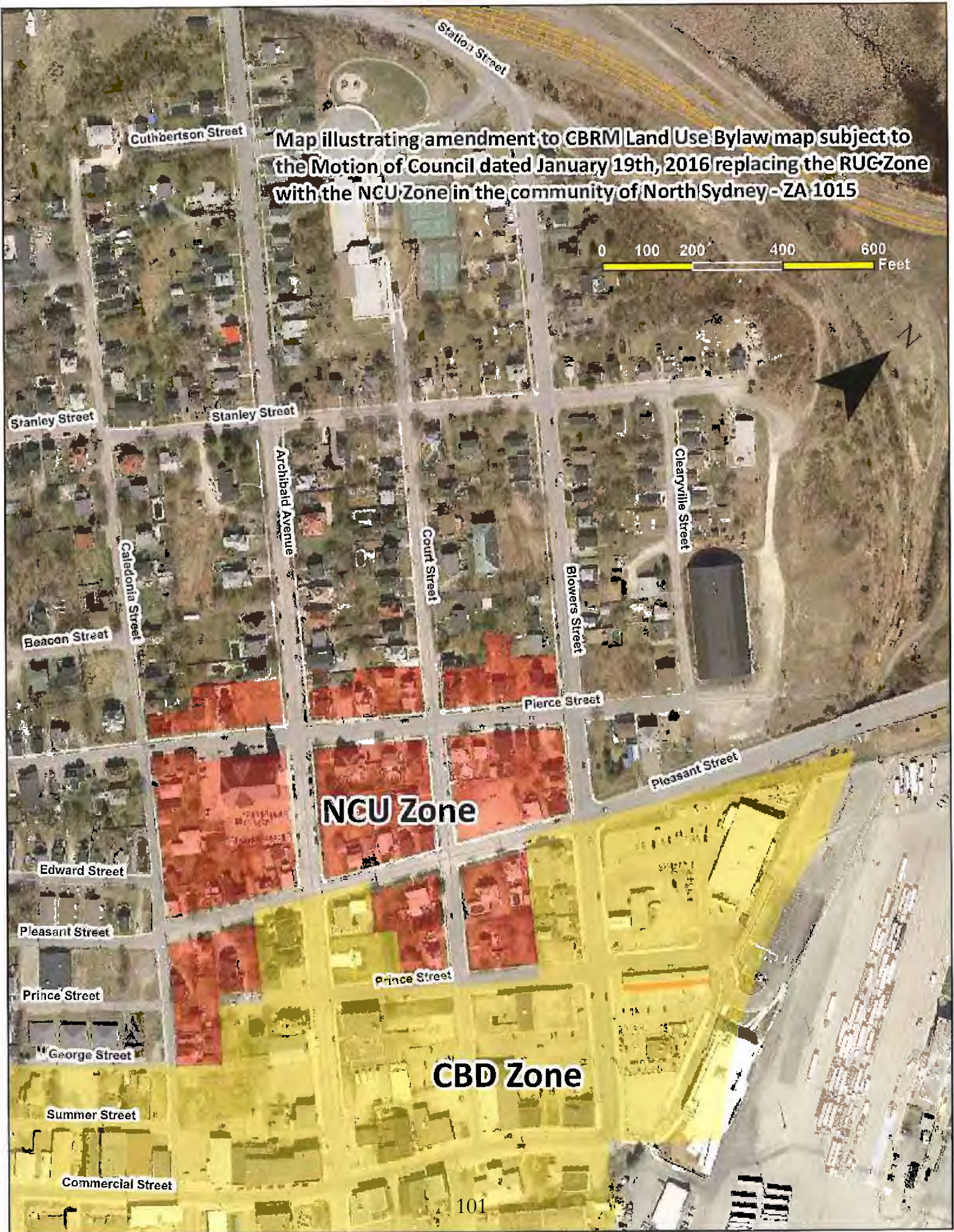
PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on January 19th, 2016.

MAYOR

CLERK

THIS IS TO CERTIFY that the above text amendments and Land Use Bylaw map amendments on the next page referencing zoning amendment 1015 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 January 19th, 2016 to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK





TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: SHOULD CBRM CONSIDER AMENDING ITS
MUNICIPAL PLANNING STRATEGY AND
LAND USE BYLAW TO ALLOW 2 BUSINESSES
TO RE-LOCATE TO ARCHIBALD AVENUE
NORTH SYDNEY – case 1015**

DATE: September 25th, 2015

Local Councillor Charlie Keagan, the Mayor's office, and the Planning Department have been recently approached by the proprietors of 2 separate businesses asking if they could re-locate their business at different sites within the same block of Archibald Avenue in North Sydney between the Avenue's intersection with Pleasant Street and Pierce Street. Both sites are outside the jurisdiction of North Sydney's downtown Central Business District Zone. This block of the Avenue is in the jurisdiction of a residential Zone that only permits small scale service based home businesses (e.g. a hair salon is permitted with a maximum of 2 barbers and retail is prohibited as a main use). However, this block of the Avenue is adjacent the Central Business District Zone which ends with the properties on the east side of Pleasant Street. During its September 15th meeting Council instructed Planning Department staff to prepare an issue paper explaining what options are available to the Regional Municipality if this request is to be considered.

Both of these businesses currently are located within commercially zoned areas. The hair salon is located in downtown North Sydney and the craft retailer is in the North Sydney mall. So we have to be careful if the Regional Municipality is to consider allowing two established business developments located in appropriately zoned locations to relocate to sites within a residentially zoned neighbourhood. The proprietor of the craft shop claims their business is suffering because the mall has not been successful in attracting customers. I'm not sure why the proprietor of the hair salon wanted to re-locate her business. Her hair salon is currently located at 26 Archibald Avenue i.e. just across Pleasant Street. She claimed she could not find a suitable site within North Sydney's downtown.

First let's consider this block of Archibald Avenue. On the south side of the Avenue there are just two lot parcels and each has one main building i.e. a modest single detached dwelling assessed at \$40,000 and one of the largest churches on Cape Breton Island i.e. St. Joseph's Catholic church. On the north side of the Avenue there are three lot parcels. Two are occupied and one lot parcel is vacant. Each of the occupied lot parcels have very large and well maintained single detached dwellings with assessed values well above the community's average residential assessment rate. One of the dwellings has a law office on a part of the 1st floor as a home business (33 Archibald Avenue – the building the craft retailer wants to relocate to). What I have described is not a streetscape that warrants inclusion into the jurisdiction of a downtown Central Business District Zone.

The reasons cited by the proponents of this Planning Strategy and Land Use Bylaw amendment request to justify their request is the proximity of this block to North Sydney's downtown i.e. the downtown starts on the next block to the east, and the location of the following business developments in the vicinity i.e. a convenience store at 83 Pierce Street, an insurance business at 92 Pierce Street, a medical practitioner at 96 Pierce Street and the law office within the building the proprietor of the craft retail business wants to occupy, and the large church across the Avenue.

The convenience store has been there for generations and is one of the last remaining neighbourhood convenience stores in the community. All of the other referenced businesses are in beautiful old residential buildings converted for their current purpose. Other than the convenience store, all of the businesses are service based, not retail.

I believe Council has the following options.

1. Simply reject the requested amendment. There is justification for taking this option. The streetscape I described along this block of Archibald Avenue has no retail establishments. And the only retail store in the vicinity is an old convenience store that is further away from the house the craft retailer wants to relocate to than the downtown Zone. And the business is currently operating from the one mall in the community.
2. Extend the boundary of downtown North Sydney's Central Business District Zone to include the entire block. I wouldn't recommend this. The downtown Central Business District Zone permits a wide range of business developments from craft shops to taverns with no provisions in effect to preserve the architecture of beautiful old buildings.
3. Amend the home business General Provision in the Land Use Bylaw and its supporting Planning Strategy policy. CBRM's Planning Strategy has a policy, implemented in the Land Use Bylaw, that allows for the establishment of business developments in residential neighbourhoods at the proprietor's place of residence. But it only allows service based businesses (e.g. small business office like a law office, or personal service like a hair salon) but not retail as a main use. Both the Planning Strategy and Bylaw could be amended to allow certain types of retail (e.g. a craft retailer but not a convenience store) if the business is operated from a building that was originally constructed as a residence several generations ago and its architectural embellishments are to be preserved. And this retail

option would only be available for residential neighbourhoods in proximity to a downtown Central Business District.

4. The Planning Strategy currently has a policy that creates a Zone which can be used in neighbourhoods in proximity to a downtown Central Business District permitting a range of service business developments in converted residential buildings provided the architectural integrity of the building is preserved, but the range of permitted uses does not include retail. The only neighbourhood currently under the jurisdiction of this Zone is between Townsend Street and Wentworth Park. The Wentworth Park coffee shop is a well known example of how this Zone works. Council could consider expanding this policy and its implementing Zone to include certain retail types and then introduce this Zone in this neighbourhood in North Sydney.

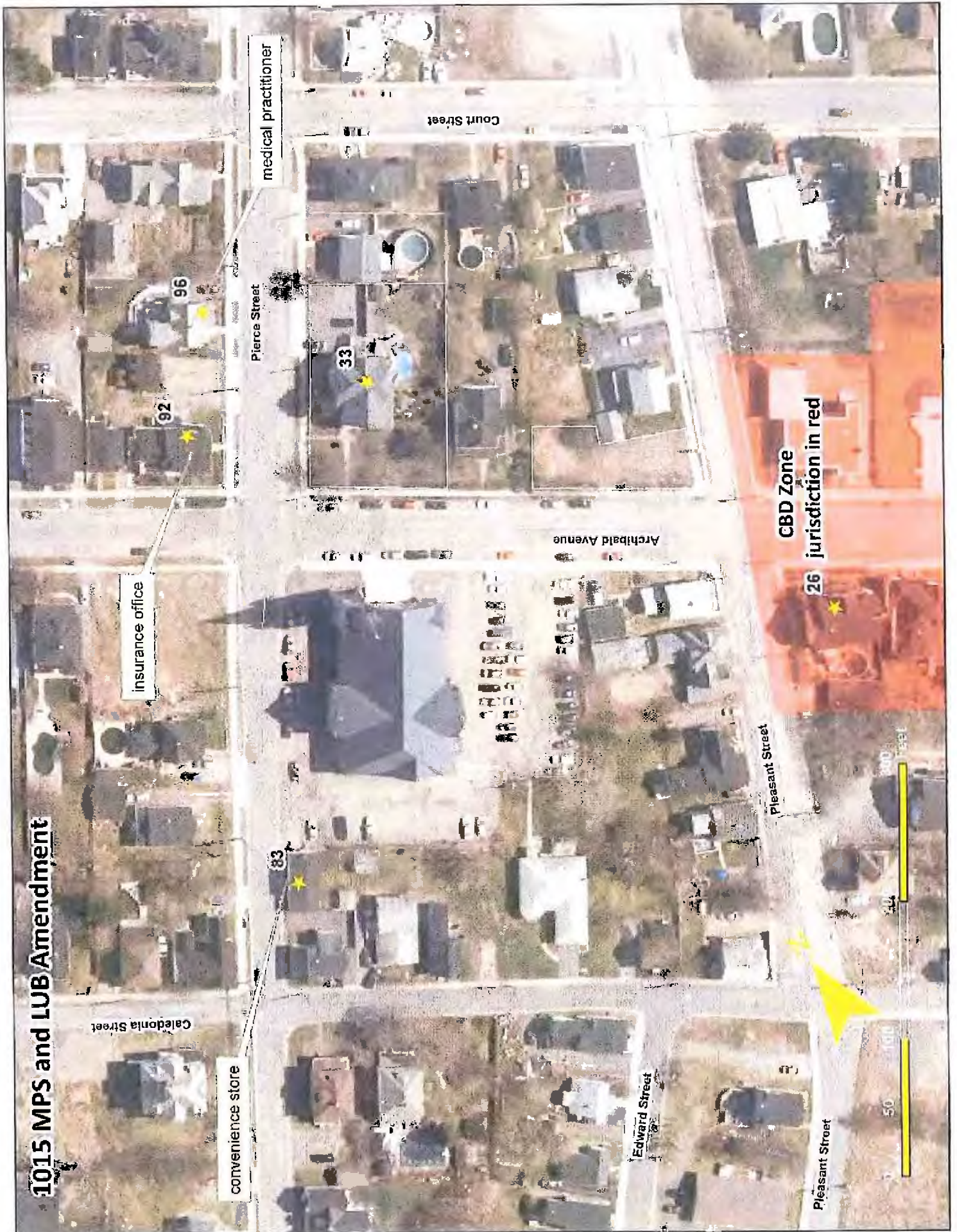
Recommendation:

At this stage I am not prepared to make a firm recommendation. I believe this matter should be discussed with the local business improvement development association in North Sydney (*why are established businesses wanting to re-locate outside of established business areas*) and Sydney (*because if option 4 is taken that Zone is in effect in the neighbourhood just south of downtown Sydney*) as part of the Public Participation Program. However, if a change in policy is to be made I will only be recommending options 3 or 4 or some variation of each. I recommend that Council instruct staff to conduct a Public Participation Program that would consist of consultation with the North Sydney and Sydney business improvement development associations and the immediately surrounding neighbourhood at Archibald Avenue.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis
Planning Department





TO: CBRM General Committee of Council

FROM: Karen Neville

**SUBJECT: ZONING AMENDMENT APPLICATION – 1017
Kristen MacLeod
5258 Union Highway (PID 15876675)**

DATE: November 27th, 2015

Introduction

The Planning and Development Department has received a zoning amendment application from Ms. Kristen MacLeod requesting permission to construct a three unit apartment building at 5258 Union Highway (PID 15876675). Currently there is a two unit building on the property which Ms. MacLeod is presently renovating. After purchasing this property, Ms. MacLeod realized that the foundation of the existing two storey building needed to be replaced. Ms. MacLeod felt the replacement of the existing foundation provided her with an opportunity to have an additional rental unit in the basement. The property is zoned Residential Urban D (RUD). Only one and two unit residential dwellings are permitted in the RUD, as a result Ms. MacLeod has requested the zoning on the property be amended.

The area surrounding the property in question is predominantly residential however there is a range of non-residential uses in the area including a Sobey's grocery store, auto repair business, church, private club, Horyls Superior Sausage Company, Greenfield Elementary School, CBRM Water Tower and associated infrastructure along with a range of home based businesses. According to CBRM records, there are 134 single detached dwellings, five two-unit dwellings and four four-unit dwellings in the area outlined in Attachment A. The property is also located on a Transit Cape Breton bus route.

What Does the Municipal Planning Strategy Say?

There are several policies in the Municipal Planning Strategy (MPS) which advocate for higher density residential developments like apartment buildings under a variety of circumstances. When the current zoning does not permit the scale of a proposed residential development it is a policy of the MPS to at least consider a zoning amendment. If a zoning amendment is considered, Policy 1. d. 9 Part 4 of the MPS provides a list of six criteria to be used to evaluate the merits of the zoning amendment application. The criteria is listed below along with an evaluation of the proposed application.

- The development proposal must include a landscaping plan to buffer and screen low density residential uses from the starker ancillary components of the site (*e.g. parking spaces, driveways, utility facilities, etc.*)

The proposed parking area will be small and located to the rear of the main building. A series of shrubs will be located between the parking area and the residential property located at S266 Union Highway. Some of the existing vegetation was removed from due to its poor condition and to aid in the access of the property during the renovation stage; however, the applicant did leave several trees along Union Highway and King Street. It is the applicant's intention to plant additional shrubbery on the property once construction has been completed (Attachment B).

- an on-site parking and vehicular maneuvering plan which does not exacerbate traffic movement problems along any public street/road abutting the site shall be included;

According to Part 2 General Provisions for all Zones Section 30 Parking Requirements According to Land Use Type of the Land Use By-law one parking space is required per dwelling unit of an apartment building. There will be three units in the proposed building and therefore the applicant must provide three parking spaces. The proposed site plan depicts the location of the proposed parking (Attachment B).

- traffic emanating to and from the site shall not significantly increase the volume of traffic along any public street/road it will be accessing;

The applicant is requesting to convert the existing building from two-units to three-units. The addition of one dwelling unit would not result in a significant increase in traffic onto King Street. The criteria to evaluate increased traffic is more relevant when considering a zone amendment for a much larger apartment building.

Also, currently there are various provisions in the Land Use By-law that could result in two two-unit buildings being constructed on this property without the need for a zone amendment. The property also has the potential to be subdivided into at two lot parcels, both of which could contain a semi-detached dwelling. If the applicant chose to undertake either of those options the resulting development have similar volume of traffic as the proposed three-unit building.

- The development proposal must mitigate the potential adverse effects any significant buildings will have on much smaller scale low density residential buildings.
- The site plan and building design must respect any aesthetic aspects of the streetscape that are easily discernable;
- Any adverse effects such as bulk and height resulting from a significantly greater scale than existing residential development in proximity shall be mitigated.

The existing building is a two storeys, which is a residential building found in the general area. From the exterior the building will appear to be a single detached dwelling. That being said, the applicant has taken a number of steps to shelter the proposed three unit dwelling from adjacent residential properties including the retention of shrubs and several trees and they intend on planting additional shrubbery upon the completion of construction.

When considering a proposed amendment for an apartment building the MPS states that the purpose of zone amendment is to ensure that the apartment building does not adversely affect low density residential development in the vicinity. The MPS also states that the allowable density and scale of an apartment development within a neighbourhood shall be correlated based on:

- the level of the public street/road accessing the site;

- the variety of land use types in the vicinity; and
- the existing development densities in a given neighbourhood;

The property in question fronts on Union Highway which is a Level 2 street, but will be accessed by King Street which is considered to be a Level 5 street. Union Highway is also the site of a Transit Cape Breton bus route. While the area is predominantly single unit there is a range of higher density residential buildings as well as a range of non-residential uses in the area. Given the current provisions in the Land Use By-law, the property has the potential to contain two two-unit building, a three unit apartment building would be a comparable density. Based on the above evaluation, the proposed zone amendment to permit a three-unit building on PID 1S876675 would meet the intent of the MPS.

Next Steps

If the Council agrees to schedule a Public Hearing at their December 10th meeting, the earliest date of the Public Hearing would be Tuesday, January 19th. Upon a decision of Council to schedule a Public Hearing, along with the required notices to be published in the Cape Breton Post, notice of this zone amendment application will be mailed to assessed owners of property in the vicinity PID 1S876675 encouraging them to contact the Planning and Development Department if they have any questions and of their opportunity to attend the Public Hearing.

Recommendation

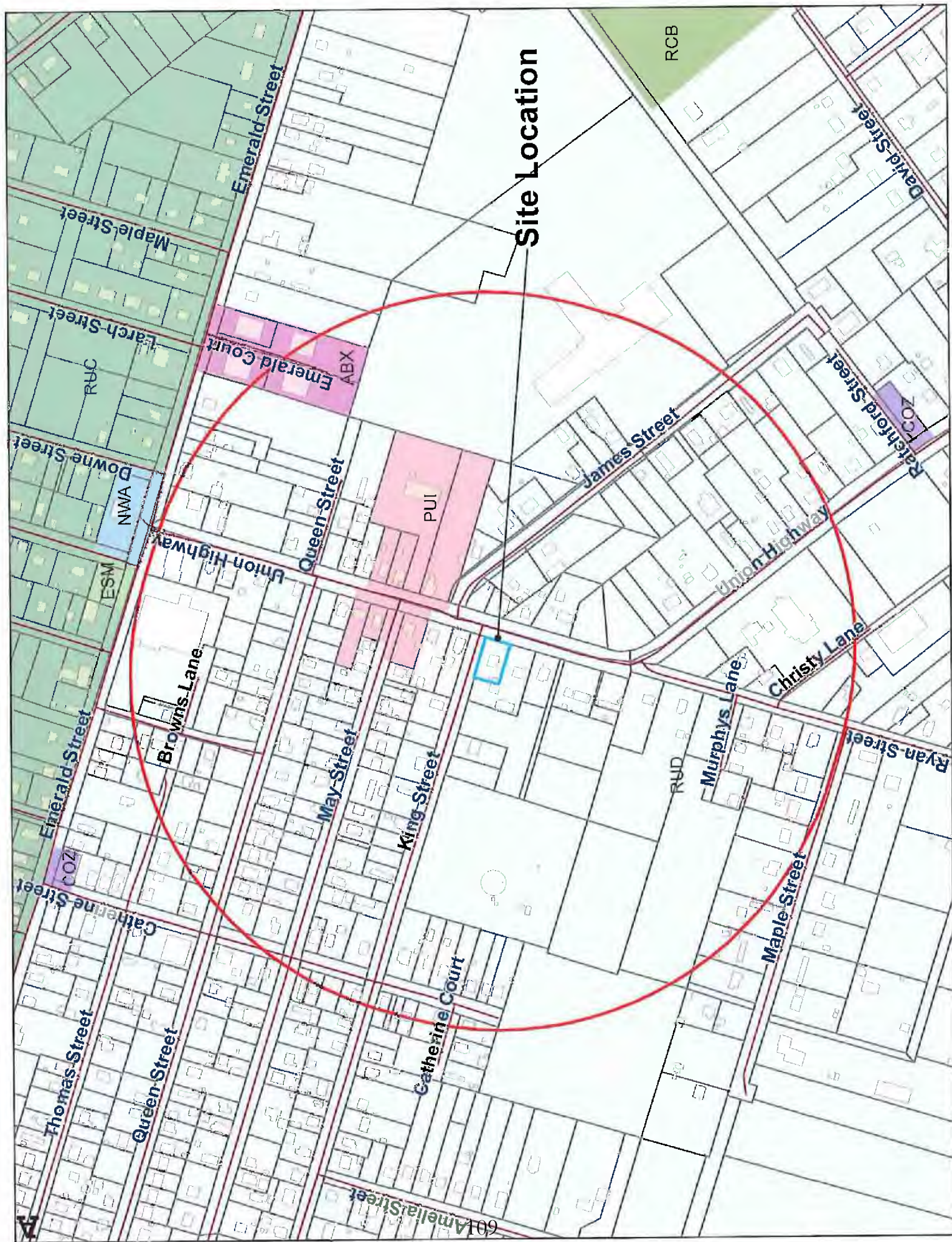
I recommend that Council pass a Motion to schedule a Public Hearing to consider this zoning amendment application during the January meeting of Council.

A draft of the recommended amendments can be found in Attachment C.

Submitted by:

Originally Signed By

Karen Neville
Planning and Development Department



SCALE : 1" = 30'

KING STREET 50'

Parking Area

SMfd.
#539

GARAGE

'DWELLING'

PID# 15876675 SM# 8
 LANDS OF #559
 BRADLEY DOUGLAS MACLEOD
 KRISTEN ROSE MACLEOD
 Doc.# 107744527
 LOT 3, PLAN# 1076603894
 civic# 5258

PROPOSED
ADDITION

driveway

PID# 15275456
LANDS OF
MARY THERESA EKSAL
CHARLES RICHARD EKSAL
Doc.# 107391816
LOT 2C, PLAN#
1076609894
civic# 5266

DŴELLING

66' UNION HIGHWAY (ROUTE #28)

NOTE: Clearances shown are perpendicular to the closest corners of the structure, measured to a tolerance of 1.0 ft.

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 text of the Cape Breton Regional Municipality's Land Use By-law in the following manner:

THAT: Council amends the CBRM's Land Use Bylaw map by deleting the Residential Urban D (RUD) Zone in effect for PID# 15876675 replacing it with the Apartment Building X (ABX) Zone.

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 attached is 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.

Deborah Campbell, CLERK



TO: CBRM Council

FROM: Malcolm Gillis

**SUBJECT: ZONING AT THE SITE OF THE FORMER
HEAVY WATER PLANT – case 1013**

DATE: December 2nd, 2015

Introduction

When the CBRM Municipal Planning Strategy and its implementing Land Use Bylaw came into effect in 2004 there was a policy in the Planning Strategy and a Zone in the Bylaw that identified the highest and best use of all of the lands originally acquired by Deuterium Canada Ltd and the Province when they originally established the long since abandoned and dismantled heavy water plant to be for future industrial and business developments. Responsibility for these assembled lands went to Atomic Energy of Canada, then DEVCO, then ECBC and finally to Public Works Canada. Currently the Federal Government is conveying portions of the former heavy water plant lands to those who make an offer, and that includes the CBRM (the water utility has interest in some of the lands) and private owners wishing to purchase building lots for residential housing.

Clearly the Federal Government has no interest in preserving these lands for industrial or commercial purposes since they are entertaining any and all requests to purchase portions of the site. The plant was closed approximately 30 years ago and now we are getting requests from individuals asking for a zoning amendment just for the small part of this large real estate they are in the process of acquiring from the Federal Government. Chipping away at this designation in such a piecemeal way is not the appropriate response. It is time to change land use policy.

Recommendation:

I recommend that:

- the CBRM Planning Strategy be amended by deleting Policy 19 of Part 3, including its preamble; and
- the CBRM Land Use Bylaw be amended by deleting the Donkin Highway Business and Manufacturing (DBM) Zone from the text and Land Use Bylaw Map.

The reference on the Land Use Bylaw map should be replaced with the zoning in effect in the surrounding area i.e. the Rural Cape Breton (RCB) Zone.

The 1st step in this process is to conduct a Public Participation Program. I recommend that the General Committee of Council ask Council to meet CBRM's obligation under the Municipal Government Act by instructing the General Committee to conduct a public meeting regarding this during its January meeting.

Policy 19 of Part 3 and its preamble are included at the end of this issue paper.

Submitted by:

ORIGINAL SIGNED BY

Malcolm Gillis

Planning and Development Department

The following is from Part 3 of the Municipal Planning Strategy ...

The former AECL site

The site of the former heavy water plant along the shore of Big Glace Bay Lake is comprised of nearly 370 acres of primarily undeveloped, topographically level land. Located on the fringe of the community of Glace Bay, much of the site is isolated from any concentration of residential development.

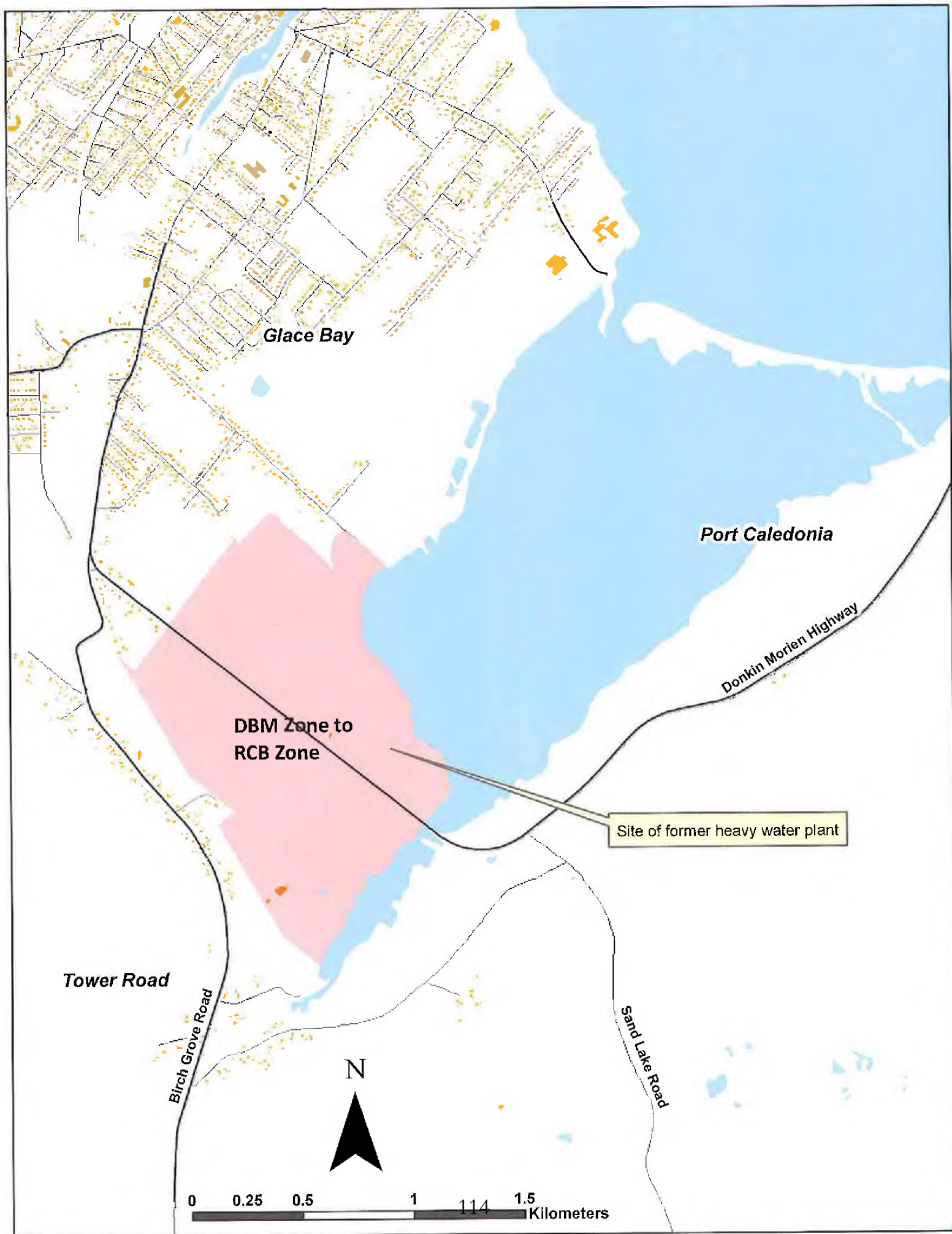
However, it is not well positioned geographically to service the regional market. Situated in the eastern fringe of Glace Bay, it is only accessed via a Level 3 rural road (*Donkin Highway - refer to Charts on pages 7.3 and 7.4*) and a Level 5 urban street (*Lake Street*). To get to a Level 1 public street/road, a vehicle must traverse through urban neighbourhoods. The closest Level 1 regional road is the Sydney Road in Reserve Mines. It can only be reached via Brookside and Dominion Streets within Glace Bay.

As well, the land slopes down to the shore of Big Glace Bay Lake, a body of salt water separated from the Atlantic Ocean by a beautiful sand dune beach. The Lake and its shoreline are a habitat for wildfowl.

The remaining buildings and site should only be designated for sales and service business development and assembly product manufacturing of already processed materials.

POLICY

19. It shall be a policy of Council to designate the site formerly occupied by the AECL facility in Glace Bay for sales and service business development and manufacturing assembly of materials already processed into a new product. It shall be zoned the Donkin Highway Business and Manufacturing (DBM) Zone.
-



Request for Municipal Planning Strategy Amendment - Gratten (Duke) Fraser's Letter to CBRM:

Motion:

Moved by Councillor Cormier, seconded by Councillor MacLeod, that staff be directed to prepare an Issue Paper to be brought back to a future meeting of the General Committee, on the options that could be considered on the request by Gratten (Duke) Fraser, in consideration of a Planning Strategy amendment to allow a former medical clinic to be converted into a drive thru coffee shop.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: MUNICIPAL PLANNING STRATEGY
AMENDMENT APPLICATION – 1018
Gratten (Duke) Fraser
762 King Street, New Waterford
(PID 15466840)**

DATE: November 27th, 2015

Introduction

At the November 2nd General Committee of Council meeting, Planning Director Malcolm Gillis presented a letter from Gratten (Duke) Fraser requesting a Municipal Planning Strategy (MPS) amendment to allow a former medical clinic to be converted into a drive thru coffee shop. The motion of the General Committee was for staff to prepare an issue paper and present it a future meeting of the General Committee. This issue paper is in response to that motion.

When Mr. Fraser purchased the property next to the New Waterford Consolidated Hospital, which is outlined in red on Attachment A, he was lead to believe that the property was zoned for commercial development. The building was once a medical office and it was Mr. Fraser's intention to construct a Robin's Donuts on the property; however, the property is zoned Residential Urban C (RUC) which does not permit this type of land use. Currently, the MPS does not contain policy which would support the establishment of a restaurant in this residential area. So in addition to having to amend the Land Use By-law (LUB), the MPS would also need to be amended to permit a restaurant on this property.

Planning staff believe there are two possible MPS policy changes worthy of consideration.

1. The MPS does have a policy that recognizes existing sales/service developments along urban and rural Level 1 and Level 2 public streets or in the central business districts of small communities where there is already a mix of land uses types (MPS Part 2, Policy S.a). The sector of Emerald Street in New Waterford from its intersection with Mahon Street and Larch Street is one of these areas (MPS Part 2, Policy S.b). One option could be to extend this designation to include the property in question. However, the distance between Larch Street and Mr. Fraser's property approximately 1700 feet and the most of the development is single detach dwellings, because of this staff would not be advocating this option.

2. While the majority of the immediate area is zoned RUC, which permits one and two-unit residential development, there are a number of large complexes in the area. In addition to the New Waterford Consolidated Hospital, the larger developments in the area include a 50 unit nursing home, a 24 unit seniors complex, two 15 unit seniors complexes, and two 12 unit apartment buildings, all of which are closer to the subject site than the low density residential developments that dominate the streetscape of the greater neighbourhood. In the vicinity of Mr. Fraser's property there is also a medical office and a three unit apartment building.

The former medical clinic building purchased by Mr. Fraser is an example of an isolated business development subject to the range of optional permitted uses identified in Part 54 of the LUB and supported by Municipal Planning Strategy Policy 14 of Part 2. However, the range of optional uses must be similar to the former use (e.g. converting the medical clinic into a real estate office). It really is too much of a stretch to consider a take-out restaurant a reasonable optional use to an office building in an urban residential neighbourhood. This above referenced MP5 policy could be revised to allow for a business development outside the range of "similar uses" by zoning amendment. In situations like this, where the subject site is buffered from the low density residential development prevalent throughout much of the neighbourhood by a collection of large residential and institutional complexes, a zoning amendment application to convert to a non-similar business development may have a fair chance of being successful. The policy could also require that new sales/service development be subject to a combination of development control tools that are available under the *Municipal Government Act*.

In cases where an individual is requesting an amendment to the MP5, Council can simply reject the requested amendment and the proponent has no right to appeal. Regarding this proposal, staff believes the above referenced 2nd option is at least worthy of consideration.

Recommendation:

It is staff's recommendation that Council pass a Motion giving Planning and Development Department staff and local Councillor Lowell Cormier the authority to conduct a Public Participation Program to introduce concept #2 of this report by means of either:

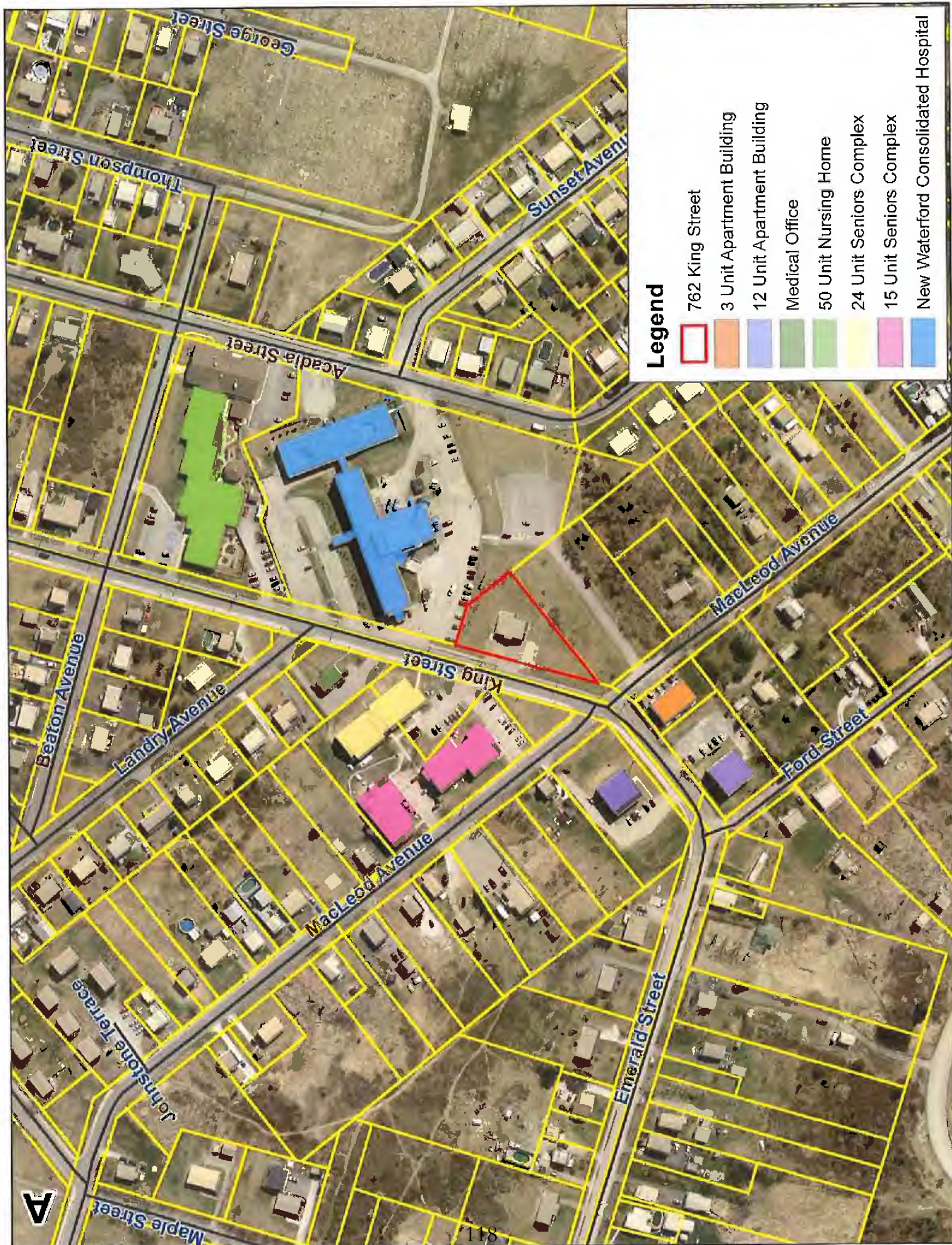
- a public meeting to be held in the community with notices going to the surrounding neighbourhood; or
- a survey via by means of a letter delivered by Canada Post to the assessed owners of property in the neighbourhood asking for their opinion regarding this proposal.

The results of the Public Participation Program would be brought back to Council's General Committee with a recommendation on how to proceed.

Submitted by:

Originally Signed by

Karen Neville
Planner



Cape Breton Regional Municipality

2nd Floor, Civic Centre
320 Esplanade
Sydney, Nova Scotia
B1P 7B9

Telephone/Voice Mail : 563-5093
Facsimile : 564-0481
E-mail klsmith@cbrm.ns.ca



Office of : Kenneth L. Smith M.C.I.P.
Planner

Property Management Services

MONTHLY REPORT

To: General Committee (Corporate Services)
From: Ken Smith
Date: December 10, 2015
Re: Request to Purchase CBRM Land

Information: Mr. Peter Gillis and Ms. Rebecca Aucoin are asking to purchase a 9,200 sq. ft. lot situated on the western side Victoria Road, near the very end of the Whitney Pier, see attached email and Map. The couple owns property at 352 Borden Street, which runs from Borden Street to Victoria Road, and immediately abuts the northern side lot line of the subject property. The couple are aware that much of the subject site is considered to be wetland. At this point, they wish to retain the property as a buffer between their existing back yard and Victoria Road.

The subject lot was acquired by the former City of Sydney from 'The Sydney Land and Loan Company Limited, in liquidation, on July 22nd, 1966. The land has a 2015 Assessed Value of \$11,100.00.

The request was sent to Mr. Ray Boudreau, Manager of Public Works, Central, for any comments. In his opinion, the lot is considered surplus to the needs of the Municipality.

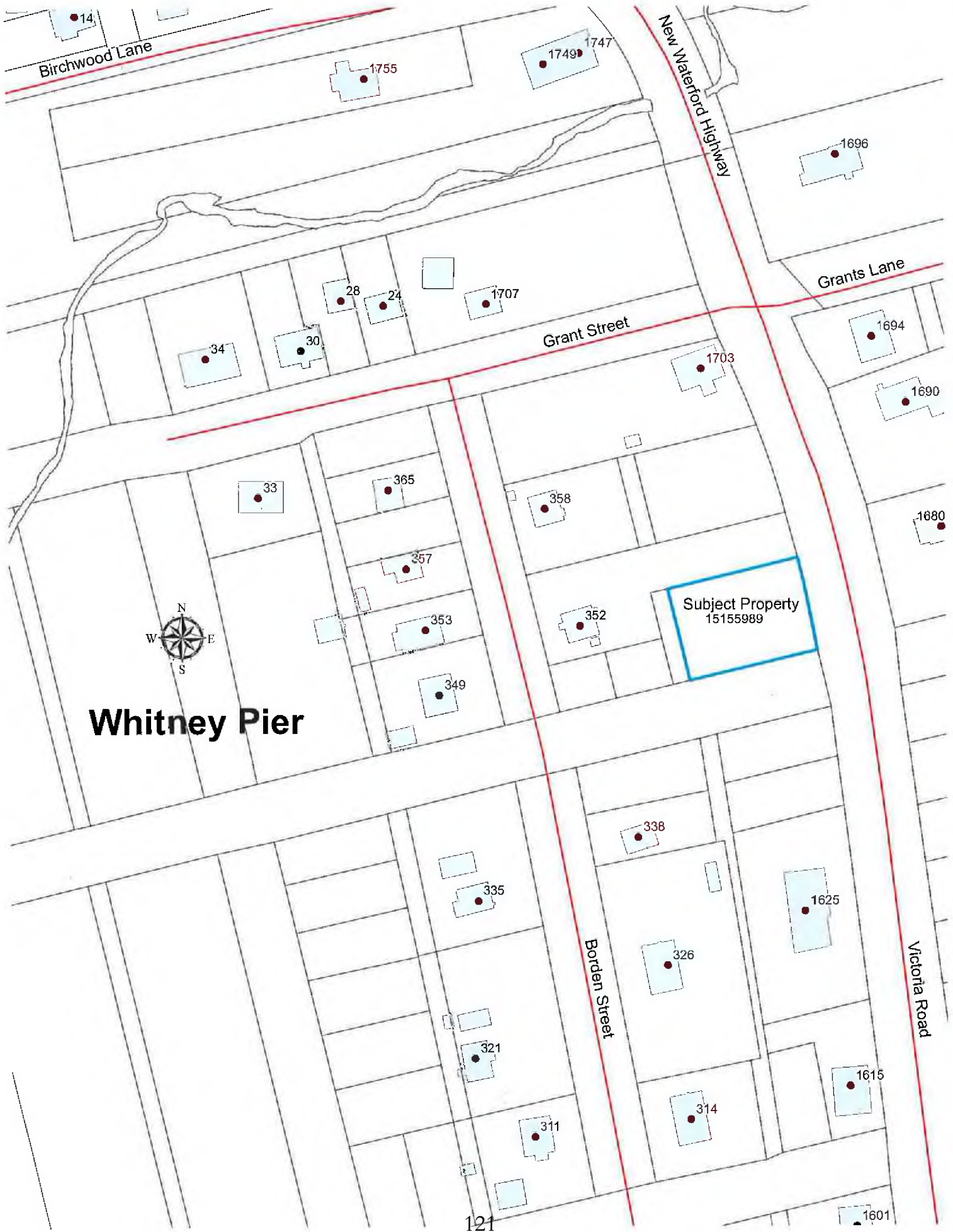
Recommendation: Staff recommends that Council declares the subject property – PID # 15155989 as Surplus.

Original Signed By:
Kenneth L. Smith M.C.I.P.
Planner
Property Management Services

From: peter gillis <petergillis55@hotmail.com>
Sent: Friday, October 23, 2015 1:52 PM
To: Kenneth Smith
Cc: Malcolm Gillis
Subject: Proposal to purchase land !

Good afternoon Ken ,as per our discussion at our meeting in your office at 10:30 this morning October 23 2015 .
Please be advised that both myself ,Peter Gillis and Rebecca Aucoin are interested in purchasing from the CBRM the said lot 1515S989 .This parcel of land is adjacent to our existing lots between 352 Borden St. And Victoria Rd. .
I am aware that it has to go before council to approve this purchase as it is not listed surplus property .and that it needs to be migrated prior too completion of the sale .
Our contact information is Rebecca Aucoin / Peter gillis ,352 Borden Street ,Sydney N.S.,B1N 1H3. 902 574 7929 cell (call first) home 902 562 4097 . Email petergillis55@hotmail.com .
If you have any further imfo you should need from us please advise at any of the contact information provided .
Regards .Peter Gillis .

Sent wirelessly from my BlackBerry device on the Bell network.
Envoyé sans fil par mon terminal mobile BlackBerry sur le réseau de Bell.



Cape Breton Regional Municipality

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B1P 7B9

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Office of : Kenneth L. Smith M.C.I.P.
Planner

Property Management Services

MONTHLY REPORT

To: General Committee (Corporate Services)
From: Ken Smith
Date: December 10, 2015
Re: Request to Purchase CBRM Land

Information: I received a request by Mr. Glenn Gardiner to purchase a portion of the Table Head Ballfield grounds situated off of Ryan Street, Glace Bay, see attached Letter and Map.

The proposed section Mr. Gardiner wishes to acquire is located between two existing lots he owns on Ryan Street. Mr. Gardiner intends to square off the CBRM portion in line with the existing rear lot lines of his properties and in turn consolidated all three parcels together. It is Mr. Gardner's plan to eventually construct a residential building on the proposed newly formed lot. The portion requested would be approximately 5,179 sq. ft. in area, with about 50 feet of road frontage along Ryan Street.

The request has been reviewed by Mr. Bill Murphy, Director of Recreation, and Mr. John Phalen, Manager of Public Works East. In their opinion the noted area is surplus to the needs of the Municipality. Mr. Phalen did place caution on the fact that the general area of Ryan Street is suspect to subsidence, and therefore requested the use of the additional Schedule "B" Subsidence/Erosion document, which would form part of an Agreement and Purchase and Sale.

Recommendation: Staff recommends that an area containing approximately 5,179 sq. ft. from PID # 15437510; as shown on the attached map, be declared Surplus to the needs of the Municipality.

Original Signed By: _____

Kenneth L. Smith M.C.I.P.
Planner
Property Management Services

Dear Ken

This is a print of the section
that we spoke about on the phone.
Could you hold my letter until I am able
to get some information about the possibility
of acquiring this portion.

Thanks you for your time Ken

Sincerely
Sam Mardian

RECEIVED

NOV 18 2015

Time: 1:35 pm

Initials: SB



15437510

Glenn Gardiner

Requested Area

Glenn Gardiner

Timmerman Street

West Avenue

Ryan Street

Tennyson Street

Sterling Road

124



15437510

Glenn Gardiner

Requested Area

Glenn Gardiner

West Avenue

Tennyson Street

Ryan Street

Timmerman Street

Sterling Road

125

ISSUE PAPER

November 12, 2015

To: Mayor and Council

RE: CBRM Sun Life Define Contribution Pension Plan:
1) Amendment No. 5
2) Consolidation and Restated Plan Text

Background:

1) Amendment No. 5

On June 1, 2015, the Province approved a new Pension Benefits Act (PBA). As a result of changes to the act the CBRM DC Plan requires an amendment which increases the "Small Benefits" provision of Section IV.

When an employee joins a registered pension plan, the contributions are vested and locked. If the employee becomes inactive or terminates within a few years of employment their ability to withdraw from the plan is determined by the Small Benefit provision.

The newly stated provision sets the withdrawal amount at 20% of the YMPE which for 2015 is (\$10720.00 or less) or if the annual pension that results from the Employees fund is less than 4% of the YMPE (\$2144.00 or less) the fund can be withdrawn and unlocked.

Amendment No. 5# is attached and forms part of this issue paper.

Recommendation:

I would recommend to Council the approval of Amendment No. 5 to the CBRM Sun Life DC Pension Plan which reflects changes to the PBA as of June 1, 2015.

Continued...

2) Consolidation and Reinstated Plan Text June 1, 2015

The CBRM Sun Life Define Contribution (DC) Pension plan has been in place since September 16, 1986. The plan has been amended on many occasions for various reasons similar to Amendment #5 listed above. In order to capture these Amendments in the wording of the plan text, the text requires occasional revision.

The attached plan text is a revised text which includes all amendments to the plan up until June 1, 2015.

Recommendation:

I am recommending to Council the adoption of the Revised Sun Life DC Plan text dated June 2015 as the new consolidated plan text for the Municipality and that the Mayor and Clerk be given authority to sign on behalf of CBRM.

ORIGINAL SIGNED BY

Angus Fleming
Director of Human Resources

Attachment

**AMENDMENT NO. 5
TO THE
REGISTERED PENSION PLAN FOR EMPLOYEES OF
CAPE BRETON REGIONAL MUNICIPALITY**

WHEREAS Cape Breton Regional Municipality maintains the Registered Pension Plan for Employees of Cape Breton Regional Municipality (hereinafter referred to as the "Plan").

WHEREAS pursuant to Section XI of the Plan, the Employer reserves the right to amend the Plan from time to time.

THEREFORE BE IT RESOLVED that effective June 1, 2015:

The "Small Benefits" provision of Section IV of the Plan is deleted and replaced with the following:

The account of an inactive Member who has terminated employment may be unlocked if the Vested Value of the Member's account is less than 20% of the YMPE, or the annual pension at NRD which can be provided by the Vested Value of the Member's account is less than 4% of the YMPE, for the calendar year in which the Member terminated employment.

Vested Value for the purposes of this provision does not include VCs, if any.

The foregoing revision has been adopted by the Employer.

FOR CAPE BRETON REGIONAL MUNICIPALITY

Date: _____

Per: _____

Name: _____
please print

Title: _____

Date: _____

Per: _____

Name: _____
please print

Title: _____

**REGISTERED PENSION PLAN FOR EMPLOYEES OF
CAPE BRETON REGIONAL MUNICIPALITY**

Consolidated and Restated Effective June 1, 2015

I, the undersigned, do hereby certify that this document constitutes the official text of the Registered Pension Plan for Employees of Cape Breton regional Municipality (the "Plan").

Signed at: _____

Signed at: _____

Date Signed: _____

Date Signed: _____

Per: _____

Per: _____

Name: _____

please print

Name: _____

please print

Title: _____

Title: _____

Nova Scotia Registration Number: C 939306
Canada Revenue Agency Registration Number: 939306

Foreword

Effective Date of the Plan

The "Effective Date" of the Plan is September 16, 1986.

Purpose of the Plan

The primary purpose of the Plan is to provide periodic payments to individuals after retirement and until death with respect to their Service as Employees of the Employer.

The Plan is a defined contribution or money purchase type plan. Contributions made to the Plan are accumulated in individual Member accounts and all benefits under the Plan are determined by reference to each Member's vested accumulated contributions.

The Employer, as defined on the face page has final authority for all interpretations of the Plan provisions.

History of the Plan

The Employer came into existence on August 1, 1995 further to the amalgamation of the following eight municipalities of Nova Scotia: the Municipality of the County of Cape Breton, the City of Sydney, the Towns of Glace Bay, Sydney Mines, New Waterford, North Sydney, Dominion and Louisbourg.

The amalgamation of the municipalities led to the merger of the pension plans cited in the definition of "Original Plan" into the Pension Plan for the Municipality of the Town of Sydney Mines, Registration Number C939306, effective February 1, 1997. The continuing plan thereafter became known as the Registered Pension Plan for Employees of Cape Breton Regional Municipality, Registration Number C939306.

At the time of the amalgamation, the Town of Louisbourg was a participating employer to the Municipalities of Nova Scotia Municipal Employees Pension Plan (hereinafter referred to as the "UNSM Plan"), Registration Number 0405563, funded by contract number RS71842 (subgroup 0044) issued by The Standard Life Assurance Company and its subsidiary The Standard Life Assurance Company of Canada. During 2009, any remaining active members under the UNSM Plan, joined this Plan or the Cape Breton Regional Municipality Defined Benefit Pension Plan, Registration Number 234211, for future service. Assets for prior service remained in individual accounts under the UNSM Plan.

Cape Breton Regional Municipality, as successor to the Town of Louisbourg, remained a participating employer to the UNSM Plan until its withdrawal effective March 31, 2014. Upon the approval of the Nova Scotia Superintendent of Pensions, the remaining assets for the Town of Louisbourg were assigned and transferred to the Plan.

Restatement

In order to incorporate all amendments made to the Plan, be they made by the Employer or required by Applicable Legislation since its inception on September 16, 1986, the Plan is consolidated and restated in its entirety effective June 1, 2015.

Unless stated otherwise, the terms and provisions of the Plan as restated in this current text, apply to such Members whose Continuous service terminated or terminates after May 31, 2015. Unless stated otherwise, the pension benefits in respect of Members whose Continuous service terminated before June 1, 2015 are determined by the terms and provisions of the Plan that was in effect at time of termination.

Effective Date of Restated Plan Text

To the extent provided herein in respect of specific definitions and provisions, the effective date of this restated plan text is June 1, 2015.

Table of Contents

Foreword..... 3

Section 1 - Definitions..... 1

Section 2 - Joining the Plan..... 4

Section 3 - Contributions to the Plan 6

Section 4 - Vesting and Locking-In..... 8

Section 5 - Benefits on Termination of Employment 9

Section 6 - Benefits on Retirement..... 10

Section 7 - Benefits on Death 12

Section 8 - Benefit Settlement Options..... 14

Section 9 - Other Administration Provisions 15

Section 10 - Termination and Amendment of the Plan..... 17

Section 1 - Definitions

Throughout this document all male terms include the female terms and singular includes the plural unless otherwise stated.

Anniversary Date means February 1st of each year following the Effective Date.

Applicable Legislation means the Nova Scotia Pension Benefits Act and Regulations, the Income Tax Act (Canada) and the regulations thereunder, the administrative rules of the federal tax authority and any other federal or provincial legislation applicable to registered pension plans.

Continuous, where referring to employment or membership, means a Member's period of uninterrupted employment with the Employer, in Canada, and/or membership in the Plan without regard to any periods of temporary suspension of employment or membership or lay-off from employment that do not exceed 52 consecutive weeks.

Except for the purposes of determining eligibility and/or vested rights, periods of temporary suspension of employment shall not include any period during which a person is a 'connected person' as defined in the Income Tax Act (Canada) and the Regulations thereunder.

Earnings means the remuneration paid to the employee by the Employer during a Plan Year.

For the purposes of determining contributions to the Plan, Earnings include an Employee's basic compensation, and exclude any overtime pay, bonuses, expenses allowances, grants, premiums, and other special arrangements, if any.

For the purposes of determining the Pension Adjustment of a Member for whom contributions continue during an 'eligible period of temporary absence' or a 'period of disability' as defined in Applicable Legislation, a 'prescribed amount' as defined under Regulation 8507 of the Income Tax Act (Canada) will be included in Earnings. Such 'prescribed amount' will be equal to the Earnings being paid to the Member at the commencement of the period of absence or disability and upon which such contributions are being based. Pursuant to Regulation 8507 (2) and (3) of the Income Tax Act (Canada), there is a lifetime maximum of eight years of prescribed compensation for qualifying periods, with no more than five years for periods that are not parenting.

For the purposes of determining the Pension Adjustment of a Member who is a connected person, Earnings exclude prescribed amounts for eligible periods of reduced pay or temporary absence.

Employee means a person who is in the Continuous service of the Employer on a full or part-time basis.

Employer means Cape Breton Regional Municipality.

Fund means the assets of the Plan held under the terms of the Funding Agreement for the purpose of providing pension and other benefits under the Plan.

Funding Agreement means any agreement or agreements now or hereafter entered into between the Employer and the life insurance company, the trust company, individual trustees or any combination thereof designated by the Employer, establishing and maintaining the Fund.

Latest Retirement Date with respect to a Member, or the Spouse of a Member, means the date, as prescribed by Applicable Legislation, on which payment of retirement benefits to a Member, or annuity payments to a Spouse due to the death of the Member, must commence.

Member means an employee who has been enrolled in the Plan and is entitled to its benefits and privileges. An active Member is accruing benefits from ongoing contributions to the Plan. An

inactive Member has terminated employment with the Employer or is no longer eligible for membership in the Plan but has benefits maintained under the Plan.

Normal Retirement Date (NRD) means the first day of the month coincident with or next following the Member's 65th birthday.

Original Plan means the following defined contribution pension plans maintained by the amalgamated municipalities of Nova Scotia listed below:

Name	Nova Scotia Registration Number	Original Effective Date	Previous Carrier
Cape Breton County	C 282277	June 1, 1961	Sun Life Assurance Company of Canada
Town of Dominion	C 580613	April 1, 1978	London Life
Town of Glace Bay	C 349951	January 1, 1974	London Life
Town of New Waterford	C 449371	June 1, 1982	London Life
Town of New Waterford	C 583648	February 1, 1977	London Life
North Sydney	C 405712	November 19, 1981	London Life
Sydney Centre 200 Commission	C 978189	January 1, 1990	Manulife Financial

For eligibility and/or vesting purposes, employment with the Original Plan sponsor and membership, if any, under the Original Plan is considered to be employment with the Employer and membership under the Plan. Any benefit transferred from the Original Plan with respect to a Member is credited to the individual account established for the Member under the Plan.

Pension Adjustment means the amount reported by the Employer, representing a total of all Pension Credits accumulated by a Member in a taxation year.

Pension Credits means all contributions to the Plan with respect to a Member plus reallocated amounts, if any, in a calendar year.

Plan Administrator means the Employer. The Plan Administrator decides all matters with respect to the operation, administration and interpretation of the Plan and shall be responsible for the duties designated in accordance with Applicable Legislation.

Plan Year means, for the first Plan Year, the period beginning on the Effective Date and ending the day preceding the Anniversary Date. Subsequent Plan Years shall be 12 months in length commencing on the Anniversary Date.

Retired Member means an individual who has either terminated employment that relates to the Plan or has terminated membership in the Plan and satisfies one or more of the following criteria:

- (i) the individual is receiving a pension payable from the Fund,
- (ii) the individual is entitled to begin to receive a pension from the Fund by virtue of having reached the NRD, even though the individual has not yet elected to receive the pension,
- (iii) the individual has elected to receive an early retirement pension from the Fund, or
- (iv) the individual has elected, under the terms of the Plan, to begin payment of a pension payable from the Fund, whether or not receipt of the first payment of the pension is deferred until a later date,

but does not include an individual who was a Member and who has transferred an amount under the section outlining Benefit Settlement Options.

Spouse means either of two persons who

- are married to each other,

- are married to each other by a marriage that is voidable and has not been annulled by a declaration of nullity,

have gone through a form of marriage with each other, in good faith, that is void and are cohabiting or, where they have ceased to cohabit, have cohabited within the twelve-month period immediately preceding the date of entitlement,

- (i) are domestic partners within the meaning of Section 52 of the Vital Statistics Act, or
- (ii) not being married to each other, are cohabiting in a conjugal relationship with each other, and have done so continuously for at least
 - (A) three years, if either of them is married, or
 - (B) one year, if neither of them is married.

Spouse does not include any person who is not recognized as a spouse or common-law partner for the purposes of any provision of the Income Tax Act (Canada) respecting registered pension plans.

Vested Value means the value of the Member's account representing his required contributions, voluntary contributions and/or transfers if any, vested Employer contributions, including reallocated amounts if any, and associated interest, gains and losses.

YMPE means the Year's Maximum Pensionable Earnings as defined in the Canada Pension Plan.

Section 2 - Joining the Plan

2.01 Eligibility Requirements

Employee Class	Waiting Period	Participation in the Plan is
Full-Time Employees	On the first day of the month immediately following employment with the Employer. If the employment date with the Employer is the first of a month, the Employee is eligible to join the Plan immediately	Compulsory, provided that the Employees has not joined the Cape Breton Regional Municipality Defined Benefit Plan, Registration Number 234211, in accordance with such plan's eligibility requirements.
Part-Time Employees	24 months of Continuous of less than part-time employment provided the employee has attained in each of two consecutive calendar years immediately prior to membership, the lesser of (i) earnings of at least 35% of the YMPE, or (ii) 700 hours of employment with the Employer. All taxable Earnings, and all hours worked, including overtime must be considered in determining eligibility.	

The Employer may waive the eligibility requirement for an employee provided the waiver does not contravene any Applicable Legislation.

2.02 Enrolment

- (i) An eligible employee must complete the enrolment form provided by the Plan Administrator to join the Plan.
- (ii) An employee whose participation is compulsory must join the Plan immediately following the waiting period for eligibility.

2.03 Membership

- (i) A Member who is employed on a less than full-time basis and remains in Continuous employment will not cease to be a Member if his Earnings drop below 35% of the YMPE or he works less than 700 hours in a calendar year.
- (ii) A Member may not terminate his membership or withdraw required contributions from the Plan while in Continuous employment.
- (iii) A Member may not suspend contributions while in Continuous employment.

- (iv) A Member who has not terminated employment with the Employer but moves to a category of employment not covered by the Plan may, subject to any Applicable Legislation, transfer his benefits to another registered pension plan with the Employer, if available and if the other pension plan allows.
- (v) Membership in the Plan does not confer any legal right upon the employee for continuation of employment.

Section 3 - Contributions to the Plan

3.01 Schedule of Required Contributions

Employee Class	Member Required Contributions	Employer Required Contributions
All Employees	8% of Earnings	8% of Earnings

- (i) **Member Required Contributions** are made through payroll deduction, according to the above schedule, and commence the first pay period following the date the Member joins the Plan.
- (ii) **Member Voluntary Contributions (VCs)** are "additional voluntary contributions" as defined in Applicable Legislation and may be made on a regular and/or lump sum basis, through payroll deduction, by giving written notice to the Plan Administrator.
- (iii) A Member is permitted to withdraw VCs while in Continuous employment.
- (iv) **Transfers** to the Plan from a retiring allowance, or individual transfers from another registered pension plan, a registered retirement savings plan, a deferred profit sharing plan or any other registered plan or arrangement in accordance with Applicable Legislation, are acceptable. Locked-in transfer amounts will be administered in accordance with Applicable Legislation. For the purposes of this Plan, non-locked-in transfers are considered VCs.
- (v) **Employer Required Contributions** are made, according to the above schedule, on behalf of each Member, and commence the first pay period following the date the Member joins the Plan.

3.02 Contributions during a period of a leave

- (i) Contributions during a maternity or parental leave may continue for the duration of the leave if the Member elects to pay the required contributions.
- (ii) Contributions during other eligible periods of temporary absence or disability are not required and will be as arranged between the Member and the Employer.

3.03 Minimum and Maximum Contributions

- (i) The Minimum Employer Contribution will in no event be less than 1% of the total pensionable earnings of all employees who are active Members of the Plan during such Plan Year.
- (ii) The Maximum Allowable Contribution with respect to a Member, in any taxation year, is the amount determined in accordance with the Plan as registered and may not result in a Pension Adjustment for the Member for the year exceeding the lesser of:
 - (a) 18% of the Member's Earnings from the Employer for the year, and
 - (b) the money purchase limit for the calendar year, as defined in the Income Tax Act (Canada).

Any contribution in excess of the Pension Adjustment limit or any contribution which may cause the revocation of registration will be returned to the contributor,

subject to prior approval by the regulatory authorities, if required by Applicable Legislation.

3.04 Remittance of Contributions

Employer Required Contributions are made, according to the schedule set forth in sections 3.01, 3.02 on behalf of each Member, and commence the first pay period following the date the Member joins the Plan.

Employer contributions will be remitted for deposit to the Member's account within 30 days of the end of the month for which they are payable.

3.05 Catch-up contributions

In accordance with the approval of the federal tax authority, if it is determined by the Employer that an error has occurred in the calculation of the contributions or the interpretation of the Plan, such that all or a portion of Employer contributions that should have been made to the Plan during a Plan Year were not made, then additional contributions ("Catch-up Contributions") may be made by the Employer in the manner determined by the Employer, until such time the error has been corrected. Such Catch-up Contributions will be subject to the limits set out in "The Maximum Allowable Contribution" paragraph above.

3.06 Investment of Contributions

The assets held under the Funding Agreement will be invested subject to the requirements of any Applicable Legislation.

3.07 Investment Earnings on Contributions

Investment earnings on contributions will consist of interest, gains and losses as attributed to the investments to which the contributions have been directed under the Funding Agreement, less any fees or expenses related to the operation of the investments or the Plan as outlined in the section on Other Administration Provisions.

Investment earnings will be credited not less frequently than monthly, with effect from the day on which the contribution is credited to the Member's account. For the purposes of determining the benefit entitlement for a Member, investment earnings will be credited to each Member's account up to and including the day immediately preceding the day on which such benefit is paid or commences to be paid.

Section 4 - Vesting and Locking-In

4.01 Vesting

Vesting refers to a Member's entitlement to Employer contributions made on the Member's behalf. Employer contributions are immediately vested with no minimum membership or service requirement.

4.02 Locking-In

Required contributions are subject to locking-in, meaning the Member is not entitled to a refund of contributions made to the Plan unless otherwise provided, and must be used to provide retirement income payable to the Member for his lifetime. Required contributions to the Plan are immediately locked-in.

4.03 Unlocking Benefits

(i) Shortened Life Expectancy

An inactive Member who has an illness or physical disability that is likely to shorten his life expectancy to less than 2 years may submit an application to unlock the Vested Value of his account. The application must be accompanied by a waiver from the Spouse, if any, consenting to the withdrawal, and a physician's statement that the illness or physical disability is likely to shorten the inactive Member's life expectancy to less than 2 years. The Plan Administrator must give the inactive Member a receipt for the documents stating the date that they received the documents.

(ii) Small Benefits

The account of an inactive Member who has terminated employment may be unlocked if the Vested Value of the Member's account is less than 20% of the YMPE, or the annual pension at NRD which can be provided by the Vested Value of the Member's account is less than 4% of the YMPE, for the calendar year in which the Member terminated employment.

Vested Value for the purposes of this provision does not include VCs, if any.

(iii) Contributions prior to January 1, 1988

On termination of employment prior to NRD, 25% of required contributions made prior to January 1, 1988, plus investment gain or loss, may be unlocked.

Section 5 - Benefits on Termination of Employment

- 5.01** Contributions for a Member cease upon his termination of employment. The settlement options for a Member who terminates employment will be in accordance with the section defining Benefit Settlement Options and subject to Applicable Legislation.
- 5.02** The Plan Administrator will provide the Member with a benefit statement of the Vested Value of his account and the options available to him, within 60 days of notice of the Member's termination of employment.

Section 6 - Benefits on Retirement

6.01 A Member must retire on his or her Normal Retirement Date.

A Member who retires is entitled to receive a pension provided by the Vested Value of his account at the date of commencement of pension payments. The pension is payable for life and not less frequent than annually.

The Plan Administrator will provide the Member with a benefit statement of the Vested Value of his account and the options available to him within 60 days of notice of his retirement.

6.02 Normal Forms of Retirement Income

The normal forms of pension payable under the Plan are as follows:

Marital/Relationship Status of the Member at the Date Payments Commence	Normal Form of Pension
No Spouse	a pension payable until the later of (a) the Member's death and (b) the end of a guaranteed period of 10 years
Spouse *	a pension payable until the later of (a) the Member's death and (b) the end of a guaranteed period chosen by the Member, if any and subject to a maximum 15 years, and thereafter, 60% of the pension will continue to be paid to the person who was the Member's Spouse at the date the pension payments began until the Spouse's death

* A Member is not considered to have a Spouse at retirement if the Member is living separate and apart from the Spouse on the pension commencement date with no reasonable prospect of the resumption of cohabitation, and the Spouse

- (i) has delivered a written waiver of retirement benefits, as prescribed under Applicable Legislation, or
- (ii) is not entitled to receive an amount in accordance with the terms of a written agreement for the division of pension benefits if the agreement pre-dates the Member's pension commencement date, or
- (iii) is not entitled to receive an amount in respect of pension benefits under a court order which pre-dates the Member's pension commencement date.

6.03 Optional Forms of Retirement Income

- (i) Prior to the commencement of pension payments, a Member may elect any form of pension allowed by the Employer and permitted by Applicable Legislation. The election must be in writing and the Spouse, if any, and the Member must have signed a waiver of entitlement to survivor benefits in the prescribed format and filed it with the Plan Administrator within the 12 month period immediately prior to the date payments are to commence.
- (ii) Alternatively, a Member may elect to have the Vested Value of his account transferred in accordance with the section defining Benefit Settlement Options.

6.04 Treatment of VCs/transfers

Any portion of the Member's pension derived from VCs/transfers will be paid in the same form as the pension derived from required contributions. Alternatively, the Member may elect that the account value attributable to these amounts be paid in cash or transferred in a lump sum in accordance with the section defining Benefit Settlement Options.

6.05 Early Retirement

A Member may elect to begin receiving pension payments at any time within the 10-year period prior to his NRD.

Section 7 - Benefits on Death

7.01 In the event of a Member's death before pension payments commence a statement of entitlement and the options available will be provided to the Spouse, beneficiary or estate, as applicable, within 60 days of receipt of advice of the Member's death.

7.02 Entitlement to Death Benefit

Event	Death Benefit	Payable to
Death before pension payments commence	the Vested Value of the Member's account	- the Spouse * or - the designated beneficiary if no Spouse exists, or - the Member's estate if no beneficiary has been designated or no such beneficiary survives
Death after pension payments commence	the remaining guaranteed payments, if applicable **.	- the designated beneficiary, or - the estate (if no beneficiary has been designated or no such beneficiary survives).

* A Member is not considered to have a Spouse if the Member was living separate and apart from the Spouse on the date of Member's death with no reasonable prospect of the resumption of cohabitation, and the Spouse

- (i) had delivered a written waiver of entitlement to the pre-retirement death benefit, as prescribed under Applicable Legislation, or
- (ii) is not entitled to receive an amount in accordance with the terms of a written agreement for the division of pension benefits, or
- (iii) is not entitled to receive an amount in respect of pension benefits under a court order.

** In the case of a single life pension with a guaranteed period, where the Member dies before the expiry of the guaranteed period, the death benefit represents the remaining guaranteed payments payable after the death of the Member.

In the case of a joint and survivor pension, after the death of the Member, the Spouse, if living, will become entitled to receive the survivor pension for the rest of the Spouse's life. Should both the Member and the Spouse die before the end of the guaranteed period the last designated beneficiary of the survivor of the Member and the Spouse, or failing that, the estate of the survivor, will become entitled to receive the remaining benefits payable until the end of the guaranteed period.

7.02 Payment to the Spouse

The settlement options available to a Spouse are the same as those available to a Member for non-locked-in benefits and are outlined in the section defining Benefit Settlement Options.

In the event a life annuity with a guarantee period is elected by the Spouse, such guarantee period may not exceed 15 years. If a deferred life annuity is elected, payments must commence before the Spouse's Latest Retirement Date. If beyond the Spouse's Latest Retirement Date, payments must commence not later than one year after the Member's date of death.

7.03 Waiver of Entitlement to Death Benefits

A Spouse may waive entitlement to death benefits under the Plan prior to the death of the Member by completing the form prescribed by Applicable Legislation. If waived, the death benefit will be paid to the Member's designated beneficiary, or to the Member's estate if a beneficiary has not been designated.

7.04 Payment to the Beneficiary or Estate

A Member may designate a beneficiary to receive death benefits under the Plan and may change such designation at any time.

The pre-retirement death benefit payable to a beneficiary or the Member's estate will be settled in a lump sum.

Section 8 - Benefit Settlement Options

8.01 Subject to Applicable Legislation, the Vested Value of a Member's account on early, normal or late retirement, death, termination of employment or termination of the Plan may be settled as described below.

8.02 Locked-in Benefits

The locked-in portion of the Vested Value of the Member's account may be settled in any one or a combination of the following options:

- purchase either an immediate or deferred life annuity from a corporation, licensed or otherwise authorized under the laws of Canada or a province to carry on an annuities business in Canada, provided such annuity meets the requirements of Applicable Legislation
- transfer to a locked-in retirement account as prescribed under Applicable Legislation
- transfer to a prescribed income arrangement in accordance with Applicable Legislation
- transfer to another registered pension plan, if that plan permits

8.03 Non-Locked-In or Unlocked Benefits

The non-locked-in or unlocked portion of the Vested Value of the Member's account may be settled in any one or a combination of the following options:

- a cash payment of the lump sum value
- purchase a life annuity from a corporation, licensed or otherwise authorized under the laws of Canada or a province to carry on an annuities business in Canada, provided such annuity meets the requirements of Applicable Legislation
- transfer to a registered retirement savings plan
- transfer to a registered retirement income fund
- transfer to another registered pension plan, if that plan permits

Section 9 - Other Administration Provisions

9.01 Administration and Account Servicing Fees

The fees associated with investment management, Member account servicing and Plan administration may be the responsibility of the Employer or of the Member. Details are available from the Plan Administrator upon request.

Notwithstanding the above, an inactive Member may be responsible for all charges associated with Plan membership.

9.02 Advisory Committee

The Members of the Plan and Retired Members may, by majority vote of those participating in the vote, establish an advisory committee. Each class of employees that is represented in the Plan is entitled to appoint one representative to the committee (or where there is only one class of employees, that class is entitled to appoint two representatives). Retired Members are entitled to appoint at least two representatives, and one or more inactive Members of the Plan may be appointed as representatives.

The committee shall monitor the administration of the Plan, make recommendations to the Plan Administrator respecting the administration of the Plan and promote awareness and understanding of the pension plan among its Members and individuals receiving pension benefits under the Plan.

The advisory committee also has the right to examine certain records of the Plan Administrator in respect of the administration of the Plan.

The Plan Administrator shall, no later than 30 days after receiving written notice from Members (or a trade union acting on their behalf, if applicable), or Retired Members, of their intent to establish an advisory committee, distribute the notice of the intent and such other prescribed information to the Members and Retired Members.

9.03 Determination on Basis of Sex

The sex of an individual shall not be taken into account when determining:

- eligibility for membership in the Plan,
- the amount of any contributions required to be paid by a Member, or
- any benefit payable under the Plan derived from contributions to the Plan on or after January 1, 1988.

9.04 Disclosure

The Plan Administrator will provide a written description of the Plan provisions, together with an explanation of the rights and obligations of a Member of the Plan, to each employee who is, or is likely to become eligible or required to join the Plan.

A written explanation of any amendments shall be provided to any Member or other person entitled to payment from the Plan and impacted by such change in accordance with Applicable Legislation.

Subject to privacy legislation, information prescribed by Applicable Legislation shall be provided to:

- a Member, an inactive Member and a Retired Member
- the Spouse of a Member, an inactive Member and a Retired Member
- any other person entitled to a pension benefits under the Plan
- a former Spouse of a Member, an inactive Member and a Retired Member

- the agent authorized in writing of any such Member, inactive Member, Retired Member, Spouse, former Spouse or person entitled to pension benefits under the Plan
- the representative of a trade union that represents the Members
- an Employer
- a person required to make contributions under the Plan on behalf of an Employer; or
- any other prescribed person

and shall include but is not limited to:

- an annual statement of benefits and contributions
- a statement of benefits on termination of employment or membership in the Plan and any options available with respect to such benefits, and on request, an updated statement
- a statement of the options available on retirement and subsequently a statement of retirement benefits
- a statement of the amount and method of payment of any benefits and options on death
- a statement of benefits, contributions and options on termination of the Plan.

On written request, such information may include copies of Plan related documents including but not limited to:

- the Plan text and amendments and any previous versions of such documents,
- the application for registration of the Plan or of an amendment to the Plan,
- any other document filed with respect to the Plan and the Fund, and
- any correspondence between the provincial or federal legislative authorities, as applicable, and the Employer, except personal information relating to a Member, inactive Member or Retired Member.

9.05 Marriage or Relationship Breakdown

Entitlement to receive a benefit under the Plan on marriage or relationship breakdown is subject to a limit of 50% of the benefit accrued under the Plan during the relationship and will be divided in accordance with a separation agreement or court order. The Spouse's entitlement will be locked-in to the extent that the Member's entitlement is locked-in at the date of settlement.

Any entitlement may be settled as outlined in the section defining Benefit Settlement Options. Alternatively, the former Spouse may elect to be designated as a limited member of the Plan, as defined in Applicable Legislation.

9.06 Payment of Benefits

All benefits payable under the terms of the Plan will be made within the time limits required by Applicable Legislation.

9.07 Surrender, Commutation, Assignment

Except as specifically provided to the contrary in this Plan and subject to Applicable Legislation, benefits under this Plan are not capable of being commuted. Benefits under this Plan shall not be assigned, charged, alienated, anticipated, given as security or surrendered and are exempt from execution, seizure or attachment except where a garnishment or attachment is specifically required under the Maintenance Enforcement Act.

Section 10 - Termination and Amendment of the Plan

- 10.1** The Employer may terminate the Plan in whole or in part, at any time. In such event, all contributions for Members affected by the termination will cease.
- 10.2** The Employer may amend the terms of the Plan at any time, subject to Applicable Legislation.
- 10.3** No amendment to, or termination of, the Plan will reduce a Member's pension benefits earned prior to the date of amendment or termination.
- 10.4** If the Employer provides a continuing registered pension plan to all or an identifiable group of Members, the value of the Member account will, subject to Applicable Legislation, be transferred to the continuing plan on behalf of the affected Members. Service with the Employer and membership under the Plan will be credited to the Member under the continuing plan.



CBRM Energy Update

David Brushett— Efficiency Nova Scotia
November 16, 2015



Bright Business

- Cape Breton Regional Municipality (CBRM) was named the winner of the Engagement Award.
- Award recognizes CBRM's Leadership in Energy Management, Project Planning and Employee Engagement
- Award was presented along with video at conference with 255 delegates from the Energy Industry
- Energy Minister of Nova Scotia named CBRM a leader in energy in his address

Objectives

- Achieve 15% energy cost reduction over 5 years (\$1.5 Million)
- Develop 5 year capital plan for energy savings
- Increase organizational awareness
- Develop Strategic Energy Management Plan
- Make it sustainable

efficiency
ИЗДАВА БУДЖЕТА КОМПАНИИ НАМ

use energy better

Approved Electricity Projects

Results to Date	
Total Project Cost	\$890,918.77
Rebate	\$301,365.67
CBRM Cost	\$589,553.00
kWh Savings	2182624
Annual Cost Savings	\$315,585.00
Payback	1.87

efficiency
ИЗДАВА БУДЖЕТА КОМПАНИИ НАМ

use energy better

Project Highlights

- LED upgrades
- Direct Install in 50 Buildings
- ASHRAE Level 2 Audits in Dominion WWTP, Battery Point WWTP, Civic Centre, and County Arena for 5 year capital plan
- Water Loss Program
- Recommissioning 5 Buildings (low and no cost savings)



use energy better

Strategic Energy Management

- Energy Management Assessment
- Benchmarking with Portfolio Manager
- Energy Team Formation
- Awareness
- Newsletter
- Holiday Light Exchange Nov 27th



use energy better

Funding Opportunities

- Efficiency Nova Scotia Continuance
- Solar Program for Community Buildings (NS Power/ DOE)
- Federation of Canadian Municipalities: Green Municipal Fund
- Third Party Performance Contracts
- Federal Green Infrastructure Funding

efficiency
NOVA SCOTIA CORPORATION

use energy better

Stop. Think. Save.

use energy better



Questions?

efficiency
NOVA SCOTIA CORPORATION



A Community of Communities

Issue Paper

TO: CBRM General Committee

November 2015

RE: Expressions of Interest – Repurposing Centennial Arena

Introduction

As part of the organization review, Council has approved the discontinuation of the existing ice operations at the Centennial Arena.

The municipality has received several informal representations from various interested groups and organizations with an interest in seeing the existing building reused for other activities. Some of the suggested uses are compatible (operated together) while others may require exclusive use of one or both of the existing building on the site.

As Council is aware, there is also significant recreation infrastructure in the area, with the Susan MacEachern Memorial Baseball Park and the Atlantic Street Soccer and Walking track sharing the existing property. For the call for expressions of interest, the attached drawing will illustrate the anticipated parking areas for the future use by both new and existing users.

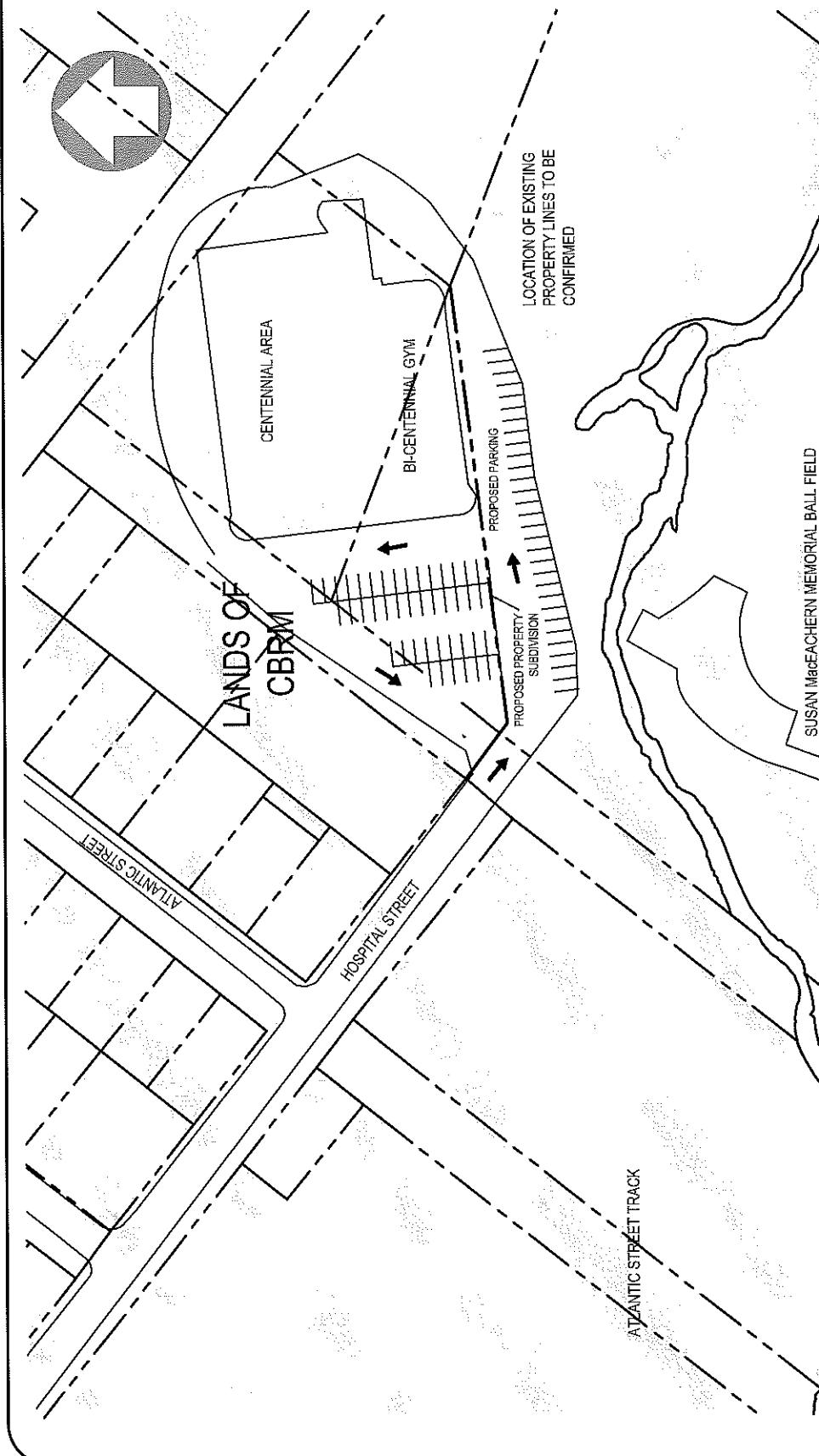
Recommendation

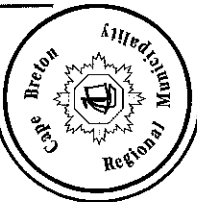
The following recommendation is made for consideration;

Council authorizes staff to call for expressions of interest in the reuse of the Centennial Arena property with the understanding it will continue to operate as an ice arena until the end of the current fiscal year. Further, expressions of interest will include a plan for sustaining the property without an operating subsidy from the municipality.

ORIGINAL SIGNED BY

Bill Murphy,
Director
Recreation, Parks& Grounds, Building & Facilities



		CBRM PROJECT No. ES-XX-XXXX	
		DRAWING No. SK-1	
PROJECT NAME PROPOSED LAND -USE CENTENNIAL ARENA		CBRM APPROVAL: N/A	DESIGNED BY: N/A
DRAWING NAME GENERAL PLAN		DATE: 11/25/15	DRAWN BY: MLJ
ENGINEER'S STAMP	ENGINEER'S STAMP		
REV	DESCRIPTION	DATE	

XXXX-XX



CBRM

A Community of Communities

Cape Breton Regional Municipality

Paul Burt, QBO1
Manager Building, Planning &
Licensing Laws

320 Esplanade, Room 103
Sydney, NS B1P 7B9
Phone: 902-563-5175
Fax: 902-563-0833
Email: pburt@cbmr.ns.ca

Memo

TO: Clerk's Office

FROM: Paul Burt, Manager Building, Planning & Licensing Laws

DATE: Thursday, December 03, 2015

RE: Notices of Intent to Demolish

Attached is the list of properties we intend to present to Municipal Council on December 10, 2015 to seek a motion to demolish in accordance with the Dangerous and Unsightly provisions of the **Municipal Government Act**.

These are the worst properties on the list to be demolished as determined using the Vacant Building Assessment Checklist.

These properties have had the intent to demolish orders posted on them and, as well, the registered property owners have been sent registered letters and/or have had the notices served on them personally and to date there have been no appeals received.

Sincerely,

Original Signed By

Paul Burt,
Manager Building, Planning and Licensing Laws

**Dangerous Unightly
Monthly Report**

**Cape Breton Regional Municipality
Fire-Rescue Building Services**

**Protective Services
December 10, 2015
Motion To Demolish**

FILE #	PID #	TAX #	District	NAME	Property Address	Mailing Address	Appeal Date	Recommendation	INSPECTOR
8978	1546115 5	03505596	8	LEAHY, JOHN GARY	55 Pepperell Street, Louisbourg	PO BOX 2088, GRAND CASH, AB, T0E0Y0		Demolition	Jason MacDonald
8010	1547200 4	02854058	11	REND, IYYAD SHERDELL	382 Thirteenth Street, New Waterford, B1H4B4	21 PITCHPINE DR, SCARBOROUGH, ON, M1X1W5		Demolition	Jason MacDonald
8383	1513741 7	04705629	12	HILLMAN, HARRY, PRESHYON, JOELENE	26 Bryan Street, Sydney, B1N2N6	66 WELTON ST, SYDNEY, NS, B1P5R2		Demolition	Jason MacDonald
15917 56	1549575 7	03087069	1	ROBINSON, MARION ETHEL, ROBINSON, WILLIAM ALEXANDER	115 Church Street, Sydney Mines, B1V2S3	111 CHURCH ST, SYDNEY MINES, NS, B1V2S5		Demolition	Richard Wadden
8902	1541611 8	02970155	9	MACDONALD, HARRIET E	9 Quarry Road, Glace Bay, B1A1E6	524 TARTAN ST, ST JOHN, NB, E2K2R7		Demolition	Jason MacDonald
9140	1513884 5	00086347	12	JOHNSON, JAMES, MACINTYRE, CHARLES	89 Henry Street, Sydney, B1N2H1	9864 EAST BAY HWY, IRISHVALE, NS, B1J2B5		Demolition	Jason MacDonald
8577	1501215 6	02075415	2	HEBERT, WINNIFRED HORNE	152 Regent Street, North Sydney, B2A2G5	152 REGENT ST, NORTH SYDNEY, NS, B2A2G5		Demolition	Richard Wadden
8998	1513744 1	02390574	12	KOKOSKI, MARY ETHEL	28 Bryan Street, Sydney, B1N2N6	53 EAST ST, SYDNEY, NS, B1N1S7		Demolition	Jason MacDonald
8817	1513934 8	00108421	12	1283271 AB LTD	126 Henry Street, Sydney, B1N2H3	9 MILLSGROVE DR, SPRUCE GROVE, AB, T7X2M2		Demolition	Jason MacDonald
9034	1541740 5	03142892	9	MCMULLIN, ELDRED GERARD, MCMULLIN, JESSIE	3 Maxie Street, Glace Bay, B1A2E3	270 LEE ST, PETERBOROUGH, ON, K9H5P4		Demolition	Jason MacDonald

pr

**Cape Breton Regional Municipality
Fire-Rescue Building Services**

**Dangerous Unightly
Monthly Report**

**Protective Services
December 10, 2015
Motion To Demolish**

FILE #	PID #	TAX #	District	NAME	Property Address	Mailing Address	Appeal Date	Recommendation	INSPECTOR
8851	1539505 6	01120107	10	DAYE, THERESA	556 Main Street, Glace Bay, B1A4X6	556 MAIN ST, GLACE BAY, N5, B1A4X6		Demolition	Jason MacDonald

me



Chief Financial Officer

M·E·M·O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

563-7979

To: Mayor and Council

Date: December 10, 2015

Subject: Sustainability Fund

Attached you will find the latest update of funding that has been paid out to Community groups from the sustainability fund for events, capital, and operating in the 2015/2016 fiscal year. The Community Facilities Grants and Contributions policy is also attached for information purposes. This list has been posted on the CBRM website.

Sincerely,

ORIGINAL SIGNED BY

Marie Walsh, CPA, CGA
Chief Financial Officer

Applicant	Committee Approval
Action Week	40,000
Action Week	1,100
Altar Guild of St. Phillips Church	2,465
Bar Town Days	20,000
Bar Town Days	1,100
Bay Days	14,000
Bay Days	275
Bay Plex	30,000
Ben Eoin Recreation	175,000
Ben Eoin Ski Hill	54,125
Big Brother's Big Sisters	2,209
Bras d'Or and District Senior Citizens and Pensioners	4,400
Bras d'Or Lake Biosphere	1,500
Canadian Red Cross	20,000
CAP Society of Cape Breton County	8,400
Cape Breton Centre for Craft & Design	20,000
Cape Breton Centre for Craft & Design	10,000
Cape Breton Challenge Cup Society	413
Cape Breton Drag Racing Association	1,100
Cape Breton Federation of Agriculture	8,871
Cape Breton Federation of Agriculture	756
Cape Breton Federation of Agriculture	1,100
Cape Breton Fiddlers Run	2,000
Cape Breton Fiddlers Run	275
Cape Breton Food Hub	2,834
Cape Breton Jazz and World Music Festival	3,000
Cape Breton Jazz and World Music Festival	413
Cape Breton Kennel Club	413
Cape Breton Music Industry Co-operative	963
Cape Breton Transition House Association	5,000
Cape Power Cheerleading Association	825
CaperCon	756
Cardiac Cycle Society of NS	413
Celtic Colours	5,000
Celtic Colours Festival Society	10,000
Coal Dust Days (New Waterford Festival Society)	20,000
Coastal Community Radio	20,000
Columbian Club (New Waterford KOC)	7,555
Community Blooms	138,000
Coxheath Elementary School	20,000
Coxheath Hills Wilderness Association	275
Cromarty Tennis	5,000
Davis Day	1,000
Dominion Heritage Committee	6,000
Dominion Heritage Committee	1,500
Dominion Italian Club	3,825
Dominion Volunteer Fire	9,810
Donkin Brass Band	1,692
East Coast Music Awards	50,000
Eskasoni First Nation	550
Fels an Eileen	4,000
Fels an Eileen	626
Football Cape Breton Society	1,506
Friends of Neville Park	275
Gardiner Mines Senior's & Pensioner's Club	4,000
Glace Bay Citizens Service League (Town House)	6,365
Glace Bay Heritage Museum	5,000
Glace Bay Recreational Society	36,449
Grand Mira Community Society	200
Grant Mira Community Society	131
Grand Narrows Waterfront Development Society	10,000
Grand Narrows Waterfront Development Society	626
Haley Street Adult Services Centre Society	15,251
International Association of Firefighters Local 2779	275
Irish Society of CB	550
Italian Community Hall	5,000
Johnny Miles Festival Society	20,000
Kiwanis Pool	67,000
Lambert Todd	3,000
Lambert Todd	413
Legion Branch 19 North Sydney	1,500
Lingan Heritage Society	2,675
Lingan Heritage Society	159 275

Applicant	Committee Approval
Louisbourg & Area Celebration Society	1,200
Louisbourg & Area Celebration Society	413
Louisbourg Crab Festival	10,000
Louisbourg Crab Festival	550
Louisbourg Playhouse Society	626
Louisbourg Playhouse Society	1,100
Louisbourg Road Race	2,000
Louisbourg Road Race	275
Louisbourg Shark Fishing Derby Society	1,000
Louisbourg Shark Fishing Derby Society	220
Lumiere Arts Festival Association	3,000
Lumiere Arts Festival Association	825
Main-a-Dieu Community Development Association(Coastal Discovery)	20,000
Menlik Hall (Ethiopian Community Club)	1,600
Miners' Museum	7,500
Mira Pasture Co-op	5,000
New Waterford & District Community Centre	30,000
New Waterford Centennial Committee	450
New Waterford Lions Clubs	1,661
Northside Community Pool	60,000
North Sydney Seniors & Pensioners	500
Northern Yacht Club Junior Sail Association	6,100
Old Sydney Society	10,000
Old Sydney Society	756
Parish of St. Alban's	1,000
PGA – Ben Eoin	50,000
Port Morien Development Association	30,000
Port Morien Development Association	220
Pride Cape Breton Society	825
Race the Cape Association	10,000
Ring 73 Amateur Boxing Society	16,036
Riverview Y's Men's Club	4,093
Royal Albert Masonic Lodge #19	1,155
Royal Canadian Legion Breton Branch #8	3,500
Royal Canadian Legion Branch 0003	4,400
Savoy Theatre	100,000
Savoy Theatre	1,100
Dominion & Area Recreation	18,000
Dominion Community Hawks	5,000
Dominion Heritage School Museum	4,449
Dominion Vol. Fire	4,000
Marcia Fiolek Playground	1,050
Shamrock Club	500
Spirit Days/Bella	2,000
St. Matthew Wesley United Church	1,000
Sydney Columbus Club	5,556
Sydney Mines & Area Food Bank	805
Sydney Mines Community Heritage Society(Fossil Center)	25,000
Sydney Ribfest (Sydney Rotary Club/Sydney Sunrise Rotary Club)	5,000
Sydney Ribfest (Sydney Rotary Club/Sydney Sunrise Rotary Club)	756
Sydney River Columbus Pensioners Club	3,061
Tablehead	1,200
Thistle Lodge	1,832
Track & field Association of Cape Breton	1,000
Trinity Church Graham Group ACW	2,100
Two Rivers Development Association	35,000
Two Rivers Development Association	550
Undercurrent/Lighthouse	3,260
UNIA (Glace Bay Universal Negro Improvement Assoc)	4,000
UNIA (Glace Bay Universal Negro Improvement Assoc)	1,897
Vince Ryan	10,000
Velo Cape Breton Cycling Club	275
Whitney Pier Legion Branch 128	18,000
Whitney Pier Society for the Arts	3,500
Whitney Pier Youth (Boys and Girls Clubs of Cape Breton)	10,000
Youth Council	25,000
Youth Initiative (Police)	120,000
Totals	1,619,922



COMMUNITY FACILITIES GRANTS AND CONTRIBUTIONS POLICY

Objective:

To develop a process of financial assistance for not-for-profit organizations and groups that are providing recreation and general support services to communities within the Cape Breton Regional Municipality (CBRM). The financial assistance is intended to recognize the value of these services and to offset some of the financial burden borne by the community organizations. This funding may be for festivals and events or for sustainability funding.

Statement of Policy:

1) Application Process

All not-for-profit groups and organizations eligible for assistance (those providing recreational facilities and/or programs and services) must apply via an approved CBRM Grants and Contributions Application Form. In all cases, the request must be consistent with CBRM's service mandate.

All organizations seeking funding for festivals and special events would be required to apply for funding annually. All applications would require financial statements. All applications for assistance in excess of \$5000 would also require a statement setting out the estimated economic impact associated with the festival or special event.

All organizations seeking sustainability funding from the CBRM would also apply annually for assistance. Again, all funding requests would require the organization to submit a current financial statement, and all applications seeking assistance in excess of \$5,000 would require a statement of economic impact related to the organization's activities or the specific project being proposed.

Notification of the programs and the associated requirements would be advertised each year following the approval of the CBRM operating budget. Periodic advertisements would continue until such time as the available funding was exhausted. There would be no fixed closing date for applications.

In order to facilitate efficient management of recreation programs and activities, managers in the Recreation Department will have a \$1,000 threshold of financial support to external organizations that would not require prior approval by the CBRM staff committee, although the committee members will be advised of all financial assistance provided to external organizations.

There are no restrictions on organizations receiving funding in successive years.

2) Evaluation Process

In the case of both the festival and events funding requests, and requests for sustainability grants, the evaluation process would be based on estimated regional and community impact. The minimum threshold would be a positive impact that exceeded the requested public funding support, although the higher the impact, the greater the likelihood that the funding request would be approved.

All multi-year funding requests would be evaluated by the staff committee and a recommendation would be made to Council based upon the estimated impact of the initiative, as well as the opportunity cost associated with the funding request.

3) Outstanding Financial Obligations to the CBRM

If groups are evaluated as being unable to meet their financial obligations to the CBRM, these obligations may be forgiven as a first step in stabilizing the organization. No further financial assistance will be provided, however, to any organization unless an agreement is reached with the CBRM regarding all future financial obligations. Any organization breaching such an agreement shall not be eligible to receive further financial assistance.

4) Evaluation Committee

The evaluation process for both the festivals and events fund and the sustainability fund would be conducted by a committee of staff members from the Finance Department the Manager of Economic Development and the Recreation Department. This committee would meet on a monthly basis to evaluate proposals.

5) Appeal Process

All organizations would be notified in writing that they have the right to appeal any funding decision of the staff committee within a thirty-day period. All appeals would be directed to the CAO.

6) Effective Date

The CBRM Community Facilities Grants and Contributions Policy shall take effect on the date that the policy is approved by the CBRM Council. All organizations submitting applications for funding assistance will be evaluated on the basis of this statement of policy from that day forward. There will be no "grandfather" considerations under this policy.

This policy would replace all grants and contributions policies currently being provided to external organizations by any department within the CBRM. It would not include the support provided annually to fire departments, the annual support provided to the Cape Breton County Economic Development Authority, and the existing support provided for scholarships.

The objective of this policy is to treat all organizations fairly and consistently.

Approved by Council: February 16, 2010

Forecasted Statement of Revenues and Expenditures

	Annual Budget	Actual as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Revenues				
Total Taxes	\$ 101,883,955	\$ 59,838,196	\$ 102,080,048	\$ 196,093
Total Federal Government	2,536,056	1,479,366	2,747,286	211,230
Total Federal Government Agencies	1,177,510	686,875	1,184,698	7,188
Total Provincial Government	1,324,898	772,856	1,405,675	80,777
Total Provincial Government Agencies	2,928,070	1,866,761	2,737,049	(191,021)
Total Services to Other Local Government	429,779	250,705	605,707	175,928
Total Transit	630,000	326,428	620,500	(9,500)
Total Environmental Development Services	260,168	197,582	295,429	35,261
Total Licenses & Permits	179,000	105,217	159,349	(19,651)
Total Fines & Fees	553,353	325,305	553,353	-
Total Rentals	550,000	318,258	610,186	60,186
Total Concessions & Franchises	366,517	236,002	367,787	1,270
Total Return on Investments/Interest on Taxes	1,250,500	828,668	1,347,429	96,929
Total Finance Revenue	30,500	18,910	30,500	-
Total Solid Waste Revenue	2,267,000	1,614,905	2,415,000	148,000
Total Recreation & Cultural Service Programs	1,789,105	718,889	1,777,540	(11,565)
Total Water Utility Charges	4,951,510	2,888,381	4,951,510	-
Total Unconditional Transfers	15,921,458	9,259,484	15,873,396	(48,062)
Total Conditional Transfers	3,722,021	2,171,176	3,722,021	-
Total Appropriation from Reserve	456,000	-	894,978	438,978
Total Revenues	\$ 143,207,400	\$ 83,903,963	\$ 144,379,441	\$ 1,172,041
Expenditures				
Legislative	\$ 1,415,714	\$ 847,650	\$ 1,392,001	\$ 23,713
Administration	995,609	675,156	903,193	92,416
Finance	2,739,607	1,437,795	2,651,712	87,895
Legal	565,444	271,900	564,352	1,092
Human Resources	1,600,549	857,031	1,597,912	2,637
Technology & Communications	1,153,099	538,392	1,140,124	12,975
Municipal Clerk	480,466	193,951	472,716	7,750
Fiscal Services	34,772,031	19,692,377	35,088,752	(316,721)
Occupational Health & Safety	215,532	112,884	210,182	5,350
Facilities	3,127,620	1,754,764	3,228,920	(101,300)
Police Services	25,110,074	14,499,877	25,100,957	9,117
Fire Services (Incl EMO)	16,550,728	9,794,236	16,795,281	(244,553)
Engineering & Public Works	48,849,744	28,202,323	49,047,690	(197,946)
Planning	2,650,361	1,387,824	2,489,738	160,623
Recreation	2,980,821	2,407,160	3,429,411	(448,590)
	-	-	-	-
Total Expenditures	\$ 143,207,400	\$ 82,673,319	\$ 144,112,941	\$ (905,541)
Net Surplus/(Deficit)				266,500

Legislative**Forecasted
Statement of Expenditures****March 31, 2016**

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Legislative				
6000 WAGES/SALARIES	\$ 876,474	\$ 526,192	\$ 886,000	\$ (9,526)
6010 BENEFITS	128,640	63,014	107,000	21,640
6030 TRAVEL/CONFERENCES	209,000	151,676	209,000	-
6040 PROF MEM/DUES & FEES	55,325	32,197	54,139	1,186
6050 OFFICE SUPPLIES	20,000	9,521	20,000	-
6080 OFFICE EQUIPMENT	6,550	5,574	8,074	(1,524)
6080 ADVERTISING	14,500	6,579	14,500	-
6100 COURIER	625	318	600	25
6110 TELEPHONE/FAX	51,900	21,931	43,862	8,038
6120 PUBL./SUBSCRIPTIONS	4,700	1,085	1,700	3,000
6130 COMPUTER HARDWARE	3,000	2,125	2,126	874
6150 MEETING EXPENSES	23,000	7,478	23,000	-
6170 PROMOTION	22,000	16,959	22,000	-
6180 COST RECOVERY	-	3,000	-	-
8010 OPERATIONAL MAT/SUPP	-	-	-	-
8100 PROFESSIONAL SERVICE	-	-	-	-
Total Legislative	\$ 1,415,714	\$ 847,650	\$ 1,392,001	\$ 23,713

ORIGINAL SIGNED BY**Departmental****ORIGINAL SIGNED BY****Finance**

Administration**Forecasted
Statement of Expenditures****March 31, 2016**

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Administration				
6000 WAGES/SALARIES	\$ 330,082	\$ 172,789	\$ 278,498	\$ 51,584
6010 BENEFITS	56,087	24,143	44,387	11,700
6020 TRAINING/EDUCATION	1,500	2,756	2,756	(1,256)
6030 TRAVEL/CONFERENCES	20,500	16,088	28,000	(7,500)
6040 PROF MEM/DUES & FEES	945	667	667	278
6050 OFFICE SUPPLIES	2,405	647	1,200	1,205
6060 OFFICE FURNITURE	-	-	-	-
6100 COURIER	300	19	50	250
6110 TELEPHONE/FAX	2,950	1,358	2,505	445
6120 PUBL./SUBSCRIPTIONS	-	-	-	-
6130 COMPUTER HARDWARE	1,920	-	-	1,920
6150 MEETING EXPENSES	1,920	928	1,920	-
6170 PROMOTION	20,000	16,334	20,000	-
8010 OPERATIONAL MAT/SUPP	-	-	-	-
8100 PROFESSIONAL SERVICES	126,624	57,636	108,085	18,539
8150 GRANTS/SUBS TO ORG	430,376	381,791	415,125	15,251
Total Administration	\$ 995,609	\$ 675,156	\$ 903,193	\$ 92,416

ORIGINAL SIGNED BY**Departmental****ORIGINAL SIGNED BY****Finance**

Finance

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Finance				
6000 WAGES/SALARIES	\$ 1,839,038	\$ 1,032,832	\$ 1,810,167	\$ 28,871
6010 BENEFITS	361,059	209,067	357,106	3,953
6020 TRAINING/EDUCATION	24,630	3,946	24,040	590
6030 TRAVEL/CONFERENCES	24,000	14,297	23,358	642
6040 PROF MEM/DUES & FEES	5,330	4,888	4,888	442
6050 OFFICE SUPPLIES	18,500	5,346	18,425	75
6060 OFFICE EQUIPMENT	14,500	926	14,474	26
6080 ADVERTISING	42,000	24,137	40,203	1,797
6090 POSTAGE	157,300	116,150	158,173	(873)
6100 COURIER	22,700	12,057	22,192	508
6110 TELEPHONE/FAX	19,800	9,516	14,845	4,955
6130 COMPUTER HARDWARE	19,800	6,800	18,850	950
6140 COMPUTER SOFTWARE	57,000	-	57,000	-
6160 LIABILITY INSURANCE	299,600	164,640	272,115	27,485
6180 COST RECOVERY	(347,150)	(269,868)	(337,965)	(9,185)
8010 OPERATIONAL MAT/SUPP	7,000	2,974	6,990	10
8100 PROFESSIONAL SERVICE	55,000	45,182	48,643	6,357
8110 CONTRACTS/AGREEMENTS	63,800	36,442	63,151	649
8120 LEASES	15,700	5,964	11,057	4,643
8180 TAX EXEPT/WRITE OFF	40,000	12,500	24,000	16,000
Total Finance	\$ 2,739,607	\$ 1,437,795	\$ 2,651,712	\$ 87,895

ORIGINAL SIGNED BY

Departmental

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Finance

Legal

**Forecasted
Statement of Expenditures**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Legal				
6000 WAGES/SALARIES	\$ 293,150	\$ 166,773	\$ 293,150	\$ -
6010 BENEFITS	59,394	30,675	59,394	-
6020 TRAINING/EDUCATION	6,500	626	6,500	-
6030 TRAVEL/CONFERENCES	8,500	6,005	9,600	(1,100)
6040 PROF MEM/DUES & FEES	6,200	5,778	6,200	-
6050 OFFICE SUPPLIES	3,500	428	1,528	1,972
6060 OFFICE EQUIPMENT	4,200	1,708	4,200	-
6070 PHOTOCOPY SUPPLIES	2,500	1,701	3,000	(500)
6080 ADVERTISING	1,000	-	-	1,000
6100 COURIER	1,000	242	860	140
6110 TELEPHONE/FAX	5,000	2,663	5,100	(100)
6120 PUBL./STATUTES	14,000	4,159	14,000	-
6130 COMPUTER HARDWARE	3,000	-	3,600	(600)
6140 COMPUTER SOFTWARE	2,500	-	2,500	-
6150 MEETING EXPENSE	500	20	220	280
6180 COST RECOVERY	-	-	-	-
8100 PROFESSIONAL SERVICE	154,500	51,122	154,500	-
Total Legal	\$ 565,444	\$ 271,900	\$ 564,352	\$ 1,092

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Departmental

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Finance

Human Resources

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Human Resources				
6000 WAGES/SALARIES	\$ 558,570	\$ 291,633	\$ 558,882	\$ (312)
6010 BENEFITS	733,399	431,595	743,000	(9,601)
6020 TRAINING/EDUCATION	6,000	3,121	5,000	1,000
6030 TRAVEL/CONFERENCES	16,250	4,660	13,000	3,250
6040 PROF MEM/DUES & FEES	1,730	862	1,730	-
6050 OFFICE SUPPLIES	15,700	2,388	15,700	-
6060 OFFICE EQUIPMENT	2,500	2,052	2,500	-
6080 ADVERTISING	5,000	4,127	4,500	500
6110 TELEPHONE/FAX	10,000	4,102	8,200	1,800
6120 PUBL./SUBSCRIPTIONS	2,400	488	2,400	-
6130 COMPUTER HARDWARE	4,000	2,020	4,000	-
6150 MEETING EXPENSE	2,000	-	1,000	1,000
8100 PROFESSIONAL SERVICE	230,500	106,687	225,500	5,000
8110 CONTRACTS/AGREEMENTS	12,500	3,295	12,500	-
Total Human Resources	\$ 1,600,549	\$ 857,031	\$ 1,597,912	\$ 2,637

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Departmental

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**Technology/
Communications**

**Forecasted
Statement of Expenditures**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Technology/Communications				
6000 WAGES/SALARIES	\$ 399,824	\$ 226,053	\$ 399,824	\$ -
6010 BENEFITS	79,975	47,822	81,000	(1,025)
6020 TRAINING/EDUCATION	18,000	1,079	14,000	4,000
6030 TRAVEL/CONFERENCES	20,000	6,564	17,000	3,000
6040 PROF MEM/DUES & FEES	1,000	626	1,000	-
6050 OFFICE SUPPLIES	3,000	2,530	3,000	-
6060 OFFICE EQUIPMENT	3,000	1,736	3,000	-
6080 ADVERTISING	500	-	500	-
6100 COURIER	300	-	300	-
6110 TELEPHONE/FAX	75,000	37,647	68,000	7,000
6120 PUBL./SUBSCRIPTIONS	1,000	-	1,000	-
6130 COMPUTER HARDWARE	130,000	48,644	130,000	-
6140 COMPUTER SOFTWARE	190,000	143,287	190,000	-
6150 MEETING EXPENSE	500	91	500	-
8110 CONTRACTS/AGREEMENTS	42,000	13,554	42,000	-
8120 LEASES SAP	95,000	8,760	95,000	-
8130 LICENSES/PERMITS	94,000	-	94,000	-
Total Technology/Communications	\$ 1,153,099	\$ 538,392	\$ 1,140,124	\$ 12,975

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Departmental

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Finance

**Forecasted
Statement of Expenditures**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Municipal Clerk				
6000 WAGES/SALARIES	\$ 255,252	\$ 141,884	\$ 255,252	\$ -
6010 BENEFITS	54,464	30,597	54,464	-
6020 TRAINING/EDUCATION	5,500	690	5,000	500
6030 TRAVEL/CONFERENCES	6,500	4,036	6,500	-
6040 PROF MEM/DUES & FEES	700	641	700	-
6050 OFFICE SUPPLIES	10,000	610	8,000	2,000
6060 OFFICE EQUIPMENT	14,750	1,603	12,000	2,750
6070 PHOTOCOPY SUPPLIES	18,000	4,652	18,000	-
6080 ADVERTISING	1,000	-	500	500
6100 COURIER	1,000	-	500	500
6110 TELEPHONE/FAX	4,500	1,965	4,000	500
6120 PUBL./SUBSCRIPTIONS	1,800	1,382	1,800	-
6140 COMPUTER SOFTWARE	7,000	4,549	6,000	1,000
8110 CONTRACTS/AGREEMENTS	100,000	1,341	100,000	-
Total Municipal Clerk	\$ 480,466	\$ 193,951	\$ 472,716	\$ 7,750

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Departmental

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Finance

Fiscal Services

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Fiscal Services				
9010 INT SHRT TERM BORROW	\$ 375,000	\$ 131,273	\$ 232,553	\$ 142,447
9020 INT ON DEBT	2,386,672	1,741,579	2,386,872	(0)
9051 PRINC ON DEBT	13,626,208	7,116,663	13,626,208	-
9090 BANK CHARGES	86,000	36,363	66,192	19,808
9430 APPROP TO B.I.D.C.	90,105	53,179	91,164	(1,059)
9600 PROV. CORRECTIONS	1,108,871.00	638,148	1,093,968	14,903
9610 CB REG. HOUSING	2,064,588	1,190,884	2,041,173	23,415
9620 REGIONAL LIBRARY	670,000	385,410	659,902	10,098
9630 CB/VIC. SCHOOL BOARD	13,000,000	7,603,066	13,033,828	(33,828)
9640 PROPERTY ASSESSMENT	1,364,587	796,012	1,364,592	(5)
9052 AMORT. BOND DISCOUNT			95,000	(95,000)
9200 ALLOWANCE FOR UNCOLLECTABLE TAX			360,000	(360,000)
9420 APPROPRIATION TO CAPITAL FUND			37,500	(37,500)
Total Fiscal Services	\$ 34,772,031	\$ 19,692,377	\$ 35,088,752	\$ (316,721)

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Departmental

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Finance

**Occupational Health /
Safety**

**Forecasted
Statement of Expenditures**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Occupational Health & Safety				
6000 WAGES/SALARIES	\$ 146,575	\$ 83,377	\$ 146,575	\$ -
6010 BENEFITS	29,697	17,112	29,697	-
6020 TRAINING/EDUCATION	5,850	2,870	5,500	350
6030 TRAVEL/CONFERENCES	11,000	1,632	8,000	3,000
6040 PROF MEM/DUES & FEES	535	-	535	-
6050 OFFICE SUPPLIES	3,000	965	3,000	-
6060 OFFICE EQUIPMENT	-	-	-	-
6110 TELEPHONE/FAX	3,375	1,904	3,375	-
6120 PUBL/SUBSCRIPTIONS	2,000	428	2,000	-
6130 COMPUTER HARDWARE	2,000	-	-	2,000
6140 COMPUTER SOFTWARE	500	-	500	-
6150 MEETING EXPENSES	2,500	1,821	2,500	-
8010 OPERATIONAL MAT/SUPP	-	-	-	-
8100 PROFESSIONAL SERVICE	5,500	1,317	5,500	-
8120 CONTRACTS & AGREEMENTS	3,000	1,459	3,000	-
Total Occupational Health & Safety	\$ 215,532	\$ 112,884	\$ 210,182	\$ 5,350

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Departmental

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Finance

Facilities
**Forecasted
Statement of Expenditures**
March 31, 2016

		Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Facilities					
6000 WAGES/SALARIES	\$	1,303,400	\$ 808,636	\$ 1,386,400	\$ (83,000)
6010 BENEFITS		243,370	149,280	253,670	(10,300)
6020 TRAINING		2,500	492	1,500	1,000
6030 TRAVEL/CONFERENCES		6,000	5,425	7,500	(1,500)
6040 PROF MEM/DUES & FEES		500	569	569	(69)
6050 OFFICE SUPPLIES		5,500	2,077	3,500	2,000
6060 OFFICE EQUIPMENT		2,500	1,036	2,000	500
6070 PHOTOCOPY SUPPLIES		-	-	-	-
6080 ADVERTISING		10,000	3,147	7,500	2,500
6100 COURIER		1,500	52	1,000	500
6110 TELEPHONE/FAX		30,000	10,353	30,000	-
6130 COMPUTER HARDWARE		2,000	3,448	3,448	(1,448)
6140 COMPUTER SOFTWARE		5,000	2,229	5,000	-
6150 MEETING EXPENSES		-	-	-	-
6160 LIABILITY INSURANCE		28,000	9,268	24,000	4,000
7000 HEAT		45,000	6,190	35,000	10,000
7010 ELECTRICAL		420,000	201,750	420,000	-
7020 WATER		42,500	17,793	42,500	-
7030 BLDG/FACILITY MAINT		135,000	40,975	100,000	35,000
7040 BLDG/FACILITY REPAIR		85,000	30,339	75,000	10,000
7050 BLDG/FACILITY INS		19,300	12,593	19,300	-
7060 BLDG/FACILITY RENOV		15,000	2,758	15,000	-
7080 PLANT MAINTENANCE		31,000	18,822	31,000	-
7110 SECURITY		65,000	35,762	70,000	(5,000)
7500 VEH/EQUIP MAINT		1,000	-	1,000	-
7510 VHE/EQUIP REPAIRS		12,500	5,020	10,000	2,500
7520 VEH/EQUIP INSURANCE		3,550	1,442	3,550	-
7540 VEH/EQUIP RENTAL		2,500	6,283	6,283	(3,783)
8000 OPERATIONAL EQUIPMENT		5,000	332	3,000	2,000
8010 OPERATIONAL MAT/SUPP		115,000	47,469	100,000	15,000
8050 COST OF SALES		416,000	311,582	500,000	(84,000)
8090 UNIFORMS/CLOTHING		11,500	1,472	10,000	1,500
8100 PROFESSIONAL SERVICE		20,000	13,354	30,000	(10,000)
8110 CONTRACTS/AGREEMENTS		42,000	4,083	30,000	12,000
8130 LICENSES/PERMITS		500	732	1,200	(700)
Total Facilities	\$	3,127,620	\$ 1,754,764	\$ 3,228,920	\$ (101,300)

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Departmental

Finance

Police Services

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Police Services				
GL 6000, 6010, & 6011 WAGES & BENEFITS	\$ 21,216,115	\$ 12,298,984	\$ 21,120,115	\$ 96,000
NET OF COST RECOVERY				
6020 TRAINING/EDUCATION	145,927	101,091	145,927	-
6030 TRAVEL/CONFERENCES	105,000	69,643	105,000	-
6040 PROF MEM/DUES & FEES	5,000	2,893	4,000	1,000
6050 OFFICE SUPPLIES	53,000	30,571	53,000	-
6060 OFFICE EQUIPMENT	50,000	29,047	50,000	-
6070 PHOTOCOPY SUPPLIES	18,000	7,953	11,000	7,000
6080 ADVERTISING	5,000	2,034	4,000	1,000
6090 POSTAGE / COURIER	7,000	3,482	7,000	-
6100 COURIER	-	-	-	-
6110 TELEPHONE/FAX	330,400	196,021	330,400	-
6120 PUBL./SUBSCRIPTIONS	6,000	3,356	4,000	2,000
6130 COMPUTER HARDWARE	226,838	74,392	226,838	-
6140 COMPUTER SOFTWARE	115,000	72,086	120,000	(5,000)
6150 MEETING EXPENSES	17,000	10,695	17,000	-
6160 LIABILITY INSURANCE	4,000	2,100	4,000	-
6170 PROMOTION	11,000	7,685	11,000	-
7000 HEAT	50,000	17,417	72,300	(22,300)
7010 ELECTRICAL	99,650	53,044	109,700	(10,050)
7020 WATER	8,000	1,986	10,600	(2,600)
7030 BLDG/FACILITY MAINT	71,000	56,343	71,000	-
7040 BLDG/FACILITY REPAIR	49,000	1,754	49,000	-
7050 BLDG/FACILITY INS.	12,500	7,644	13,104	(604)
7060 BLDG/FACILITY RENOV	20,000	14,748	20,000	-
7070 BLDG/FACILITY RENTAL	68,000	37,257	65,046	2,954
7110 SECURITY	3,700	2,394	3,700	-
7500 VEH/EQUIP MAINT/GAS/DIESEL	500,000	226,267	500,000	-
7510 VEH/EQUIP REPAIRS	287,717	207,794	365,000	(77,283)
7520 VEH/EQUIP INSURANCE	55,000	30,065	55,000	-
7530 VEH/EQUIP REPLACEMENT	620,000	500,986	570,000	50,000
7540 VEH/EQUIP RENTAL	9,000	867	7,000	2,000
7550 VEH/EQUIP TOWING	5,000	(713)	5,000	-
7560 VEH/EQUIP GEN SUPPLY	10,000	452	10,000	-
8000 OPERATIONAL EQUIP	193,784	15,360	193,784	-
8010 OPERATIONAL MAT/SUPP	181,373	124,805	181,373	-
8020 MAINTENANCE EQUIP	3,570	1,491	3,570	-
8030 MAINTENANCE MAT/SUPP	19,000	10,920	19,000	-
8040 COMM EQUIPMENT LINES	10,000	2,015	10,000	-
8090 UNIFORMS/CLOTHING	242,500	77,671	242,500	-
8100 PROFESSIONAL SERVICE	95,000	95,256	130,000	(35,000)
8110 CONTRACTS/AGREEMENTS	21,000	17,184	21,000	-
8120 LEASES	-	-	-	-
8125 MAJOR INVESTIGATIONS	100,000	47,589	100,000	-
8130 LICENSES/PERMITS	10,000	5,856	10,000	-
8150 GRANTS/SUBS TO ORG	50,000	31,391	50,000	-
Total Police Services	\$ 25,110,074	\$ 14,499,877	\$ 25,100,957	\$ 9,117

ORIGINAL SIGNED BY

Departmental

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Finance

Fire Services

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Fire Services Including EMO				
6000 WAGES/SALARIES	\$ 5,141,640	\$ 2,763,673	\$ 5,393,275	\$ (251,634)
6010 BENEFITS	965,665	555,968	961,562	4,104
6011 MISC. BENEFITS	33,098	16,548	28,101	4,997
6020 TRAINING/EDUCATION	148,270	42,424	151,424	(3,154)
6030 TRAVEL/CONFERENCES	51,100	29,535	52,132	(1,032)
6040 PROF MEM/DUES & FEES	11,734	7,666	9,666	2,068
6050 OFFICE SUPPLIES	12,100	6,025	12,829	(729)
6060 OFFICE EQUIPMENT	6,450	2,316	5,316	1,134
6070 PHOTOCOPY SUPPLIES	500	-	-	500
6080 ADVERTISING	5,350	4,226	5,226	124
6100 COURIER	450	262	412	38
6110 TELEPHONE/FAX	51,784	22,214	42,081	9,703
6120 PUBL./SUBSCRIPTIONS	2,700	77	1,132	1,568
6130 COMPUTER HARDWARE	14,007	6,639	11,381	2,626
6140 COMPUTER SOFTWARE	12,006	1,712	5,935	6,071
6150 MEETING EXPENSES	4,404	1,192	4,043	361
6160 LIABILITY INSURANCE	-	-	-	-
6170 PROMOTION	38,000	16,651	37,774	226
6180 COST RECOVERY	-	-	-	-
7000 HEAT	115,711	23,252	114,861	850
7010 ELECTRICAL	68,100	27,554	69,235	(1,135)
7020 WATER	27,108	9,344	20,689	6,419
7030 BLDG/FACILITY MAINT	58,000	28,233	56,585	1,415
7040 BLDG/FACILITY REPAIR	21,400	12,575	31,558	(10,158)
7050 BLDG/FACILITY INS	8,216	5,309	9,060	(844)
7060 BLDG/FACILITY RENOV	-	-	-	-
7070 BLDG/FACILITY RENTALS	-	-	-	-
7080 PLANT MAINTENANCE	400	-	-	400
7500 VEH/EQUIP MAINT.	89,824	44,591	98,850	(9,027)
7505 GASOLINE/DIESEL	91,507	38,858	73,120	18,387
7510 VEH/EQUIP REPAIRS	19,000	1,231	17,110	1,890
7520 VEH/EQUIP INSURANCE	64,036	36,750	66,540	(2,504)
7530 VEH/EQUIP REPLACEMENT	70,000	2,672	90,585	(20,585)
7540 VEH/EQUIP RENTAL	204	320	320	(116)
7550 VEH/EQUIP TOWING	2,000	-	-	2,000
7560 VEH/EQUIP GEN SUPPLY	16,000	2,061	15,600	400
8000 OPERATIONAL EQUIP	336,000	154,239	343,721	(7,721)
8010 OPERATIONAL MAT/SUPP	45,870	23,963	56,967	(11,097)
8020 MAINTENANCE EQUIP	52,600	14,677	53,161	(561)
8040 COMM EQUIPMENT LINES	39,200	22,733	37,815	1,385
8090 UNIFORMS/CLOTHING	77,452	17,044	75,800	1,652
8100 PROFESSIONAL SERVICE	2,000	14,717	18,717	(16,717)
8110 CONTRACTS/AGREEMENTS	35,782	21,617	47,049	(11,266)
8120 LEASES	98,922	52,829	98,064	858
8130 LICENSES/PERMITS	5,187	4,505	17,153	(11,966)
8135 REGULATORY FEES	-	-	-	-
8150 GRANTS/SUBS TO ORG	1,741,193	1,694,673	1,694,673	46,520
8195 WATER SUPPLY & HYDR	6,965,758	4,063,359	6,965,758	0
Total Fire Services including EMO	\$ 16,550,728	\$ 9,794,236	\$ 16,795,281	\$ (244,553)

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Departmental

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Finance

Public Works

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Sept 30, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Engineering & Public Works				
6000 WAGES/SALARIES	\$17,437,564	\$7,133,087	\$17,229,253	\$208,311
6010 BENEFITS	3,994,835	1,684,826	3,919,357	75,478
6011 MISC BENEFITS	11,700	3,314	28,941	(17,241)
6020 TRAINING/EDUCATION	80,500	21,535	66,982	13,518
6030 TRAVEL/CONFERENCES	122,300	39,791	120,949	1,351
6040 PROF MEM/DUES & FEES	15,900	9,264	20,181	(4,281)
6050 OFFICE SUPPLIES	26,750	8,419	20,151	6,599
6060 OFFICE EQUIPMENT	36,900	8,171	32,905	3,995
6070 PHOTOCOPY SUPPLIES	17,350	6,080	14,050	3,300
6080 ADVERTISING	123,200	40,028	92,750	30,450
6100 COURIER	2,200	1,405	4,000	(1,800)
6110 TELEPHONE/FAX	213,156	61,101	179,967	33,189
6120 PUBL./SUBSCRIPTIONS	1,100	763	763	337
6130 COMPUTER HARDWARE	29,000	8,748	20,680	8,320
6140 COMPUTER SOFTWARE	56,320	715	48,444	7,876
6150 MEETING EXPENSES	3,900	1,098	5,382	(1,482)
6160 LIABILITY INSURANCE	140,000	49,582	160,000	(20,000)
6180 COST RECOVERY	-269,069	-23,036	-278,764	9,695
7000 HEAT	312,500	50,294	308,849	3,651
7010 ELECTRICAL	1,385,200	510,379	1,509,295	(124,095)
7020 WATER	122,500	22,904	121,000	1,500
7030 BLDG/FACILITY MAINT	37,300	36,010	67,902	(30,602)
7040 BLDG/VACILITY REPAIR	111,500	24,313	137,000	(25,500)
7050 BLDG/FACILITY INS	202,000	91,695	202,000	-
7060 BLDG/FACILITY RENOV	107,500	9,393	111,359	(3,859)
7070 BLDG/FACILITY RENTAL	395,000	135,767	395,000	-
7080 PLANT MAINTENANCE	363,000	171,020	457,922	(94,922)
7090 PLANT REPAIRS	0	0	0	-
7100 MAINT. TOOLS/EQUIP	16,500	4,466	9,500	7,000
7110 SECURITY	329,800	125,062	336,000	(6,200)
7120 PROPERTY TAX	48,500	21,383	48,720	(220)
7500 VEH/EQUIP MAINT.	1,500	26	1,500	-
7505 GASOLINE & DIESEL	1,647,000	344,212	1,430,750	216,250
7510 VEH/EQUIP REPAIRS	1,930,000	734,608	2,065,900	(135,900)
7520 VEH/EQUIP INSURANCE	149,340	62,660	150,384	(1,044)
7530 VEH/EQUIP REPLACEMENT	40,000	0	56,315	(16,315)
7540 VEH/EQUIP RENTAL	66,000	100,170	130,061	(64,061)
7550 VEH/EQUIP TOWING	5,500	0	4,300	1,200
7560 VEH/EQUIP GEN SUPPLY	129,000	23,606	104,000	25,000
7570 VEH/EQUIP TOOLS	20,000	596	2,500	17,500
8000 OPERATIONAL EQUIP	204,000	86,414	204,591	(591)
8010 OPERATIONAL MAT/SUPP	2,670,705	1,067,175	2,700,385	(29,680)
8020 MAINTENANCE EQUIP	30,000	26,456	31,500	(1,500)
8030 MAINTENANCE MAT/SUPP	5,000	5,388	13,000	(8,000)
8040 COMM EQUIPMENT LINES	82,700	12,429	43,268	39,432
8050 COST OF SALES	0			-
8060 PROGRAM INSTRUCTION	0			-
8080 STREET LIGHTS	3,800,000	1,341,697	3,608,800	191,200
8090 UNIFORMS/CLOTHING	92,300	43,044	89,828	2,472
8100 PROFESSIONAL SERVICE	452,000	119,861	506,213	(54,213)
8110 CONTRACTS/AGREEMENTS	11,280,393	5,015,079	11,786,755	(506,362)
8120 LEASES	478,500	117,906	376,883	101,617
8130 LICENSES/PERMITS	82,900	46,497	132,487	(49,587)
8135 REGULATORY FEES	43,000	12,586	48,000	(5,000)
8140 EASEMENTS/ROW COSTS	165,000	33,296	169,732	(4,732)
Total Engineering & Public Works	\$48,849,744	\$19,451,283	\$49,047,690	\$ (197,946)

Planning / ByLaw / Fire Inspection	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
6000 WAGES/SALARIES	\$ 1,312,918	\$ 735,914	\$ 1,284,220	\$ 28,698
6010 BENEFITS	267,657	159,001	261,929	5,728
6020 TRAINING/EDUCATION	21,000	13,842	17,277	3,723
6030 TRAVEL/CONFERENCES	31,500	16,789	24,400	7,100
6040 PROF MEM/DUES & FEES	7,100	2,237	7,100	-
6050 OFFICE SUPPLIES	22,000	7,662	11,950	10,050
6060 OFFICE EQUIPMENT	14,500	7,484	13,200	1,300
6070 PHOTOCOPY SUPPLIES	1,000	-	-	1,000
6080 ADVERTISING	48,500	50,284	53,000	(4,500)
6100 COURIER	500	-	-	500
6110 TELEPHONE/FAX	24,000	10,473	24,000	-
6120 PUBL./SUBSCRIPTIONS	1,300	469	1,300	-
6130 COMPUTER HARDWARE	14,500	9,181	22,270	(7,770)
6140 COMPUTER SOFTWARE	16,000	76	1,960	14,040
6150 MEETING EXPENSE	4,700	1,376	2,500	2,200
6180 COST RECOVERY	-	-	-	-
7040 BLDG/FACILITY REPAIR	-	-	-	-
7130 DEMOLITIONS	120,000	-	125,188	(5,188)
7500 VEH/EQUIP MAINT.	13,500	5,038	9,000	4,500
7505 GASOLINE & DIESEL	14,000	6,045	9,270	4,730
8000 OPERATIONAL EQUIPMENT	18,000	3,417	8,430	9,570
8010 OPERATIONAL MAT/SUPP	4,000	2,910	5,345	(1,345)
8090 UNIFORMS / CLOTHING	8,500	4,610	6,720	1,780
8100 PROFESSIONAL SERVICE	35,000	8,405	19,600	15,400
8110 CONTRACTS/AGREEMENTS	512,636	262,694	454,636	58,000
8130 LICENSES/PERMITS	65,550	59,443	59,443	6,107
8135 REGULATORY FEES	20,000	13,874	15,000	5,000
8150 GRANTS /SUBS TO ORG	52,000	6,600	52,000	-
Total Planning/ByLaw/Fire Inspection	\$ 2,650,361	\$ 1,387,824	\$ 2,489,738	\$ 160,623

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Finance

Recreation Cultural Services

Forecasted
Statement of Expenditures

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Recreation/Cultural Services				
GL 6000, 6010, & 6011 Wages & Benefits Including Summer Students	1,089,369	696,011	1,089,369	\$ -
6020 TRAINING/EDUCATION	16,965	5,500	17,500	(535)
6030 TRAVEL/CONFERENCES	36,000	19,311	36,000	-
6040 PROF MEM/DUES & FEES	3,500	2,530	3,200	300
6050 OFFICE SUPPLIES	8,000	5,817	8,000	-
6060 OFFICE EQUIPMENT	8,000	2,373	5,000	3,000
6080 ADVERTISING	100,000	29,836	71,000	29,000
6110 TELEPHONE/FAX	19,000	13,501	22,286	(3,286)
6120 PUBL./SUBSCRIPTIONS	500	-	200	300
6130 COMPUTER HARDWARE	7,100	8,416	10,477	(3,377)
6140 COMPUTER SOFTWARE	-	-	-	-
6160 LIABILITY INSURANCE	10,000	4,473	10,000	-
7070 BLDG/FACILITY RENTAL	40,000	24,244	43,629	(3,629)
8000 OPERATIONAL MAT/SUPPLY	150,000	155,823	180,000	(30,000)
8025 COMMUNITY EVENTS	334,615	157,247	336,000	(1,385)
8150 SCHOLORSHIPS	20,710	20,710	20,710	-
8160 SPECIAL EVENTS & FESTIVALS	356,562	356,562	372,661	(16,099)
8170 OPERATING GRANTS POLICY	780,500	904,806	1,203,379	(422,879)
Total Recreation/Cultural Services	\$ 2,980,821	\$ 2,407,160	\$ 3,429,411	\$ (448,590)

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Finance

Fire Services

**Forecasted
Statement of Revenues**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Budget Remaining
Fire Services Revenue				
4776 PROT. SERV. MEMBERTOU	429,779	250,706	605,707	\$ 175,928
Total Fire Services Revenue	\$ 429,779	\$ 250,706	\$ 605,707	\$ 175,928

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Finance

Police Services

**Forecasted
Statement of Revenues**

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Police Services Revenue				
4751 RECORDS INQUIRIES	\$ 25,000	\$ 16,284	\$ 25,000	\$ -
5151 FINES	390,000	217,456	390,000	-
Total Police Services Revenue	\$ 415,000	\$ 233,740	\$ 415,000	\$ -

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Finance

Public Works

Forecasted
Statement of Revenues

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Public Works				
4801 CASH FARES	\$ 355,000	\$ 151,942	\$ 347,000	\$ (8,000)
4805 UCCB PASSES	103,000	72,372	106,500	3,500
4807 SHOPPERS TICKETS	108,000	65,200	110,000	2,000
4808 ADVERTISING REVENUE	25,000	14,155	17,800	(7,200)
4809 HANDI TRANS	34,200	22,759	36,200	2,000
4810 CHARTERS	4,800	-	3,000	(1,800)
4849 TIPPING FEES	1,900,000	1,259,771	2,025,000	125,000
4838 RRFB-DIVERSION CREDIT	367,000	355,133	390,000	23,000
4845 WATER UTILITY FEE	4,951,510	2,888,381	4,951,510	-
5130 SEWER PERMITS	143,000	72,502	110,000	(33,000)
5201 BUILDING RENTALS	550,000	318,258	615,770	65,770
Total Public Works	\$ 8,541,510	\$ 5,220,473	\$ 8,712,780	\$ 171,270

Planning

Forecasted
Statement of Revenues

March 31, 2016

	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Bylaw Revenue				
5112 Vendor Licenses	\$ 8,000	\$ 9,275	\$ 9,475	\$ 1,475
5113 Animal Licenses	-	4,410	7,390	7,390
5114 Taxi Licenses	18,000	11,200	20,146	2,146
5115 Vending Machine Licenses	10,000	7,830	12,338	2,338
5301 Parking Meter Revenue	366,517	236,002	367,787	1,270
Total Bylaw Revenue	\$ 402,517	\$ 268,717	\$ 417,136	\$ 14,619
Development / Planning Revenue				
5426 911 Call Answer Transfers	\$ -	\$ -	\$ -	\$ -
5496 Mapping Sales	2,000	230	2,000	-
5495 Other Sales	2,800	2,214	18,144	15,344
5101 Building Permits	210,595	164,317	226,362	15,767
5102 Subdivision Fees	44,773	30,821	48,923	4,150
5103 Development Permits	-	-	-	-
Total Develop / Planning Rev	\$ 260,168	\$ 197,582	\$ 295,429	\$ 35,261
Total Bylaw / Dev / Planning Revenue	\$ 662,685	\$ 466,299	\$ 712,565	\$ 49,880

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**Recreation /
Cultural Services**

**Forecasted
Statement of Revenues**

March 31, 2016

		Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
Recreation/Cultural Services					
5031 PROGRAM REVENUE	\$	88,045	\$ 24,450	\$ 88,045	\$ -
5034 FACILITY RENTALS		-	12,625	12,625	12,625
5526 STUDENT FUNDING		66,560	39,000	40,000	(26,560)
Total Recreation/Cultural Services	\$	154,605	\$ 76,075	\$ 140,670	\$ (13,935)

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Finance

Facilities

Forecasted
Statement of Revenues

March 31, 2016

Facilities	Annual Budget	Actuals as of Oct 31, 2015	Forecast to March 31, 2016	Annual Surplus/ (Deficit)
GL 5001 Ice Rentals	\$ 600,000	\$ 106,386	\$ 540,000	\$ (60,000)
GL 5002 Public Skating	18,500	786	10,000	(8,500)
GL 5003 High School Hockey	32,000	435	10,870	(21,130)
GL 5004 Arena Rental	29,000	12,107	20,000	(9,000)
GL 5005 Gym Rental	18,000	9,739	18,000	-
GL 5006 Canteen Sales	333,500	169,338	350,000	16,500
GL 5009 Major Events	100,000	108,633	110,000	10,000
GL 5010 Other Revenue	350,000	148,451	450,000	100,000
GL 5033 Program Equipment	28,500	15,763	20,000	(8,500)
GL 5034 Facility Rentals	125,000	71,176	108,000	(17,000)
Total Facilities	\$ 1,634,500	\$ 642,814	\$ 1,636,870	\$ 2,370

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Finance

Summary

Statement of Revenue

October 31, 2015

Revenue	Year To Date Assigned	7 Month Budget	7 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 59,838,196	\$ 59,432,307	\$ 405,889	\$ 101,883,955	\$ 42,045,759
Total Federal Government	1,479,366	1,479,366	-	2,536,056	1,056,690
Total Federal Government Agencies	686,875	686,881	(6)	1,177,510	490,635
Total Provincial Government	772,856	772,857	(1)	1,324,898	552,042
Total Provincial Government Agencies	1,866,761	1,708,041	158,720	2,928,070	1,061,309
Total Services to Other Local Government	250,705	250,704	1	429,779	179,074
Total Transit	326,428	367,500	(41,072)	630,000	303,572
Total Environmental Development Services	197,582	151,765	45,817	260,168	62,586
Total Licenses & Permits	105,217	104,417	800	179,000	73,783
Total Fines & Fees	325,305	322,789	2,515	553,353	228,048
Total Rentals	318,258	320,833	(2,576)	550,000	231,742
Total Concessions & Franchises	236,002	213,802	22,200	366,517	130,515
Total Return on Investments/Interest on Taxes	828,668	729,458	99,210	1,250,500	421,832
Total Finance Revenue	18,910	17,792	1,118	30,500	11,590
Total Solid Waste Revenue	1,614,905	1,291,833	323,071	2,267,000	652,096
Total Recreation & Cultural Service Programs	718,889	645,278	73,612	1,789,105	1,070,216
Total Water Utility Charges	2,888,381	2,888,381	(0)	4,951,510	2,063,129
Total Unconditional Transfers	9,259,485	9,287,517	(28,033)	15,921,458	6,661,974
Total Conditional Transfers	2,171,176	2,171,179	(3)	4,178,021	2,006,845
Year To Date Assigned	\$ 83,903,963	\$ 82,842,700	\$ 1,061,264	\$ 143,207,400	\$ 59,303,437

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Reviewed

Summary Statement of Expenditures October 31, 2015

Expenditures	Year to date Expended	7 Month Budget	7 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 847,650	\$ 845,045	\$ (2,605)	\$ 1,415,714	\$ 568,064
Administration	675,156	725,286	50,130	995,609	320,453
Finance	1,437,795	1,584,911	147,116	2,739,607	1,301,812
Legal	271,900	337,980	66,080	565,444	293,544
Human Resources	857,031	958,685	101,654	1,600,549	743,518
Technology & Communications	538,392	576,331	37,939	1,153,099	614,707
Municipal Clerk	193,951	229,615	35,664	480,466	286,515
Fiscal Services	19,692,377	19,801,079	108,702	34,772,031	15,079,654
Occupational Health & Safety	112,884	128,370	15,486	215,532	102,648
Facilities: Centre 200 & Arenas	1,754,765	1,859,718	104,953	3,127,620	1,372,855
Police Services	14,499,877	15,219,807	719,930	25,110,074	10,610,197
Fire Services (Incl EMO)	9,794,236	10,416,749	622,513	16,550,728	6,756,493
Engineering & Public Works	28,202,323	28,785,743	583,420	48,849,744	20,647,421
Planning	1,387,824	1,545,701	157,878	2,650,361	1,262,537
Recreation	2,407,161	2,419,335	12,174	2,980,821	573,660
Total expended to date	\$ 82,673,321	\$ 85,434,356	\$ 2,761,035	\$ 143,207,400	\$ 60,534,079

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Reviewed

ISSUE PAPER

December 2, 2015

To: Mayor and Council

RE: CBRM Defined Benefit (DB) Contribution Pension Plan
Consolidation and Restated Plan Text

Background:

Consolidation and Reinstated Plan Text January 1, 2014

The CBRM Defined Benefit (DB) Pension plan has been in place since 1962. The plan has been amended on many occasions for various reasons. These amendments eventually become part of the plan text when consolidated and restated. The last time the plan was restated was 1999.

The attached document is a new consolidation and restatement of the plan text which contains all amendment up to January 1, 2014.

The new Plan text was reviewed by the CBRM Defined Benefit Pension Committee November 18, 2015 which resulted in the following motion.

*Moved by Gussie Gouthro, seconded by Councillor Rowe, that the Defined Benefit Pension Committee recommend to Council to approve the new plan text for the DB Pension Plan dated August 2015. **Motion carried***

Recommendation:

Based on the Committee's recommendation, I would request Council approve the attached resolution to adopt the consolidated and restated Plan Text effective January 1, 2014.

Original Signed By

Angus Fleming
Human Resources

Attachment

Consolidated Plan Text:

- Resolution to Adopt Consolidated and Restated Plan Text effective January 1, 2014

Motion:

Moved by Gussie Gouthro, seconded by Councillor Rowe, that the Defined Benefit (DB) Committee recommend to Council to approve the new plan text for the Defined Benefit Pension Plan dated August 2015.

Motion Carried.

