

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, NOVEMBER 19, 2019

6:00 P.M.

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

Cape Breton Regional Municipality

Council Meeting

Tuesday, November 19, 2019

6:00 p.m.

AGENDA ITEMS

Roll Call

O'Canada

Moment of Silent Reflection

1. **APPROVAL OF MINUTES:** (Previously Distributed)
 - Economic Development Debriefing – October 15, 2018
 - Council – September 17, 2019
 - Special Council – September 26, 2019
 - Council – October 9, 2019

2. **APPROVAL OF AGENDA:** (Motion Required)

3. **PROCLAMATIONS & RESOLUTIONS:**
 - 3.1 **10th Anniversary of the Search for James Delorey:**
Councillor Jim MacLeod (See page 7)

 - 3.2 **Restorative Justice Week 2019:**
Councillor Eldon MacDonald (See page 8)

 - 3.3 **Celebrating 50 Years of Ground Search & Rescue:**
Councillor Bruckschwaiger (See page 9)

 - 3.4 **Protection for Dominion Beach:**
Councillor Darren Bruckschwaiger (See page 10)

Continued...

**Council Meeting Agenda
November 19, 2019 (Cont'd)**

4. PRESENTATIONS:

- 4.1 **Regulatory Modernization and Reform in Nova Scotia:** Ms. Leanne Hachey, Executive Director of Regulatory Reform & Partnerships; and Ms. Emily Pond, Director of Regulatory Reform & Partnerships (See page 11)
- 4.2 **Eco-Partnership:** Ms. Jen Cooper, Project Manager; Ms. Meaghan Fortune, Project Coordinator; and Ms. Elizabeth Jessome, Project Specialist, ACAP Cape Breton (See page 21)

5. PLANNING ISSUES:

5.1 **FINAL APPROVAL – Public Hearing**

- a) **Land Use By-law Text Amendment Application #1045 – Keltic Drive Business Corridor (KBC) Zone – Nicole Campbell:**

Public hearing to consider Application #1045 Keltic Drive Business Corridor (KBC) Zone by Nicole Campbell, and that staff provide all public opinion communication to Council regarding this request. Karen Neville, Planner (See page 36)

5.2 **APPROVAL TO ADVERTISE:**

- a) **Request from New Dawn Enterprises to Amend the North End Sydney Secondary Municipal Planning Strategy and Secondary Land Use By-law - #1063:**

Committee recommends approval to advertise notice of Public Hearing to consider amendments to the North End Sydney Secondary Municipal Planning Strategy and The North End Sydney Secondary Land Use By-Law. Michael Ruus, Director of Planning and Development (See page 70)

6. PUBLIC HEARINGS:

6.1 **Requests for Street Closures:**

- a) **Request for Street Closure: Province of Nova Scotia – Reservoir Road Sydney NS – Portion of 15864739 – Public Right of Way:** Sheila Kolanko, Property Manager (See page 79)

Continued...

**Council Meeting Agenda
November 19, 2019 (Cont'd)**

PUBLIC HEARINGS - Requests for Street Closures (Cont'd):

- b) **Request for Street Closure: New Waterford Hub Project – Province of Nova Scotia – Lowell Cormier Avenue/Portion of former Cahill Street/Portion of Victoria Road, New Waterford, NS: Sheila Kolanko, Property Manager (See page 83)**

6.2 Sale of Land for less than Market Value:

- a) **New Waterford Hub Project – Request from Province of Nova Scotia – PID 15478613/15478647/Lowell Cormier Avenue, New Waterford, Nova Scotia: Sheila Kolanko, Property Manager (See page 88)**

7. BUSINESS ARISING:

7.1 General Committee Meeting – November 4, 2019:

- a) **Convent Street, North Sydney – PID 15032220:**

Recommendation to formerly accept that portion of land, currently owned by CBRM and identified on the map outlined in yellow attached to the staff Issue Paper dated November 19, 2019, as a public road and be an extension of Convent Street. Sheila Kolanko, Property Manager (See page 96)

8. CORPORATE SERVICE ISSUES:

- 8.1 **Request from New Aberdeen Revitalization Affordable Housing Society – PID 15439748, Sixth Street, Glace Bay (vacant land); and PID 15439177, Fourth Street, Glace Bay (vacant land): Sheila Kolanko, Property Manager (See page 99)**

9. COUNCILLOR AGENDA REQUESTS:

- 9.1 **Council Members Seeking Higher Office:** Councillor Steve Gillespie (See page 103)
- 9.2 **Tipping Fees for Non-Profit Organizations:** Councillor Earlene MacMullin (See page 104)
- 9.3 **CBRM's ability to offer homeowner loans for installation or replacement of septic systems.** Councillor Earlene MacMullin (See page 105)

Continued...

**Council Meeting Agenda
November 19, 2019 (Cont'd)**

10. BY-LAWS & MOTIONS:

10.1 By-laws:

- a) **Second / Final Reading – Public Hearings:** N/A
- b) **First Reading:** N/A

10.2 Motions: N/A

11. FINANCIAL STATEMENTS: Jennifer Campbell, Chief Financial Officer

11.1 CBRM to September 30, 2019: (See page 106)

For Information Only.

11.2 Port of Sydney Development Corporation to September 30, 2019: (See page 108)

For Information Only.

ADJOURNMENT

Proclamation

10th Anniversary of the Search for James Delorey

Whereas: On the afternoon of December 5th, 2009, seven-year-old James Delorey wandered and became lost in the wilderness behind his family's home in South Bar;

And Whereas: James lived with autism and was non-verbal, but you could always hear him giggling when he was near;

And Whereas: Throughout the two days and nights that included the first blizzard of the season, young James and his loyal dog Chance survived while a massive search was underway receiving unwavering support from the entire community;

And Whereas: On December 7th, Chance returned home, leaving behind a trail of paw prints in the snow. Shortly after, searchers located James just over 1 kilometer from his home, he was curled up under a tree with an obvious impression in snow where Chance laid beside him;

And Whereas: While the community hoped and prayed for James' recovery, tragically, he peacefully passed away;

And Whereas: Young James will continue to live forever in the hearts of his family and of those within our community,

And Whereas: Since 2010, in James' honour with collaboration and support from his family, fundraising efforts have been coordinated under the guidance and support of Nick Burke and Andrew Petrie, and have raised almost \$20,000 in donations which have gone to support the Autism Society of Cape Breton, Cape Breton Project Lifesaver (Search and Rescue), Cape Breton Branch of the SPCA, Cape Breton Regional Hospital Cancer Patient Care Fund and Whitney Pier Youth Club, and this year will go to Cape Breton Search and Rescue's Building Fund. Beginning in 2011, the first Saturday of December, has been dedicated as the "James Delorey Annual Fundraising Day" to continue this honour and support one of our local charities;

Be It Therefore Resolved: That Cape Breton Regional Municipality Mayor Cecil P. Clarke and Council declare December 7th, 2019 as James Delorey Day in the CBRM.

Councillor Jim MacLeod
District #12 – CBRM

November 19th, 2019

PROCLAMATION
Restorative Justice Week - 2019

- WHEREAS:** In the face of crime or conflict, restorative justice offers a philosophy and approach that views these matters principally as harm done to people and relationships; and
- AND WHEREAS:** Restorative justice approaches strive to provide support and opportunities for the voluntary participation and communication between those affected by crime and conflict (victims, offenders, community) to encourage accountability, reparation and movement towards understanding, feelings of satisfaction, healing and sense of closure; and
- AND WHEREAS:** Restorative Justice Week provides an opportunity to learn about restorative justice and to educate and celebrate along with other communities across the country during the week;
- BE IT THEREFORE RESOLVED:** That CBRM Mayor Cecil P. Clarke and Council proclaim the week of November 18th to 22nd, 2019 as Restorative Justice Week in the Cape Breton Regional Municipality.

Councillor Eldon MacDonald
District #5 – CBRM

November 19th, 2019

Proclamation

Celebrating 50 Years of Ground Search & Rescue

Whereas: On November 19, 1969, Bill Antle and 5 of his friends from Grand Lake Road were on a deer hunting trip on Wreck Cove Mountain. At the end of their day, the group was to meet back at their jeep for their return home, however everyone but Bill returned;

And Whereas: The Ingonish RCMP were called and responded, with word quickly spreading throughout local communities that Bill was lost. At this point in time, it was unknown how to organize a search effort. Nonetheless, Bill's family, church community of St. Augustine's, local businesses, trade schools, and people from the community gathered; friends chartered a fixed wing craft, others responded with what fire and military resources they could gather. In the days that followed, over 400 people would respond to search for Bill in rain, wind and snow;

And Whereas: Five days had passed since Bill saw his 5 friends, his wife and 5 children. The search was soon to be called off, after days of hundreds of people walking the rugged land while others flew above, trying to find the man they loved. There was only enough fuel for one last flyover Wreck Cove by helicopter. During its pass, Bill heard the sound below. He found an open area and climbed a log. He was spotted from above;

And Whereas: The search for Bill was the catalyst for the beginning of ground search and rescue in Nova Scotia. While Bill recovered in hospital from hypothermia, family, friends and the community alike recognized the need within the community. Only 18 days later on December 11, 1969, the first civilian volunteer group of search and rescue members was formed at Grand Lake Road, Cape Breton;

And Whereas: Since 1969, Nova Scotia Ground Search and Rescue Association formed along with search teams across the Province: 1971, Valley Ground Search and Rescue; 1972, Halifax (formerly Waverly) Ground Search and Rescue and Cheticamp Search and Rescue; 1973, Musquodoboit Valley and Digby Ground Search and Rescue; 1975, Colchester and Eastern Shore Ground Search and Rescue; 1976, Annapolis County Ground Search and Rescue, 1977, West Hants and Sheet Harbour and Area Ground Search and Rescue; 1978, Lunenburg and Yarmouth Ground Search and Rescue; 1980, East Hants and Strait Area Ground Search and Rescue; 1982 North Queens and Clare Search and Rescue; 1985, Queens Ground Search and Rescue; 1986 Pugwash and Barrington Ground Search and Rescue; 1989 Inverness Ground Search and Rescue; 1990, Springhill Ground Search and Rescue; and in 1995, Pictou County Volunteer Ground Search and Rescue; emergency service providers dedicated to providing public education, Project Lifesaver®, disaster services, evidence searches and ultimately to locating and rescuing lost persons;

Be It Therefore Resolved: That Cape Breton Regional Municipality Mayor Cecil P. Clarke and Council extend their heartfelt thanks and appreciation to the yeomen volunteer service that ground search and rescue volunteers provide within our communities across the province and declare November 19th, 2019 as Ground Search and Rescue Day in the CBRM, on the occasion of their 50th Anniversary.

**Councillor Darren Bruckschwaiger
District #10 – CBRM**

November 19th, 2019

Cape Breton Regional Municipality

Resolution

“Protection for Dominion Beach”

Whereas: Dominion Beach has had another very successful year with some great turnouts during the summer season. There were people at the beach visiting from across the country and the United States. Along with the great number of residents and tourists that use this facility for swimming, residents from around our communities use this facility for walking and exercise all year round;

And Whereas: Some of you will recall several years ago the NDP government approved and built a berm along the shoreline to protect the parking lot and building. Over the years with the many large storms that we have seen this berm has worked. In the plan at the time it called for three phases. The phase that I feel is most important at this point is the continuation of the berm down past the walking bridge. This would ensure the protection of the bridge so that our residents could continue to walk and exercise. It would also extend the protection of our beach for swimmers;

And Whereas: Beaches are very important to our island and this province. I’ve been told that most of the tourist exit interviews that have been done by the different agencies over the year, show that our beaches and shoreline is what mostly attracts our tourists. I believe it is of the utmost importance that the province does everything they can to protect them;

And Whereas: Included in the Provincial *Beaches Act*, an act to preserve and protect the beaches of Nova Scotia; Section 2(1) reads: The beaches of Nova Scotia are dedicated in perpetuity for the benefit, education and enjoyment of present and future generations of Nova Scotia;

Be It Therefore Resolved: That a letter be sent to the Minister of Lands and Forestry, Iain Rankin, Ministers Derek Mombourquette and Geoff MacLellan and MLA Tammy Martin requesting that Minister Rankin visit our beautiful beach in Dominion to see firsthand what is happening to this facility and to have a discussion with our residents on what can be done to protect our beach from further harm.

*Councillor Darren Bruckschwaiger - District # 10 – CBRM
November 19th, 2019*

Regulatory modernization and reform in Nova Scotia

November 2019



Charting a Path for Growth



Nova Scotia Tax and Regulatory Review
November 2014

Laurel C. Broten
Lead, Nova Scotia Tax and Regulatory Review



- Unnecessary, costly, complex, duplicative rules restrain business growth
- A strong, efficient regulatory environment can enhance productivity in public and private sector and support economic growth
- A more aligned regulatory environment (across the region and country) can provide easier access to new markets for business

More of the same will result in
more of the same

3



Our mandate

**Reduce barriers to
doing business**

Measurement

Service

**Inter-
governmental**

4



Charter & Legislation

Premier's Charter:

- Regulation not a first resort; bias for non-regulatory options
- If enacted, regulation should be:
 - Lightest touch
 - **Based on compelling cost-benefit analysis**
 - Transparent and consultative process
 - Alignment within Atlantic region

Legislation:

- Refers to Charter
- Establishes Office and role
- Annual report (by June 30th)
- Review of Office after 3 years; Act expires after 5 years
 - Renewed in October

5

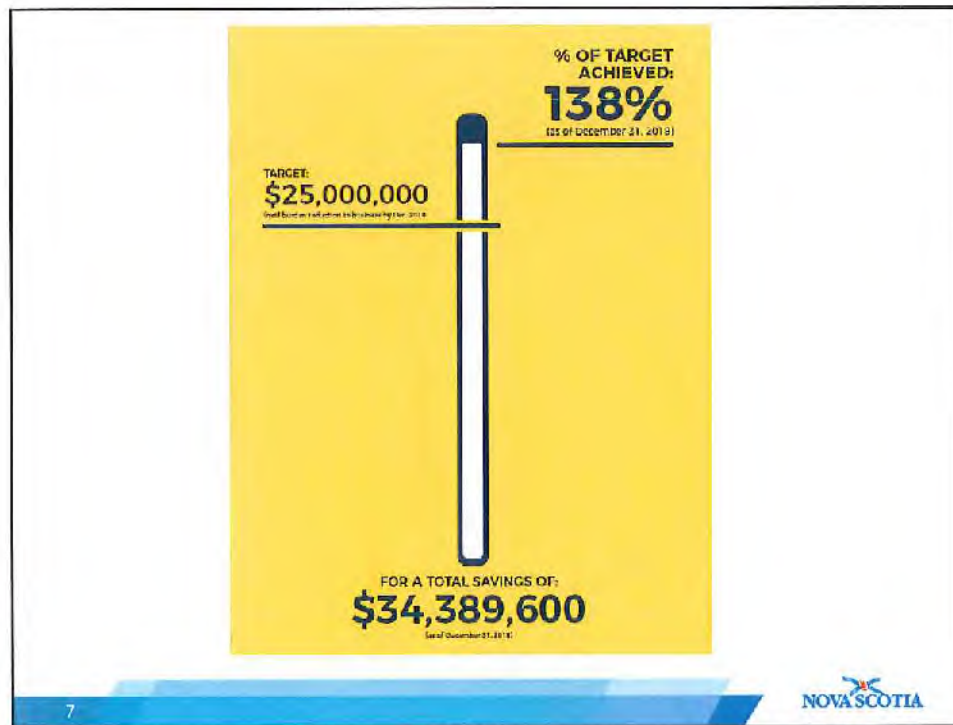


Measurement

- Key to accountability
- Baseline measure on overall regulatory burden (\$560 annually; 25-30% 'undue')
- Office developed means (**Business Impact Assessment**) to assess + estimate costs/benefits of new regulatory proposals
- Departments use during policy/regulatory development

6





New Target

- **By the end of 2020, government will:**
 - Reduce undue burden to business by \$10 million (net)
 - Once achieved government will have reduced annual regulatory burden to \$45 million
 - Expand target to save citizens time on administrative burden by 50,000 hours
 - Lead and coordinate a cross-government clean-up of redundant or outdated regulations

Improving Service to Business



- Served over 4,000 start-ups/small business since launched in 2017
- Consistent 10/10 rating for satisfaction and helpfulness

9



Working with other governments

- Work nationally, regionally and municipally
- **Municipal: HRM**
- Established partnership on regulatory reform with HRM in late 2016
- Guided by advisory panel of business leaders
- External recognition:
 - “Golden Scissors Award” for innovative and collaborative intergovernmental approach
- Includes foundational work + immediate actions
Extended for 18 months

10



Cape Breton Pilot

- Expanding regulatory reform partnership with all five Cape Breton municipalities

Goal: Align specific business regulations to make operation and expansion easier for Island businesses

- Hosted 6 stakeholder engagement sessions with **Cape Breton Partnership + Strait Area Chamber of Commerce**
- Identified regulatory pain points (legislative, process, service) by talking with businesses
- With input, developed workplan to address a few of the most pressing concerns

11



Workplan Highlights

Focus Areas:

- Red Tape reduction priority actions
 - Municipal: By-law inventory
 - Provincial: Inspector training, Business Navigation support
- Strengthening government to government collaboration
 - Permits & inspections for special events and festivals
 - Supporting Regional Land Use Plan

12



Work Plan Highlights

- **Measurement & Assessment**
 - Education sessions on the Atlantic Premiers' Charter of Principles & the BIA
- **Communication & Reporting**
 - Communicating progress and results to business community and municipal partners

Provincial – Municipal Pilot Partnership: Improving regulatory environment on Cape Breton Island

In the spring of 2019, the Province of Nova Scotia and the five municipalities on Cape Breton Island (Cape Breton Regional Municipality, Counties of Richmond, Inverness and Victoria, and the Town of Port Hawkesbury) entered into a pilot partnership to improve the regulatory environment to make operation and expansion easier for Island Businesses.

Municipal and provincial staff have prepared a draft workplan, including focus areas and actions for 2019-2020. The draft workplan reflects the input provided by the business community during stakeholder engagement sessions in Port Hawkesbury, Glace Bay, Sydney, Baddeck, Inverness and Cheticamp. The draft workplan will be presented for information purposes to Councils in November.

Focus Areas	Actions
<p>1. Red tape reduction priority actions</p> <p>Specific priority areas for red tape reduction</p>	<p>Action plans will be developed for each area:</p> <p><u>Municipal Red Tape Reduction Initiatives:</u></p> <ul style="list-style-type: none"> • Work with municipalities to produce an updated inventory of bylaws on municipal websites to alleviate confusion around compliance requirements for businesses. • Map one or two common, high-volume development processes (i.e. requesting an amendment to a Land Use Bylaw). <ul style="list-style-type: none"> ○ Outside of CBRM, the process maps could include how the shared planning authority (Eastern District Planning Commission) interfaces or works with municipal staff. • Facilitate the development of a common municipal regulatory approach across the Island on short-term accommodations in response to housing and community impacts being felt by tourism operators, business community and communities. <p>Longer-term:</p> <ul style="list-style-type: none"> • Align subdivision by-laws where possible to make it easier for developers working across municipalities. <p><u>Province of Nova Scotia Red Tape Reduction Initiatives:</u></p> <ul style="list-style-type: none"> • Offer and provide customer service training to Cape Breton inspectors through the Inspection Navigation Service.

Focus Areas	Actions
	<ul style="list-style-type: none"> • Support Municipal Affairs' efforts to provide regulatory incentives to municipalities which may include the ability to waive development fees in designated areas where the municipality wants growth (e.g., where infrastructure currently exists). These incentives could be limited to areas where municipalities are sharing revenue as a protection against intermunicipal competition. <p>Longer-term:</p> <ul style="list-style-type: none"> • Provide support, as required, to Municipal Affairs and Housing to address the inspector shortage.
<p>2. Strengthening government to government collaboration</p>	<ul style="list-style-type: none"> • Explore a pilot to coordinate the Province's and municipalities' regulatory support for festivals and events (e.g., a one-stop permit process for Celtic Colours); this could extend to inspections. <p>Longer-term:</p> <ul style="list-style-type: none"> • Support the development of a Regional Land Use Planning Strategy. <ul style="list-style-type: none"> ○ Inverness, Richmond and Victoria do not have comprehensive land-use plans, but there is a recent provincial law that requires they do. This is an opportunity to discuss where the municipalities want alignment in terms of land use strategy. Port Hawkesbury and CBRM may choose to participate, possibly to a different extent.
<p>3. Improving service to business</p>	<ul style="list-style-type: none"> • Designate a navigator partner in each municipality. <ul style="list-style-type: none"> ○ Municipalities to provide provincial Business Navigators with high-level view of municipal processes, service standards, organizational structure, inspections and processes to help facilitate seamless and efficient information to businesses using the Navigator service. • Determine how the province's inspection navigator can support Cape Breton in addition to training for inspectors.
<p>4. Measurement and Assessment</p>	<ul style="list-style-type: none"> • Education session / overview with each council on Premier's Charter of Principles. • Education session / overview with staff on Premier's Charter of Principles and Province's Business Impact Assessment.
<p>5. Communication and Reporting</p>	<ul style="list-style-type: none"> • Provide Regulatory Modernization briefings and updates for stakeholders. • Present workplan, progress report and final report to councils.

**Cape Breton Regional Municipality
Municipalities of Inverness, Richmond and Victoria County
Town of Port Hawkesbury**

Province of Nova Scotia

Focus Areas	Actions
	<ul style="list-style-type: none"> • Keep local business community continually informed about progress through email and calls and include them in final debrief of pilot. • Use this work to highlight the collaboration that is already underway. Help change the narrative of the five municipalities and the level of collaboration that already exists.

Updated October 22th, 2019



Eco-Partnership

- The contracts we will present today were established are now into their second decade.
- What this partnership means
 - Funding and support for an environmental non-profit which helps us support the community
 - ACAP's knowledge of science and ecology can inform municipal projects
- Annual contracts with Water Utility (Water Conservation, Source Water Protection), Wastewater Operations, and Solid Waste (Trashformers).
- Contracts are comprised of mutually agreed upon projects and action items and quarterly meetings help inform all parties and track progress.
- Quarterly meetings are working meetings in which we are building and assessing projects and approaches together

Water Conservation



Tappy Appearances



Water in the Community



Canada Day



Canada Day



Water in Schools



World Water Day



Source Water Protection



Watershed Explorers



Watershed Walks



Source Water Research

Forest Management



CABIN Sampling



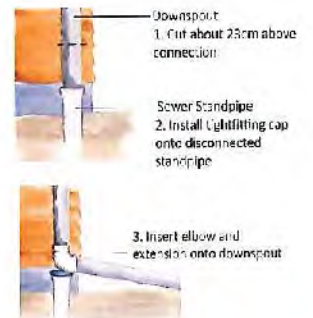
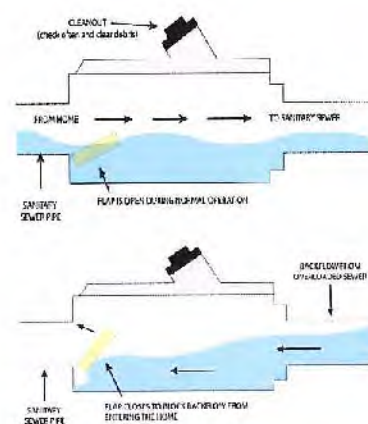


Community Engagement & Education

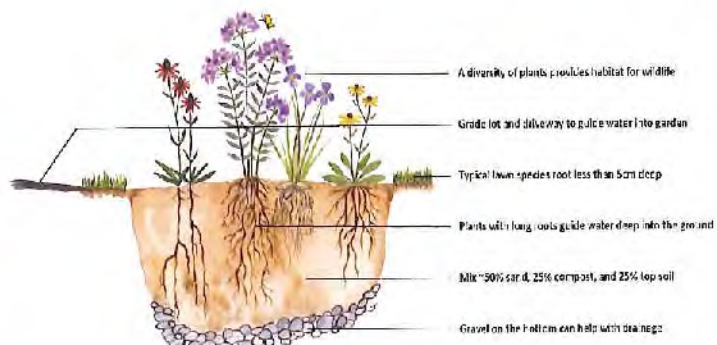
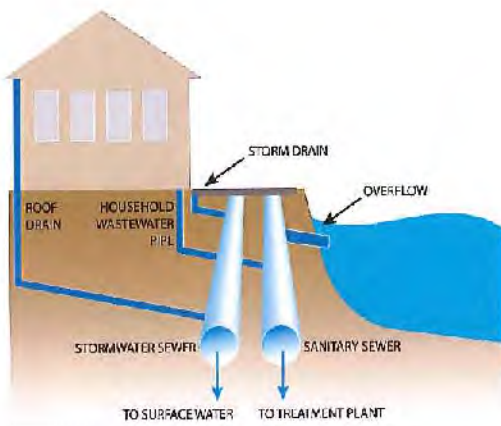
- Wetland/ Source Water Tappy
- Middle school curriculum
- Pilot grade 12 geology lesson
- Who Am I? photo contests
- Watershed Poems



Wastewater Stormwater Education



Extension length:
- 1.5m away if no basement
- 5m away if you have a basement



Stormwater

- + Managing Stormwater in CBRM
- + Basement Flooding
- + What to do if Your Basement is Flooded
- + Basement Flood Prevention
- + Disconnecting Your Downspout
- + Weeping Tile, Sump Pumps and Proper Lot Grading
- + Maintain Your Plumbing and Install a Backwater Valve
- + Low Impact Development



TAPPED OUT
VIDEO CONTEST

Make a short video illustrating human impact on the ocean via our drains at home to win a bursary!

First Place: \$1,500 Bursary

2nd Place: \$500 bursary

Open to students, grades 11 & 12 in the CBRM

Find the contest guidelines in your guidance office or at: acapcb.ns.ca

CBRM Wastewater Operations

ACAP
Cape Breton
Environmental Action & Education




Learn to Build a Rain Garden
 At our hands-on - boots on workshop!
 Call ACAP Cape Dutton to register
 (902) 567-1521 ext 195
 What's a rain garden?
www.acap.ca
 Saturday, August 27th 10:00 noon
 Meet in the parking lot next to the Marine Arms
 (100 Kings Rd.)
 Dress for the weather and wear boots and gloves.







CBRM Wastewater Operations

By-Law #W-100
Wastewater Discharge By-Law
Respecting Discharge into
Public Sewers

Why do we need By-Law W-100?

- To keep our ocean, streams and rivers clean
- To protect public health
- To protect public and private property
- To keep wastewater treatment processes working properly
- To keep Wastewater Operations workers safe on the job



CBRM Wastewater Operations
320 Esplanade, Suite 300
Phone: (902) 563-5774 Fax: (902) 563-5775
www.cbrm.ns.ca

Any home, business or institution discharging to the CBRM wastewater collection system must comply with By-Law #W-100

What are YOUR responsibilities?



I Comply



I Comply Update

Moving Toward By Law #W-100 Compliance

By Law W-100 requires all automobile service stations and commercial kitchens to have and maintain a grease trap to protect public safety, infrastructure, and the environment.

This by-law has been in effect in the CBRM since 2009. If you still do not have an appropriate grease trap for your business call for advice or to make a plan.

Brandon Talbot, Wastewater Operations
(902) 563-5773



We all live downstream
- David Suzuki



Community Outreach



Community	Volunteers	Kgs
Port Morien	25	300
Dominion	42	350
Florence	4	20

**Total 670kgs
of waste
cleaned off
local beaches
in 2019!**





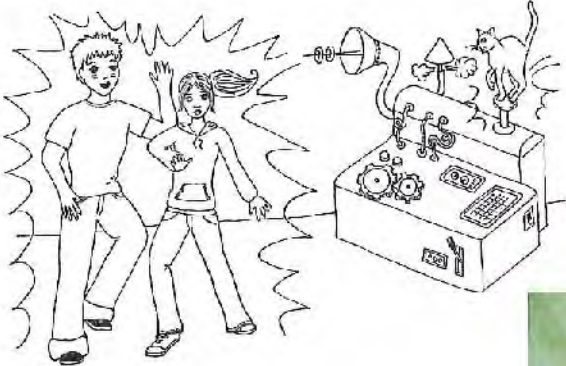
Barrow's Goldeneye



Red Breasted Merganser



Red Throated Loon

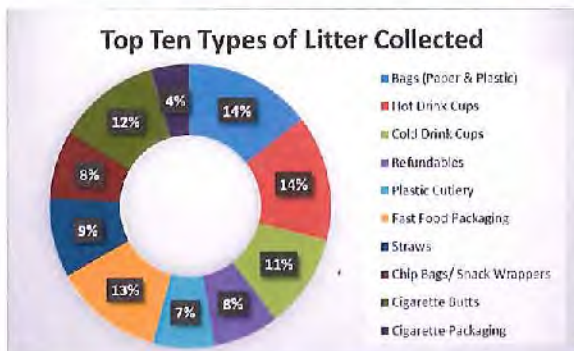


Education Tools





Trashformers (Solid Waste)



Extras

- Students
- Science fair
- Pollinator habitat
- Bras d'Or Watch
- CEPI
- Local Food Network
- Ecological Landscaping
- Eco-Shop
- Greenway Trail
- Baille Ard Trail
- Port Hawksbury Paper Forest Advisory Committee
- Public outreach (i.e. Allan Lafford High in Potlotek)
- Bird Studies Canada
- Community gardens
- UINR



Future Possibilities CBRM

- Urban forest program
- Ecological landscaping
- Green/blue infrastructure
- Stormwater home visit program
- Building on Solid waste programming
- Green space development and promotion (pocket parks and habitat connectivity)
- Greenway Trail

Thank you

- Questions?



Lady's Slipper
Cypripedium acaule
Pottle Lake, North Sydney



**Excerpt – DRAFT Council Minutes
October 9, 2019**

Update on Land Use By-law Text Amendment Application #1045 Keltic Drive Business Corridor (KBC) Zone – Nicole Campbell

Motion:

Moved by Councillor McDougall, seconded by Councillor Bruckschwaiger, that staff be directed to proceed with a Public Hearing to consider Application #1045 Keltic Drive Business Corridor (KBC) Zone by Nicole Campbell, and that staff provide all public opinion communication to Council regarding this request.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: LAND USE BY-LAW TEXT AMENDMENT
APPLICATION – 1045
Keltic Drive Business Corridor (KBC) Zone
Nicole Campbell**

DATE: November 12th, 2019

Introduction

On June 26, 2018, the Planning and Development Department presented a text amendment application from Nicole Campbell, who wanted to operate a boarding kennel and an animal sitting establishment on a property on Keltic Drive (PID 15199870) [Attachment A]. At that time, an amendment permitting animal sitting establishments (doggie daycares) throughout the jurisdiction of the Keltic Drive Business Corridor (KBC) zone (Attachment A) was approved by Council. As a part of this approval, Council requested the issue of future operations be brought back for their consideration after one year.

On May 21st, 2019 Council directed staff to seek input from the public on the possibility of permitting the overnight boarding of animals within the areas KBC zone serviced by municipal water and sewer (Attachment B). In consultation with the Local Councillor, it was decided that public opinion would be sort through a written request for input.

Notice was mailed out to 101 residents in the surrounding area. Staff was contacted by twelve individuals. Of those individuals who took the time to provide comments eight objected, two were supported and were lived in the area, one was supportive and owned a business in the area, and one was supportive but lived outside of the mail-out area.

In response to Council's motion, the applicant has provided correspondence outlining their current operations and their hopes for future operations (Attachment C). A summary of the applicant's correspondence is listed below:

Current operations:

- Full operation since February 11th, 2019
- Employed 35 local people throughout construction
- Employs eight individuals at the doggie daycare
- Includes a local grooming business which employs 2-3 people
- Full capacity is 15 kennels

Noise and Construction

- Each dog is assessed for suitability. Any dog that is determined to be excessive in barking, is turned away at the assessment stage
- Dogs that show excessive barking are sent home
- Drop-offs start at 7:30 a.m. and pick-ups by 5:30 p.m. Staff and other business activity does take place outside these time frames which can account for the vehicles outside our business hours
- Vegetation was initially retained on the southeast side property; however, due to the installation of a waterline by an adjacent property owner, much of this vegetation was removed.
- Interior walls have been insulated
- Windows and doors were placed on the left side of the building (northwest) where the majority of the vegetation has been retained on the property
- Privacy screens were installed to help decrease visibility for the dogs to eliminate excitement from seeing clients or vehicles to help minimize barking
- Exterior steel doors were used in the interior to help reduce noise
- Rubber flooring was installed to help absorb noise

Boarding

- Boarding services will only be offered to clients of the daycare
- Boarding to follow the same daytime schedule (7:30 a.m. - 5:30 p.m.)
- Boarding dogs will be kennelled after 6 p.m.
- There will be no outside play for boarding dogs outside business hours

On September 19th, Council passed a motion to move forward to the Public Hearing stage to consider the possibility of permitting the overnight boarding of animals within the areas KBC zone serviced by municipal water and sewer. Under the CBRM Land Use By-law, the present zoning of KBC Zone only permits the overnight boarding of animals in areas not serviced by municipal water and sewer.

Notification

In accordance with the requirements of the *Municipal Government Act*, notice of this Public Hearing was placed in the November 2nd and November 9th editions of the Cape Breton Post. Notice was also mailed to 101 assessed property informing them of their opportunity to attend the Public Hearing and provide a written submission for Council's consideration. At the time this issue paper was prepared the Planning and Development Department received both written and verbal comments. The written comments can be found in Attachment E. Of the written comments received, 21 were supportive and 1 opposed the amendment request.

Summary of Verbal Submission

Nancy Detheridge

- Not against dogs
- Was originally supportive of the daycare, but has experienced noise since it began operating
- Would be ok if one person was taking out two dogs at night and there is another staff person present
- Concerned about the safety of the staff
- Does not want to be woken up at night by barking dogs. They do not want to lose sleep
- Not supportive of the change

Marge Detheridge

- Not supportive of the change

Barb MacMillan

- Has operated a boarding kennel for 35 years
- Has close neighbours and has not received complaints about noise
- The only time her neighbours hear anything is during feeding time
- Dogs sleep once they are inside for the night
- Supports the amendment request

Edmond Harrison

- Operates a business on Detheridge Drive and also live close by
- Supports the developments
- Never really hears the dogs from his shop

Recommendation

Staff's recommendation on this amendment request was presented to Council on June 26, 2018.

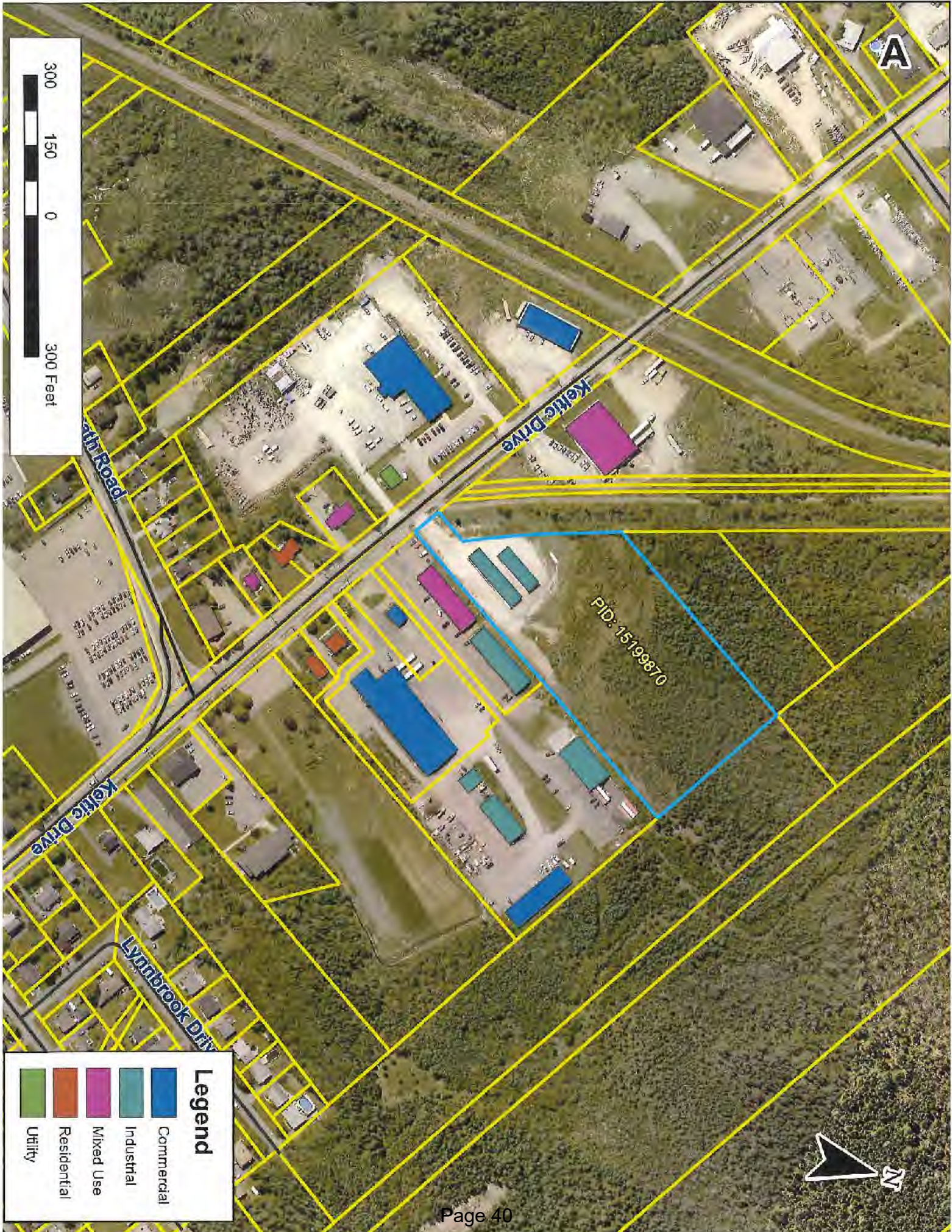
A copy of the draft of the Amending By-law can be found in Attachment D.

Submitted by:

Originally Signed by

Karen Neville

Planning and Development Department





 Keltic Drive Business Corridor (KBC) Zone

 Municipal Water

 Municipal Sewer

 PID 15199870

Dear CBRM Council:

RE: The Crate Escape Doggy Daycare 368 Keltic Drive, Sydney NS

We have been in full operation, since February 11, 2019 with our Crate Escape Doggy Daycare. Throughout our construction, we employed the services of roughly 35 local people throughout the build. We brought in a local grooming business to join us which currently employs 2-3 people and participates in student programs.

We currently employ five people, and have had the opportunity to work with great programs such as Government Works for You, to allow people to join our team and gain experience while attempting to regain the work force.

It truly has been a dream come true for us. As of now, we have not been aware of any complaints to the SPCA or any agency concerning noise. We are happy to report that we have received nothing but support and positivity since our doors opened. We truly believe our business in this location has and will continue to increase foot traffic on Keltic Drive.

Our current business operates as follows:

- Drop offs start at 7:30 a.m. and pick ups by 5:30 p.m. Throughout the day the pups have the ability to run and play with each other, staff and toys/equipment.
- Our facility consists of a large 2500 sq indoor play room which is divided in two for different size dogs/energy levels. The outdoor area is also divided into two. Every dog that comes into our facility is required to have their proper vaccines, and pass a behavioural assessment. We are conscious of noise, and continue to be going forward. We believe the placement of our building on our property as well as our business design and facility has been built with nothing but respect for the community in mind.

We currently have 15 kennels (which is our full capacity space wise), which are used daily for feedings and when any pup need a break. Our goal is to extend our services to offer boarding to our daycare clients. The essential part to note is that we would **NOT** be increasing the number of dogs. We would be using 10 to 15 of our existing daycare spots for our boarding pups.

How boarding would work:

- Boarding pups would have to be a regular client of our daycare, so the pup is comfortable and we know how they do in our environment already;
- Boarding dogs would follow the same daytime routine as the current daycare from 7:30-5:30p.m.;
- Boarding dogs would be kennelled after feeding at 6 p.m. and not outside.
- Boarding dogs would be given a night time snack and let out to do their business around 9p.m. individually or in pairs after which they would be kenneled for the evening and not have outside access unless a case of emergency.

- Boarding dogs would then be let out to do their business at 7 a.m. to have their breakfast before the other dogs arrive.
- All of which is in a controlled environment with no outside play outside of business hours.

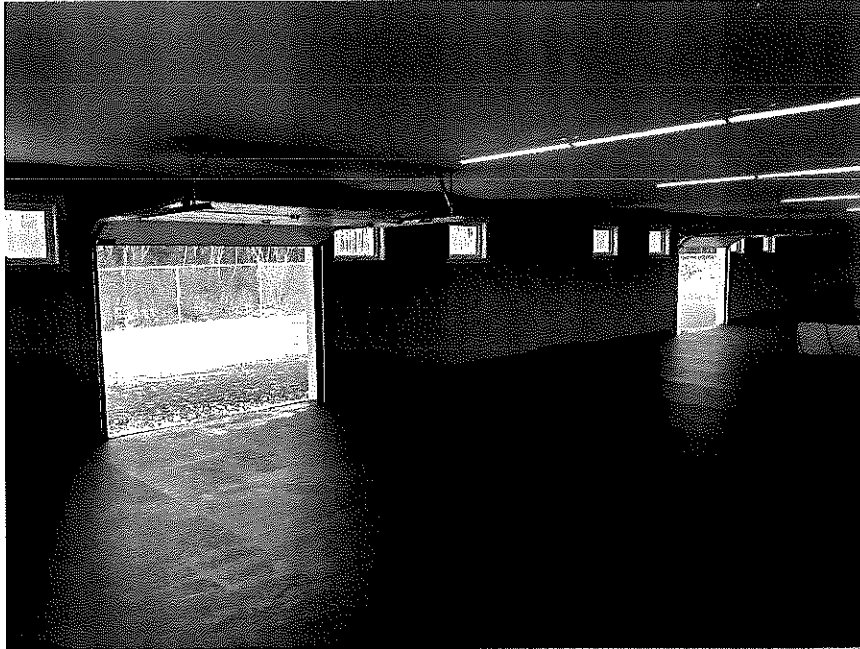
Prior to opening, we knew there was a much-needed service in our community for our services. We truly did not appreciate how large that need was.

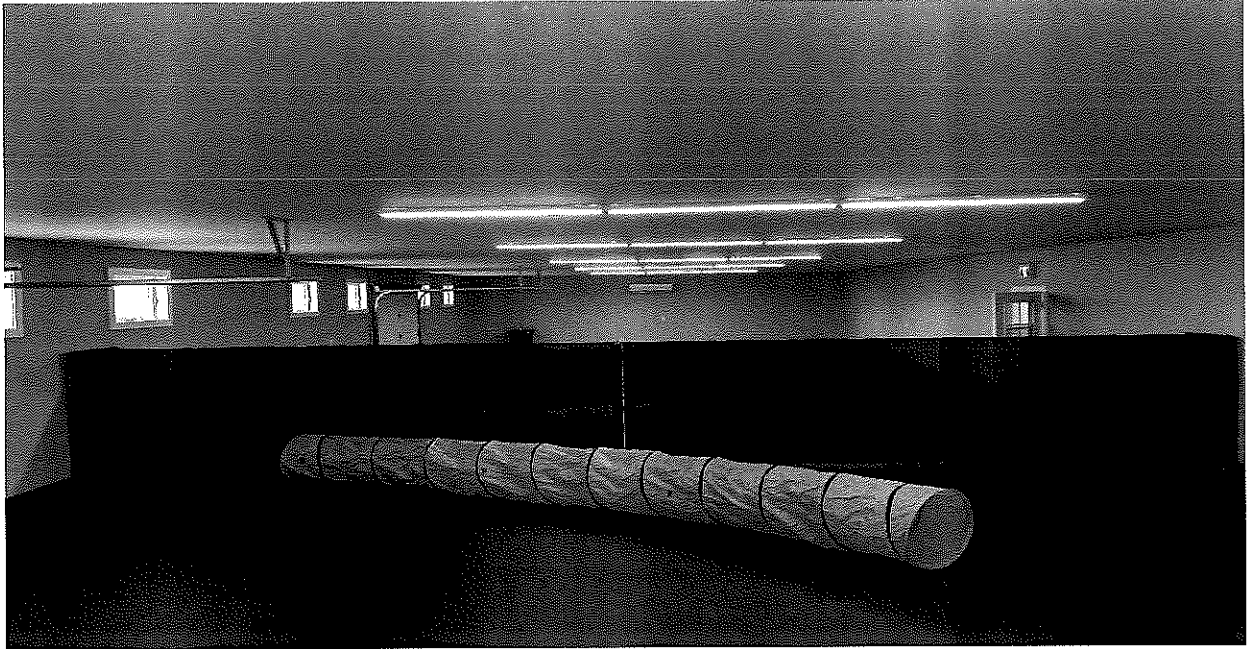
We are proud of the business and the space we have built. We have teamed up with other local businesses to provide free community events; such as information sessions for dog owners with local veterinarians and fundraisers for local pets in need. We cannot wait for all that is ahead for our business. By allowing us the opportunity to provide boarding, we are providing an essential service to our clients and the dog community. In addition, by extending our services, we will be able to create more employment opportunities within our business.

We appreciate Council's time and effort, and invite any of you to contact us if you'd like a tour of our facility!

Sincerely,
Nicole, Jeremy and Lenny Campbell

P.S. Enclosed are a few photos of our facility!





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: Part 10 Keltic Drive Business Corridor (KBC) ZONE, Section 1 KBC Uses Permitted of the Land Use By-law is hereby amended by deleting the following:

kennels are not permitted in areas serviced with both Municipal water and sewer

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 Ryan, CLERK

From: DARRYL MCNEILL
To: Karen M. Neville
Cc: [REDACTED]
Subject: crate escape doggie daycare
Date: November-07-19 9:31:33 AM

TO WHOM IT MAY CONCERN

I wish to make my support known to Council for the application of the Crate Escape Doggie Daycare on Keltic Drive to have overnight boarding facilities. My dog has attended their daycare since it opened and they run their business in a very professional manner. It would be of a great benefit to the dog owning community to have another overnight boarding facility as I am aware from family and friends that own dogs that there are presently wait lists for overnight dog boarding in the community.

As well, their business is in a mainly industrial area on Keltic Drive and in my opinion, I do not think that noise would be a factor, especially given the fact that the dogs would be boarded inside overnight.

I would appreciate this email being placed in their file to support their upcoming application later this month.

Thank You,
Deborah McNeill

From: SM
To: Karen M. Neville
Subject: Crate escape
Date: November-07-19 10:13:13 AM

Just wanted to voice my support for allowing boarding at the Crate Escape. Fabulous addition to the cbrm, and overnight stays would if anything be less noisy than the day program, which is not disruptive in the least
Stephanie Macdonald

Sent from my Samsung Galaxy smartphone.

From: [Brianna Bonaparte](#)
To: [Karen M. Neville](#); [REDACTED]
Subject: Crate Escape Doggie Day Care & Boarding
Date: November-07-19 12:44:52 PM

Hello,

I would be unable to attend the civic meeting being held in November as i will be away but i wanted to write and show my support for the over night boarding for pups. I think it would be a great idea and very beneficial for Ben whom already attends day care. He hates traveling in the car which makes it hard for me to get away for nights without taking him.

Hope my input helps and Good luck Crate Escape !

Thank you,

Brianna Bonaparte & Benjamin

From: [Charlene MacPherson](#)
To: [Karen M. Neville](#)
Subject: Re Crate Escape Doggy Daycare
Date: November-07-19 7:33:42 AM

Our family Pet Maggie goes faithfully to This doggy daycare. The people who work there are amazing—kind, friendly and amazingly great with animals. Maggie was a very shy, timid black lab. She was not comfortable with and almost afraid of everyone. She immediately took to the great people at The Crate Escape. When I say want to go see Marissa, the tail wags and she runs for her leash. This being said, her personality makes it hard to leave her overnight. She is only comfortable with my daughter's family at this point for sleep overs—which means we really can't travel together unless we take Maggie. I know for sure she would be comfortable with the great people at Crate Escape for an overnight or weekend. I have had dogs for most of my life and had their names on lists prior to this daycare opening. We waited more than a year and didn't get a call. I know the demand for this service is great and I know these very responsible people would create the best possible facility for overnight care! Please consider this as well as employment opportunities for more people in our area!! I believe this to be a necessary service in my area and I believe they can do the job well!! Thank you for taking the time to read this!!
Sent from my iPhone

From: Mackinnon, Shoneth
To: Karen M. Neville
Subject: The Crate Escape overnight boarding
Date: November-07-19 7:42:10 AM

Hello Ms. Neville,

I am emailing you today to express my support for overnight boarding at The Crate Escape. I own two large breed dogs and I have found it increasingly difficult to secure overnight boarding for them. I travel for work from time to time and without overnight boarding I would/will not be able to. My current kennel is closing after Christmas this year due to retirement. So there will be a great shortage of spaces due to this closure, as it is a fairly large kennel.

Thank you for your consideration in this matter,

Sincerely,
Shoneth MacKinnon
Westmount Resident

Sent from my iPhone

From: [Kemp, Bethany](#)
To: [Karen M. Neville](#)
Subject: The Crate Escape
Date: November-07-19 8:45:13 AM

Hi Karen,

Wanted to send you a quick email in support of The Crate Escape being allowed to provide boarding services. As a pet owner, I know that there is a great demand for this service in CBRM. The dogs are kenneled individually overnight and would be sleeping so noise is not a concern.

Thank you,
Bethany Kemp

From: [Bell](#)
To: [Karen M. Neville](#)
Cc: info@crateescapedog.ca
Subject: Overnight boarding Crate Escape
Date: November-07-19 9:12:44 AM

Hello Karen,

I would like to show my support for the Crate Escape having overnight boarding for dogs. I just moved home from Dartmouth in August and was quite surprised at the lack of services in this area for overnight boarding. I don't have a family doctor here yet so I am traveling back and forth to Halifax to see my doctor there along with other medical appointments. I have to take my dog with me and place him in boarding up there as I have no other choice. I would much rather give my business to someone local. There was a lady who boarded dogs on the Morrison road but she has announced she is retiring. This will make the situation even more desperate. My dog currently goes to the crate escape two days a week and he loves it there. The staff clearly love dogs and they provide a safe place for dogs to play, they are professional and run a good business.

Overnight boarding would not cause excessive noise as the dogs would be inside the building at night. Please pass on my support to council. Thank you!

Angela Blinkhorn

[REDACTED]

Sydney

[REDACTED]

Sent from my iPad

From: [Charmaine Haddad](#)
To: [Karen M. Neville](#)
Subject: Boarding kennel
Date: November-07-19 1:42:55 PM

This is an email to show support for the proposed overnight kennel...I think it is a fantastic idea and would be convient for people in the area....as far as the barking it is a commercial area and not a lot of homes in that area....Thank you
Charmaine Haddad

Get [Outlook for iOS](#)

From: [Elizabeth Dawson](#)
To: [Karen M. Neville](#)
Subject: The Crate Escape Over Night Boarding
Date: November-08-19 10:40:48 AM

Hi Karen,

I'm writing to add my support for the upcoming public hearing regarding permission for overnight boarding at The Crate Escape Daycare, Kelitic Dr. Sydney.

We use their facility weekly for our dog & being able to have a spot for overnight stays would be a welcoming addition.

Finding a spot to board our pet has been a problem in the past, vacations have to be planned around if we have a spot to put her (normally 6-12 in advance).

This service is very much needed in our area, so our furry friends have a safe & caring place to stay.

I hope you grant the permits they require. I feel they deserve the opportunity to expand their operations and help add more workers to our economy.

Regards,

Rick & Elizabeth Dawson



From: DARRYL MCNEILL
To: Karen M. Neville
Subject: crate escape doggy daycare
Date: November-07-19 7:42:08 PM

I wish to give my support to the Crate Escape Doggie daycare on Keltic Drive in their upcoming bid before council to be allowed to provide overnight boarding services. My dog has been attending their daycare since it opened last winter. They run a great facility and are very professional in their operation. There is a great need in the local area for further overnight boarding for dogs. I wholeheartedly support them as an overnight boarding service and would like to have this email placed in their file for the upcoming council dissolution related to their application

Sincerely
Deborah McNeill

Sent from my iPhone

From: [Donna Lee Parker](#)
To: [Karen M. Neville](#)
Subject: The Crate Escape
Date: November-07-19 10:35:52 PM

Dear Karen,

My dog, Beau, is a faithful user of The Crate Escape business for doggy day care. He has always received wonderful care here. In the next month his usual boarding overnight kennel is closing their doors for good. I have searched high and low for accommodations for overnight boarding for my dog in the vicinity of Sydney. There are only a few that exist in the area and they are fully booked or have a long waiting list for many dates in the new year. (or they are not reputable in my opinion, ie: insisting on updated vaccinations and kennel cough inoculations etc.)

I have full confidence that The Crate Escape will provide a clean, quiet, and respectful, overnight accommodations for 10 dogs only at their current facilities. I know that my dog Beau and myself would be very relieved to know that he could stay at a place where he is already familiar with the dogs and the amazing caretakers that work there.

Donna Lee Parker and Beau



Sent from my iPad

From: [Eastjink](#)
To: [Karen M. Neville](#)
Cc: [Steve D. Gillespie](#); [Ivan DonCaster](#); [Esmond P. Marshall](#); [George M. MacDonald](#); [Jim MacLeod](#); [Darren R. Bruckschwaiger](#); [Cecil P. Clarke](#); [Eldon MacDonald](#); [Kendra C. Coombes](#); [Earlene D. MacMullin](#); [Amanda M. McDougall](#)
Subject: Re : The Crates Escape Doggy Daycare!
Date: November-08-19 1:17:41 PM

I fully support approval for over night clients. I strong feel they have proved themselves and deserve this opportunity to expand. Certainly hope this worthy expansion is endorsed by It is very well run , have a lovely staff.

Mayor & Council.. Karen & Council please look favourably on the application..

Sincerely and thank you for your consideration

Claire Detheridge

Sent from my iPhone

From: [Sylvia Burrow](#)
To: [Karen M. Neville](#)
Subject: Crate Escape
Date: November-08-19 7:13:27 PM

Dear Karen Neville,

I am writing in support of overnight boarding at Crate Escape. I have boarded my dog during the daytime and have noticed that the business is clean, well-organized, and not loud at all during the day - even with a number of dogs present. I have also noticed that the business is located a reasonably good distance away from Breton Brewing, which has an evening business. My understanding is that Breton Brewing is the only evening business located near Crate Escape and so the only business concerned with noise in the evening. I appreciate the concerns of business neighbours who aim to reduce any impediments to their business due to noise. However, I fail to see how dog boarding would pose a threat to evening business at Breton Brewing. First, evening customers of Breton Brewing will be indoors for the majority of the year; during the summer months, I am sure that music and ambient noise of patrons would diminish any sounds of dogs. Second, I doubt that any sounds of dogs barking would carry across the space to interfere with the patrons of Breton Brewing; even if they did, I would expect that any noise from the dogs would be intermittent, monitored by staff at Crate Escape, and not continuous through the evening. During the night, the dogs would be boarded indoors and not loose outside, so I cannot see how this would pose a threat to noise levels. I would urge Council to carefully consider what is involved in boarding dogs overnight and to understand that doing so does not necessarily entail any significant increase in noise levels. Overall, encouraging new local businesses to thrive should be the top of the agenda for CBRM. Crate Escape is exactly one of those new local businesses which is sorely needed in CBRM: there are few, if any, places to board dogs overnight in the Sydney area and I am sure the business would thrive if it could offer overnight boarding. In contrast, CBRM offers plenty of thriving drinking establishments, including Breton Brewing, which I doubt will suffer from a local dog boarding business located nearby.

Sincerely,
Sylvia Burrow

From: [Josee Lelievre](#)
To: [Karen M. Neville](#)
Subject: Overnight boarding Crate Escape
Date: November-09-19 9:47:23 AM

Hello Mrs Neville,

My dog has been attending Crate escape for some time now. He absolutely adores being there, as much as I love him being there. I know that he is safe and very well taken care of in the hands of these workers.

Crate escape doggy daycare should be able to provide overnight boarding services in Sydney, NS. Overnight boarding services could help many dog owners, as some work nightshifts and there is no other facility in the area that offers this service for dogs. There would be no reason to believe that noise would be an issue - since the animals are more than likely to be tired from playing and when it is time for the lights to go out, there is no movement other than going out for bathroom breaks.

The Crate escape doggy daycare is a fantastic organization that allows for dogs to socialize in a well constructed and safe environment. The workers are very responsible and thorough. There's no doubt in my mind that overnight boarding at this facility would work great, without causing any issues to the neighbours. In fact, there are no neighbours that live close enough to Crate escape to signal "noise" as a reason to deny this request.

We need an overnight boarding service for our dogs in Sydney, Nova Scotia. Please, when you compare the pros and the cons, you will see that there are many more advantages to having this service granted in our community.

Kind regards,
Josée LeLièvre

From: [Jasmine Hoover](#)
To: [Karen M. Neville](#); [Steve D. Gillespie](#)
Subject: Re: animal sitting establishment
Date: November-11-19 10:37:08 AM

Hello, I am unable to attend the meeting on Tuesday, so am emailing and will send a letter as well with the same contents.

I'm positive this will pass, but will comment on three things anyway.

1. The main concern of the neighbors was not the weekday daycare, but that this zone change opened up the possibility of an overnight business for dogs. The owner stated multiple times that this would not happen and that she wanted to work with the neighbours. I took her for her word on that and was ok with the daily daycare, however am very disappointed to see that she was not telling the truth and plans on overnight boarding. I would prefer if she honoured her commitment to the neighbours, and kept it daytime only, we do hear the dogs from our house currently.
2. The city planner mentioned there was an overnight dog kennel 500 m down the street. We were all very shocked at this, and I have looked for a year for this overnight kennel. There is a vet down the street, (about 500 m in fact), which I'm assuming is what she meant, however it is not an overnight boarding for dogs. I would like it noted that this was untrue, and there is no overnight boarding kennel for dogs on keltic drive currently.
3. Having now spent 2 years in Cape Breton this has taught me a valuable lesson about how things work here. If you know people, or belong to a long time Cape Breton family, you can do whatever you want, and if the rules don't work for you, you can change them. It makes a lot more sense to me now why things are the way they are here.

Sincerely,
Jasmine Hoover
Lynnbrook Drive, Westmount

From: [Mary Lynn MacPhee](#)
To: [Karen M. Neville](#)
Subject: Amendment - KBC Zone
Date: November-12-19 10:47:34 AM

Good morning Karen

Regarding the correspondence I received concerning the amendment of the Land Use By-Law to allow for overnight boarding of animals in the KBC Zone, I wish to offer support for this change.

As a resident of [REDACTED], I live approx. 560m (as the crow flies) from the Crate Escape Doggie Daycare. This business has been in operation for about a year and during that time my family has not seen any change to our 'home life'. There has been no additional traffic and I do not hear any dog barking at all (that I could associate with them anyways). It is my understanding that the limited number of overnight dogs would not be outside in the evening (after 6pm) so I would not think a noise issue would occur. While I do not use the service myself, there is a definite need for a business such as this in my community. A number of my friends use the daycare and have commented on what a wonderful facility they have created. I expect that great service would continue as they expand their operation.

CBRM should be a facilitator to small businesses, such as the Crate Escape, to help them grow – not to hinder or stagnate development. I strongly urge council to consider changing the By-Law to enable overnight boarding so that this small business can grow to its full potential.

Mary Lynn MacPhee

Senior Engineering Technologist
Cape Breton Regional Municipality

From: [Connie-Lee Martell](#)
To: [Karen M. Neville](#)
Subject: FW: Crate Escape - Overnight Boarding
Date: November-12-19 2:01:27 PM

Hello,

We have two dogs, one of which attends Day Care at the Crate Escape on a regular basis. (Photos of Gibson and Mr. Jones attached)

As pup parents, we try our best to make arrangements for them when we travel or have to be away from home overnight. But sometimes it's just not possible to take our boys with us.

To have a facility like the Crate Escape right here in town is beneficial not only to our boys, but also to us. That means no long car trips to a rural boarding kennel, and also it's a place that our boys are familiar with. As they attend day care now, that means they not only know the staff, but are also familiar with other pups that may also be staying overnight.

Concerns about noise at night are a surprise to me. Once daycare is over, and the pups have been playing for hours they are tired. BELIEVE ME! I have photo evidence of totally exhausted and happy dogs that prove all they want is a some supper and then a nice long snooze.

Please consider letting Nicole and Jeremy have the overnight boarding at the Crate Escape, not only is it good for the pups, local CBRM people – but it also is an opportunity for a small business to develop and grow but also to hire more local people keeping them working and living here in the CBRM.

Thank you.

Connie-Lee Martell
e-mail: 

From: [Christina Alexander](#)
To: [Karen M. Neville](#)
Subject: Support for The Crate Escape: Overnight Boarding
Date: November-12-19 2:44:04 PM

Good Afternoon;

Please document this as HUGE support for The Crate Escape becoming an overnight boarding facility as well as their current daycare operation.

I am a dog owner and very much a dog lover. I feel if I needed somewhere to board my dog, I would love to board him there as it is a great facility run by great people! It is also in my neighborhood, I grew up in Coxheath and now live in the area myself. I wholeheartedly support The Crate Escape in becoming an overnight facility as well as their current operations. It is great to see locally owned and operated business' in the CBRM.

Thanks for reading!

Take care!



From: James Gillan
To: Karen M. Neville
Subject: Regarding The Crate Escape Doggy Day Care
Date: November-12-19 3:37:40 PM

Good Evening Honorable Members of the CBRM Council,

Today I am writing you in support of the Crate Escapes Doggy Day Care's application to begin offering overnight boarding services at their location at 368 Keltic Drive in Sydney River.

From personal experience, their current business model of doggy day care has been a great success. They have provided a much needed service which has been a benefit to both the pets and the owners who support them. I believe the dog loving population of the CBRM would agree. I frequently see messages on social media about how the daycare is at capacity and how if you want to book a day, you should do so well in advance. People are eager to give their dogs a day of fun with friends in this safe, supervised environment where they know when they go pick up their companion they will be happy and well exercised. Without a doubt this support would continue if they were able to expand their services to include overnight stays and perhaps operate 7 days a week in the future.

Putting aside my own wishes for my pets, I believe it is the CBRM council's duty to support this business in their endeavors. Here we have young entrepreneurs looking to build something in our community. They were nominated for multiple awards from the Chamber of Commerce for the success they've had in their first year of operation. If the CBRM is to survive, we must encourage and support these people willing to put up their own money to better the community. So much focus is placed on cruise ship visitors driving our economy but without services that cater to those that call the CBRM home, our population will only continue to age and decline. Without services that allow for young people to try build a life here that they can have elsewhere, they will continue to seek those greener pastures.

Please support the owners of The Crate Escape in growing their business. The community already does and we have nothing to lose in doing so. There is already a dog park in the area, a busy school and arena, a dance studio and other commercial enterprises in the area. Any complaints about noise or smell should be reminded that we actively court other noisy, smelly industries to set up in our municipality. Our waste management facility is located next to one of our largest retail hubs! The worst these dogs can do is be dogs in the shadow of the belongings left by those who have already gone.

Thank You!

Signed,

James Gillan, Megan Larsen & our puppies Sage and Bryn

From: Jennifer O'Brien
To: Karen M. Neville
Subject: Crate Escape Day Care Boarding
Date: November-12-19 3:51:38 PM

Hi Karen,

We've enjoyed having the option to have our dog attend daycare at the Crate Escape, we would also like the opportunity to have them be a fully functioning kennel. My husband and I are from the area and find that the kennel creates less noise then the ongoing construction noise from the highway we hear on a daily basis.

Please as a council really consider this, aren't we trying to keep the younger generation in the CBRM, who are the ones who prefer these services, and the employment it brings!

Thanks for your time,
Jennifer & Stephen O'Brien

Sent from my iPhone

From: [Catherine Dilny](#)
To: [Karen M. Neville](#)
Subject: Crate Escape Doggy Daycare
Date: November-12-19 4:22:15 PM

To whom it may concern,

I am writing to voice my opinion on the Crate Escape Doggy Daycare request for overnight kennel service. At the present time, the Crate Escape is providing a much needed daycare for our furry family members. In my opinion, there is a great need for overnight dog care in the CBRM. It would ease a lot of minds knowing our dogs have a place to go if we need overnight care, particularly in emergency situations.

Thank you so much for your consideration.

Catherine Martin

From: [stevethecaper](#)
To: [Karen M. Neville](#)
Subject: The Crate Escape dog Kennels
Date: November-12-19 6:21:55 PM

I am writing to you in support of this new venture for The Crate Escape Doggy daycare. I think its absurd that kennelling dogs at this facility would create excessive noise to the surrounding area. I would hope that the adjacent businesses would applaud the addition of another business in the area and support there efforts for growth. I also think that citizens should also be encouraging the growth and expansion of small businesses in CBRM and the Island as a whole. If approved I will DEFINITELY be looking to board my dog at this facility.

Stephen Collins
Sydney Forks

From: [Victoria Clarke](#)
To: [Karen M. Neville](#)
Date: November-12-19 9:29:39 PM

Good morning,

I am emailing to show my support for the proposed dog kennel at The Crate Escape. I believe a kennel in my community would be a great addition for pup parents who struggle to find accommodations for their dog. As a dog owner myself I can say that there is a gap in the market for a dog kennel. Most of them are too far or booked up.

My dog Reese has been regularly attending The Crate Escape since they've opened last year. She now goes 3 days a week and I can honestly say it's changed her life. She was always an outgoing puppy but The Crate Escape brought her to life. She's grown to be more comfortable, as well as less shy and timid around people and other dogs. Every morning when I say "let's go to daycare!" She runs to the car with so much excitement. Every time I pull into the parking lot she starts barking with joy. She's so exhausted everyday from all the fun she has when I pick her up. It's a great alternative for dog owners instead of leaving their dogs home all day.

I know the staff at the crate escape love each and every dog because I've seen how they treat them. My dog is my baby and I have no issues leaving her there for the day nor would I leaving her there over night. You can't hear anything when you pull into the parking lot because it is an indoor daycare. They also have kennels so the dogs will be less anxious and be in a controlled environment when they're staying the night. This addition to The Crate Escape will do nothing but increase the already growing support for their business and please all dog owners in Sydney and surrounding areas.

Thank you,
Victoria Clarke

Request from New Dawn Enterprises to Amend the North End Sydney Secondary Municipal Planning Strategy and Secondary Land Use By-law

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor McDougall, that a recommendation be made to Council for approval to advertise notice of Public Hearing to consider amendments to the North End Sydney Secondary Municipal Planning Strategy and the North End Sydney Secondary Land Use By-Law at an upcoming meeting of Council as outlined in the staff Issue Paper dated October 28, 2019.

Discussion:

During the discussion, some issues raised by Council included:

- Number of Respondents not in support of the proposal
- Parking availability for other businesses in the area
- Federal and Provincial properties are not required to meet CBRM zoning regulations
- Angled parking on George Street
- Parking garage in the downtown area
- Enforceable parking concerns and number of enforcement officers
- Possibility of parking in Open Hearth Park and an option for shuttle service
- Parking requirements when the NSSC moves into the downtown area and working with the Province for solutions
- More metered parking

Motion Carried.



To: CBRM Council

FROM: Michael Ruus and Karen Neville

SUBJECT: Request from New Dawn Enterprises to amend the North End Sydney Secondary Municipal Planning Strategy and Secondary Land Use By-law

DATE: November 12th, 2019

Introduction

New Dawn Enterprises has made a request to amend the North End Sydney Secondary Municipal Planning Strategy (Planning Strategy) and the North End Sydney Secondary Land Use By-law (Land Use By-law) was presented to Council. New Dawn Enterprises has expressed interest in continuing to operate both the former convent and high school (170 George Street, Sydney) [Attachment A]. In doing so, they are unable to meet the proposed parking requirements as outlined in the Land Use By-law. New Dawn Enterprises would also like to operate a restaurant in the former convent building. The restaurant will serve the tenants of the development and be open to the general public.

Why is an Amendment Necessary

The Planning Strategy was adopted by Council in 2006 in order to recognize the unique historical character of Sydney's North End. As a result of extensive public consultation, the Planning Strategy includes several statements and policies that specifically address parking and the types on non-residential uses to be permitted in the Planning Area.

Parking

The Planning Strategy and Land Use By-law do acknowledge fringe uses deemed to be unsuitable in proximity of residential areas. At the time the Planning Strategy was developed, residents voiced concerns about amount of people working in Downtown Sydney who parked their cars on North End residential streets and felt that this should be not be encouraged.

To address these concerns the North End Downtown Fringe Zone was intended to buffer the North End's residential areas and the Downton Central Business District (CBD) of the CBRM's Municipal Planning Strategy. Policy 10 requires new commercial buildings being subject to site plan approval to ensure that landscaping and parking issues are adequately addressed. The properties in question not located in the North End Downtown Fringe Zone, but rather the North End Residential Zone, which is identified in the Planning Strategy and Land Use By-law as consisting of low-density residential development.

The Planning Strategy does pose a possible solution to the parking problem which is the creation of more and better parking facilities in the downtown core. A report prepared for the local regional development authority by a Halifax consulting firm in 2002 on the future of downtown Sydney recommended the creation of a new parking facility within the block bounded by George, Pitt, Charlotte and Dorchester streets. Policy 13 of the Planning Strategy recommends that Council revisit this report and consider implementation of its recommendations.

While the Land Use By-law does include off-street parking requirements for all developments in proportion to the need created by each land use, it does allow on-street parking spaces immediately abutting the site affected to be included in the calculation for the number of parking spaces required by non-residential development (Policy 33). The on-street parking spaces have been used in the calculation and the development is still short. Based on the proposed uses, the development requires 144 parking spaces (54 for the high school and 90 for the convent). According to the site plan, the combination of on-site and on-street parking totals 120 parking spaces (93 on-site and 27 on-street).

When it comes to parking, the Land Use By-law also permits the establishment of an off-site parking lot to service a sales or service development located within the North End Planning Area, provided the business being served is reasonably close to the parking lot (Policy 34). The applicant has indicated that the creation of an off-site parking lot is not an option.

Restaurant

In order to facilitate the creative re-use of abandoned former educational or community service buildings the Planning Strategy includes a policy to allow such buildings to be converted into uses that would not necessarily be permitted by the zoning in effect in the surrounding area (Policy 40). This policy was intended to encourage the re-use of these buildings, while not competing with other sales and service uses in the Planning Area or interfering with surrounding residential uses. Policy 40 also identifies the following optional uses for these types of buildings:

- studios of artists or artisans;
- business offices; and
- personal care and service businesses
- apartments

As well, the Policy stipulates the site plan approval provisions for the conversion of these buildings and providing an on-site parking plan is one of these provisions.

The Planning Strategy acknowledges the fact that there are several small-scale commercial uses (sales and service uses) scattered through the North End that have been in place for many years. However, it also contains a policy that does not permit zone amendments to allow for new commercial uses.

Based on the policy direction outlined above, in order to issue a Building Development Permit for the proposed development, Council would need to amend both the Planning Strategy and the Land Use By-law. In accordance with the *Municipal Government Act*, Council is required to undertake a Public Participation Program prior to considering an amendment to a Municipal Planning Strategy.

Public Participation Program

The Planning and Development Department held a public open house on October 7th which was attended by approximately 25 individuals. Staff, along with representatives from New Dawn Enterprise, were in

present to answer questions from the general public on the proposed development. In addition to the comment sheets that were made available at the open house, an online survey was utilized to seek input on the proposal. In total, a combination of 155 written comments and online surveys were received. A copy of the questions posed can be found in Attachment B.

Parking

Of the 155 responses, 49% indicated they lived in the North End, 61.3% indicated they worked in the North End, and 22.6% indicated that they own property in the North End. It should be noted that respondents were given the option to select all the options that applied to their situation.

The total responses for “Are you currently facing parking problems in the North End?” are listed below:

Response	Number	Percentage
Yes	56	39.35%
No	97	59.35%
No Answer Provided	2	1.29%

The response from those individuals that indicated they lived in the area are identified in the table below:

Response	Number	Percentage
Yes	33	42.86%
No	43	55.84%
No Answer Provided	1	1.30%

The common themes expressed by the respondents that say they are not facing parking problems:

- There is never an issue finding a parking space
- There is no parking problem
- It is reasonable to park a few blocks away and walk to your destination
- There is room for improvement
- Downtown needs more paid parking lots

The common themes expressed by the respondents that say they are facing parking problems:

- There is not enough parking available.
- Parking becomes worse in the winter
- There should be a common parking lot outside residential areas
- Workers at citizenship have limited options for parking, they have no choice by to park on the street
- It is difficult for delivery vehicles
- Cars parked on the street make it difficult to safely exit my driveway
- Cars park too close to intersections, it is not safe
- Planning for buildings never includes enough parking spaces
- Limited options for friends and family to visit due to the parking situation.

Restaurant

Respondents were asked whether they supported the idea of a restaurant being permitted in the former Holy Angels/Convent location. They were given the option to respond yes, no, or other. 135 individuals

responded yes and 10 responded no. Of those individuals that selected the other option, their comments are included below:

- A new restaurant will only make the parking problem and safety issues worse.
- As long as it doesn't affect parking in front of my home
- Yes. I do, but I am concerned about parking, York Street is almost impossible to get up or down with cars parked on both sides of the street.
- Is it a full service restaurant?
- New Dawn Enterprise deserves a fighting chance to be portable and there is nothing to eat in that end of town!
- Only if they have stand alone parking spaces available within their property.
- Sure either way
- No. We have enough restaurants. Don't need it. Was a restaurant in the approved plan?
- Yes. Not only would this improve the already improving neighborhood, as a homeowner and tenant of the convent, this would massively improve my quality of life as well my neighbors and my co-tenants.

When asked if restaurants should be permitted through the North End, respondents were less supportive.

While there was no clear consensus from the comments received, it is at least reasonable for Council to proceed with a Public Hearing.

Recommendation

That Council pass a Motion to schedule a Public Hearing to consider amendments North End Sydney Secondary Municipal Planning Strategy and the North End Sydney Secondary Land Use By-law at an upcoming meeting of Council.

Submitted by:

Originally Signed by

Michael Ruus and Karen Neville
Planning and Development Department

North End Sydney Amendment Survey

New Dawn Enterprises has requested an amendment to Municipal Policy to proceed with further development of the former Holy Angels/Convent at 170 George Street, Sydney. In doing so, they are unable to meet the existing parking requirements in the Land Use By-Law. Additionally, New Dawn is proposing the operation of a restaurant within the former convent building to serve tenants and the general public.

The intent of this questionnaire is to obtain feedback from residents living and working in the North End of Sydney on the proposed development to aid municipal staff and CBRM Council in making a decision.

Please answer the following questions. Your contact information and answers to these questions will remain confidential and be used only in the evaluation of the above-noted project. '

PLEASE NOTE: SUBMISSIONS WITHOUT AN ADDRESS WILL NOT BE CONSIDERED IN THE EVALUATION OF THE PROJECT.

Your Name (optional): _____

Your address (required) *: _____

Do you live, work or own property in the North End of Sydney? (required) *

- Live
- Work
- Own Property
- No (if answer is 'No', then you are not required to proceed with survey)

If you work in the North End, how do you travel?

- Private Vehicle, alone
- Private Vehicle, with others
- Walking
- Bus
- Taxi
- Bike
- Other

When you travel to the North End, you generally stay:

- Less than an hour
- One to Three hours
- Three to Five hours
- All Day and overnight
- All the time - I live in North End

Parking Requirement Amendment

How do you feel about the current state of parking in your neighbourhood?

Are you currently facing parking problems in the North End?

- Yes
- No

If yes, what time of day does parking become an issue?

- Morning
- Afternoon
- Evening

Do you feel that residential parking permits for on-street parking in non-parking metered areas of the North End would improve the situation?

Yes
No

Other: _____

Do you feel the proposed development would impact parking in the neighbourhood?

Yes
No

Other: _____

Restaurant Use Amendment

Do you support the idea of a restaurant being permitted in the former Holy Angels/Convent location?

Yes
No

Other: _____

Would you support the idea of restaurants being be permitted in other areas of North End Sydney?

Yes
No

Other: _____

General Comments

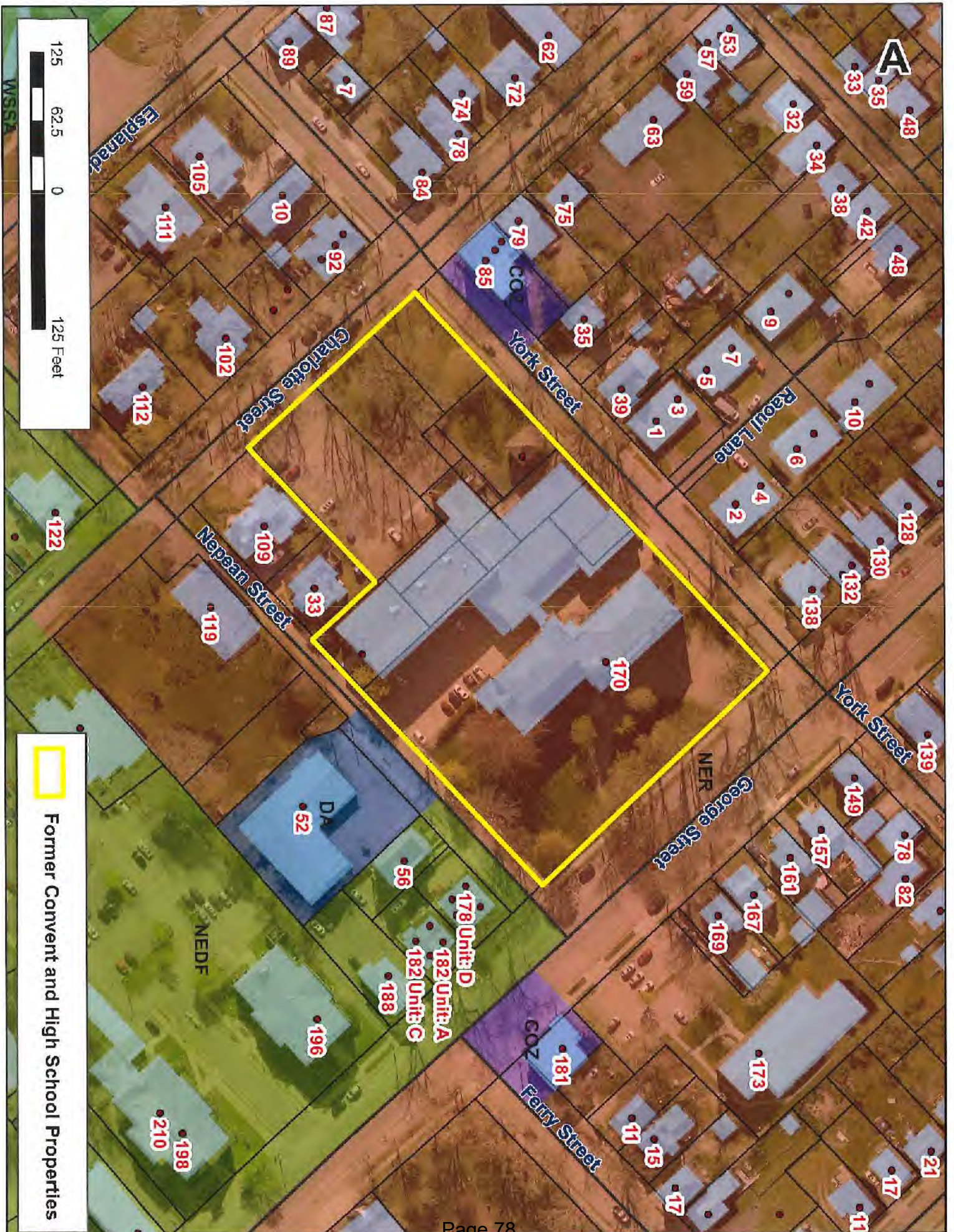
Anything else you would like to add or comment about the proposed project?

Please return survey by October 18, 2019 to:

320 Esplanade, Suite 200
Sydney, Nova Scotia B1P 7B9

Or

PlanningConsult@cbrm.ns.ca



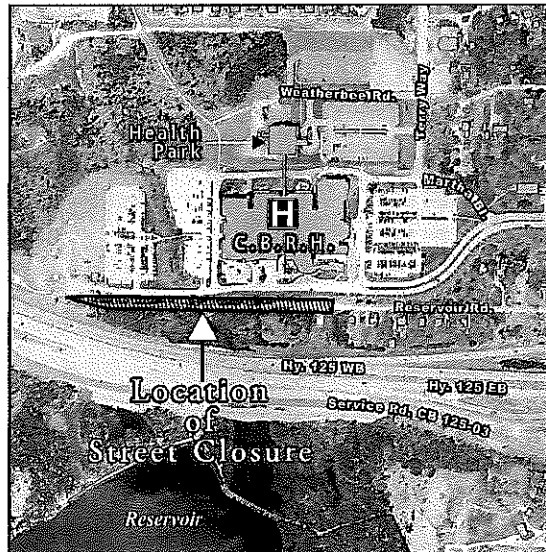


CAPE BRETON REGIONAL MUNICIPALITY

NOTICE - STREET CLOSING

**General Public Road/Right of Way
situated at Sydney, Nova Scotia,
Measuring Approximately 67,376.52 square feet +/-**

TAKE NOTICE that the Council of the Cape Breton Regional Municipality intends to close a general public road/right of way in Sydney, Nova Scotia, measuring approximately 67,376.52 square feet +/- more or less, which is more particularly delineated on the below map.



A public hearing in relation to the closing of a portion of the said lane will be held on Tuesday, the 19th day of November 2019, at 6:00 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 road.

**Signed: Deborah Campbell Ryan
Municipal Clerk
November 16, 2019**

7876895

Excerpt - Draft Special Council Minutes - November 4, 2019

**Request for Street Closure: Province of Nova Scotia – Reservoir Road, Sydney NS –
Portion of 15864739 – Public Right of Way**

Motion:

Moved by Councillor Eldon MacDonald, seconded by Deputy Mayor Doncaster, that staff be directed to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act*, for that portion of the 50-foot road/right of way near Reservoir Road identified in the staff Issue Paper dated November 4th, 2019.

Motion Carried.



ISSUE PAPER

TO: Mayor and Council
FROM: Sheila Kolanko – Property Manager

SUBJECT: Request for Street Closure
Province of Nova Scotia – Reservoir Road, Sydney, NS
Portion of 15864739 – Public Right of Way

DATE: November 19th, 2019

As presented to Council on November 4th, 2019, a historic search of title on the property concluded a street closure was required for a general public road/right of way measuring approximately 50 feet in width running through the property attached herein (Attachment B).

At that time council passed a motion directing staff to begin the process required for the closure of a public street. Engineering and Public Works advised the dedicated general public road/right of way is no longer required for public access and therefore had no issue with supporting this request. CBRM will retain an easement over the parcel for existing water utility infrastructure.

Pursuant to the Municipal Government Act a public hearing is required at which time Council will hear those in favor and those opposed to the closing of the said general public road/right of way. Notice was advertised in the Cape Breton Post on November 16th, 2019 and I confirm the legal department has not been contacted nor have we received any complaints or objections from the community.

RECOMMENDATION:

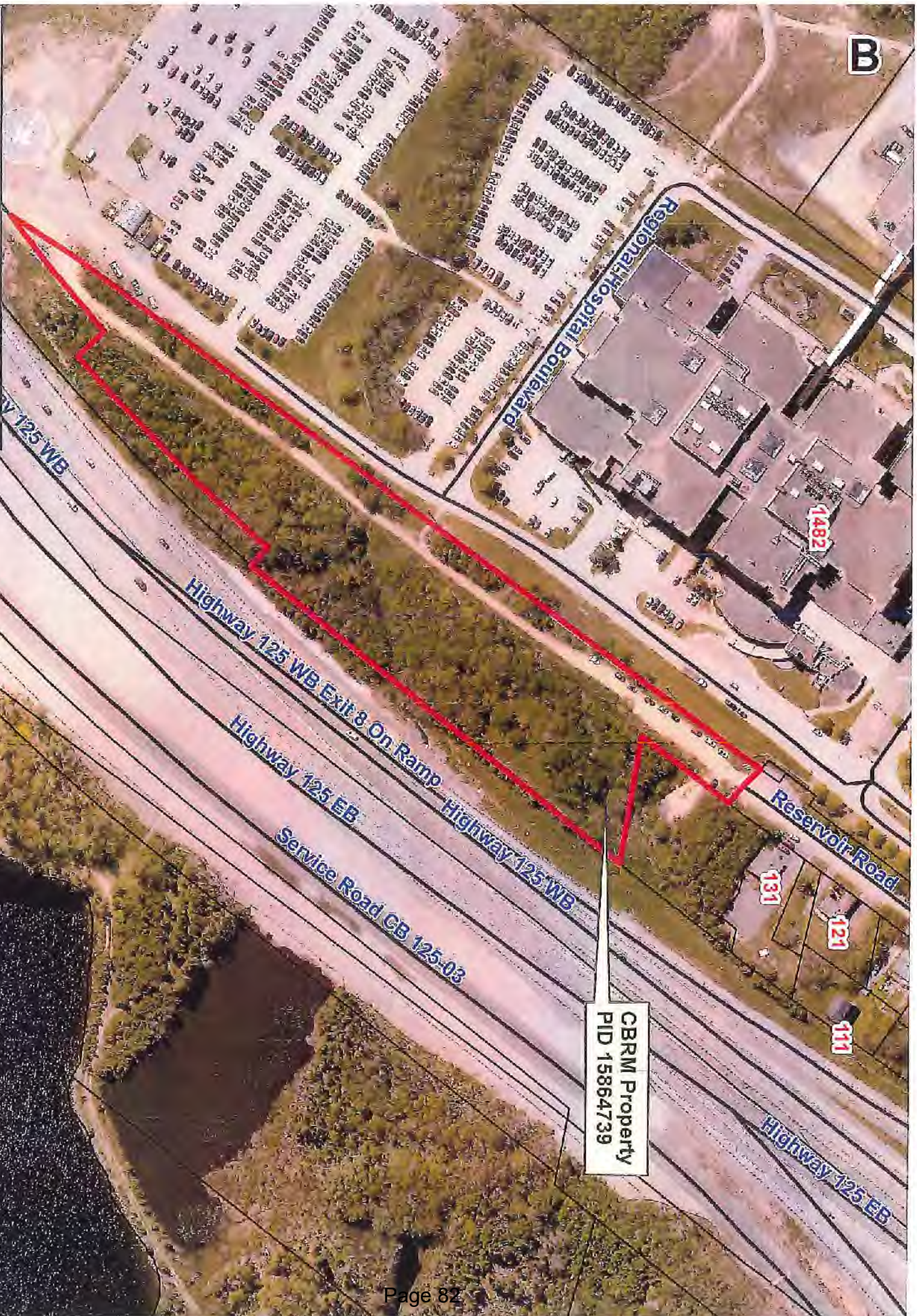
My recommendation to council is as follows:

- To pass a motion to close the 50 foot general public road/right of way as outlined in Attachment B, (to be confirmed by survey); and
- To deem the parcel surplus to the needs of the Municipality, subject to easement for water utility infrastructure.

Respectively Submitted,

Sheila Kolanko
Property Manager

B



CBRM Property
PID 15864739

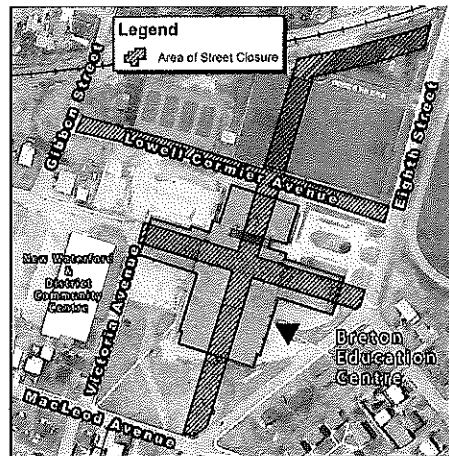


CAPE BRETON REGIONAL MUNICIPALITY

NOTICE - STREET CLOSING

Lowell Cormier Avenue, a portion of an undeveloped street known as Cahill Street, and the undeveloped portion of Victoria Street, New Waterford, Nova Scotia, Measuring Approximately 112,067 feet +/-

TAKE NOTICE that the Council of the Cape Breton Regional Municipality intends to close Lowell Cormier Avenue, a portion of an undeveloped street known as Cahill Street, and the undeveloped portion of Victoria Street, New Waterford, Nova Scotia, measuring approximately 112,067 square feet +/- more or less, which is more particularly delineated on the below map.



A public hearing in relation to the closing of a portion of the said lane will be held on Tuesday, the 19th day of November, at 6:00 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 lane.

Signed: Deborah Campbell Ryan
Municipal Clerk
November 16, 2019

7876766

New Waterford Hub Project – Request from Province of Nova Scotia – PID
15478613/15478647/Lowell Cormier Avenue

Motion:

Moved by Councillor Coombes, seconded by Councillor George MacDonald, to approve of the following:

- To sell the property identified as PID 15478613 and PID 15478647, including Lowell Cormier Avenue, to the Province for the consideration of \$1.00 provided the Province agrees to the relocation of community recreation assets as set out below and subject to final approval by CBRM:
 1. Artificial turf field complete with lighting, fencing and spectator seating and storage building relocated to the Mackinnon Field.
 2. Tennis Court (four courts) including surface, fencing and out building shall be relocated to the Mackinnon Field Site.
 3. Relocate basketball court to Mackinnon Field Site.
 4. MacKinnon Field along with a small outbuilding shall be relocated to Colliery Lands Park.
- To recognize the Province's development proposal as an activity beneficial to the Municipality;
- To hold a public hearing with respect to the proposed sale to the Province for \$1.00;
- To deem the property surplus; and
- To authorize staff to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act*, for the road reserves included in the subject property (Portion of Cahill Street, portion of Victoria Street), including Lowell Cormier Avenue.

Motion Carried.



ISSUE PAPER

TO: Mayor and Council

FROM: Sheila Kolanko – Property Manager

SUBJECT: Request for Street Closure - New Waterford Hub Project
Province of Nova Scotia – Lowell Cormier Avenue/Portion of
Cahill Street/Portion of Victoria Road, New Waterford, NS

DATE: November 19th, 2019

As presented to Council on November 4th, 2019, a search of title on the property required for the New Waterford Hub Project determined street closures were required for Lowell Cormier Avenue, portion of an undeveloped street known as Cahill Street and the undeveloped portion of Victoria Street (Attachment A & B).

At that time council passed a motion directing staff to begin the process required for the closure of a public street. Engineering and Public Works advised the parcels are no longer required for municipal services and therefore had no issue with supporting the request.

Pursuant to the Municipal Government Act a public hearing is required at which time Council will hear those in favor and those opposed to the closing of the said general public road/right of way. Notice was advertised in the Cape Breton Post on November 16th, 2019 and we have not received any complaints or objections from the community regarding this issue.

RECOMMENDATION:

My recommendation to council is as follows:

- To pass a motion to close Lowell Cormier Avenue, the undeveloped portion of Cahill Street and the undeveloped portion of Victoria Street, New Waterford as outlined in Attachment “A” and “B”; and
- To deem that property surplus to the needs of the Municipality.

Respectively Submitted,

Sheila Kolanko
Property Manager
Attachment (2)



NOTES:

1. All lots are shown as being subject to the provisions of the Zoning By-law.
2. The proposed lots are shown in yellow.
3. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
4. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
5. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
6. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
7. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
8. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
9. The proposed lots are shown as being subject to the provisions of the Zoning By-law.
10. The proposed lots are shown as being subject to the provisions of the Zoning By-law.

SEE INFORMATION FOR LAND ACQUISITION

LOT BEC-1
 1.0000 sq. m.
 1.0000 sq. m.
 1.0000 sq. m.

LOT BEC-2
 1.0000 sq. m.
 1.0000 sq. m.
 1.0000 sq. m.

LOT BEC-3
 1.0000 sq. m.
 1.0000 sq. m.
 1.0000 sq. m.



Surveyor's Declaration

I, the undersigned, being a duly qualified Surveyor, do hereby certify that the foregoing is a true and correct copy of the original plan as filed in my office.

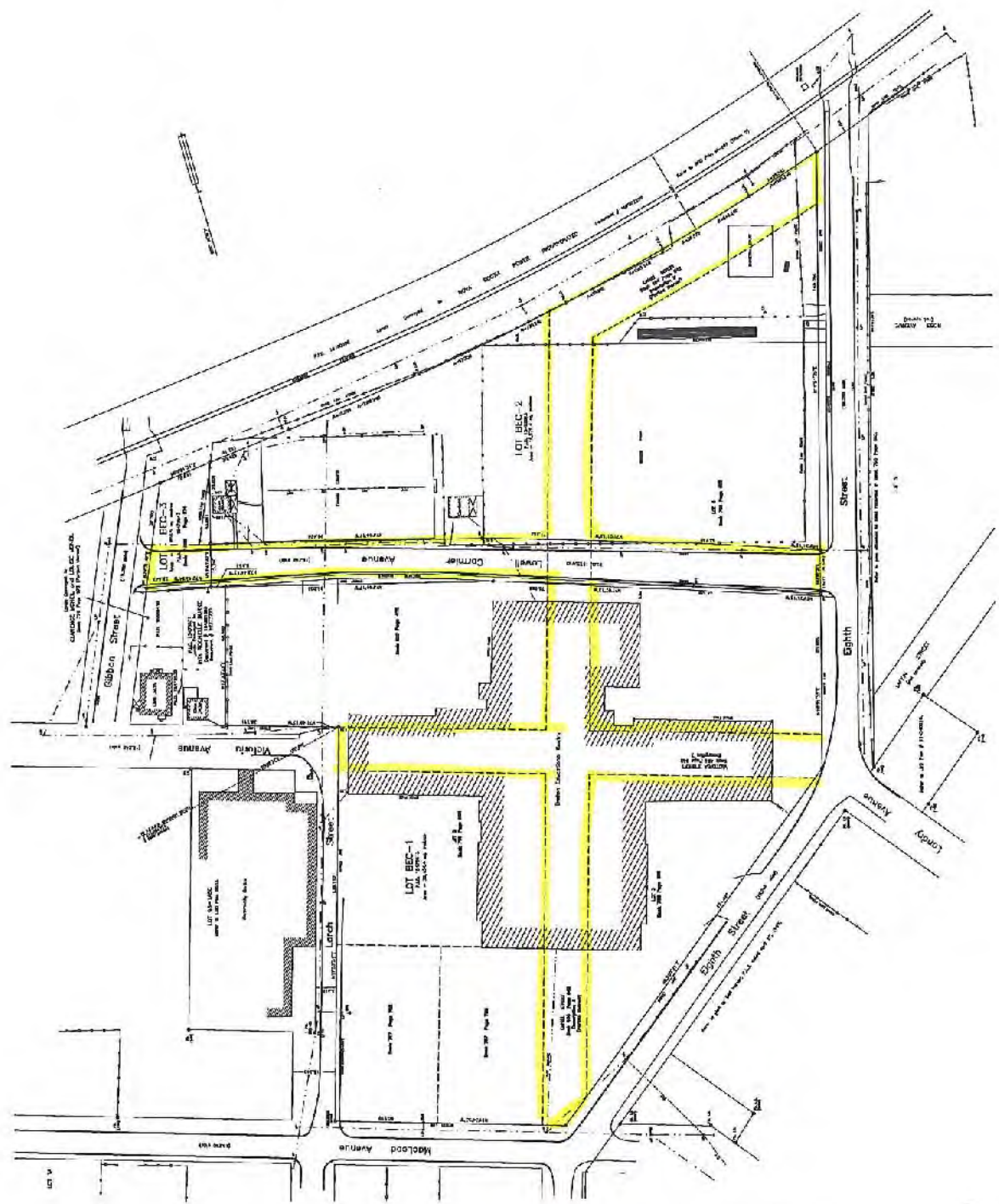
Dated this 1st day of June, 2011.

Surveyor's Name: _____

PLAN OF SURVEY OF
 LOT BEC-1, LOT BEC-2
 OF LOT BEC-3
 CAPE BRETON REGIONAL
 MUNICIPALITY

UNION AVENUE, LONDON, ONTARIO
 1:1000 SCALE

PROFESSIONAL LAND SURVEYOR
 REG. NO. 12345
 1:1000 SCALE



New Waterford Hub Project – Request from Province of Nova Scotia – PID
15478613/15478647/Lowell Cormier Avenue

Motion:

Moved by Councillor Coombes, seconded by Councillor George MacDonald, to approve of the following:

- To sell the property identified as PID 15478613 and PID 15478647, including Lowell Cormier Avenue, to the Province for the consideration of \$1.00 provided the Province agrees to the relocation of community recreation assets as set out below and subject to final approval by CBRM:
 1. Artificial turf field complete with lighting, fencing and spectator seating and storage building relocated to the Mackinnon Field.
 2. Tennis Court (four courts) including surface, fencing and out building shall be relocated to the Mackinnon Field Site.
 3. Relocate basketball court to Mackinnon Field Site.
 4. MacKinnon Field along with a small outbuilding shall be relocated to Colliery Lands Park.
- To recognize the Province’s development proposal as an activity beneficial to the Municipality;
- To hold a public hearing with respect to the proposed sale to the Province for \$1.00;
- To deem the property surplus; and
- To authorize staff to initiate a formal street closure pursuant to Section 315 of the *Municipal Government Act*, for the road reserves included in the subject property (Portion of Cahill Street, portion of Victoria Street), including Lowell Cormier Avenue.

Motion Carried.



CBRM

A Community of Communities

ISSUE PAPER

TO: Mayor and Council

FROM: Sheila Kolanko – Property Manager

SUBJECT: New Waterford Hub Project
Request from Province of Nova Scotia PID
15478613/15478647/Lowell Cormier Avenue,
New Waterford, Nova Scotia

DATE: November 19th, 2019

At a Special Meeting held on November 4th, 2019, Council passed a motion approving the sale of land encompassing the Breton Education Centre (BEC) and CBRM recreational facilities (PID 15478613 and PID 154778647) together with Lowell Cormier Avenue (Attachment A) to the Province of Nova Scotia /Department of Transportation and Infrastructure Renewal for consideration of \$1.00 in exchange for relocation of community recreational assets as set out in my Issue Paper presented on November 4th, 2019. The purpose of the transfer/exchange is to provide a new Community Hub including a Long-Term Care Facility, Community Health Centre and Grades 6-12 School.

As previously communicated to council, staff supports the request provided the Province agrees to the relocation of community recreation assets as set out below:

1. Artificial turf field complete with lighting, fencing and spectator seating and storage building relocated to the MacKinnon Field (Attachment "D");
2. Tennis Court (four courts) including surface, fencing and out building shall be relocated to the MacKinnon Field Site (Attachment "D");
3. Relocate basketball court to MacKinnon Field Site (Attachment "D");

4. MacKinnon Field along with a small outbuilding shall be relocated to Colliery Lands Park (Attachment "E").

The relocation of the community recreation assets noted above shall meet the final approval of CBRM.

Council is required to hold a public hearing at which time Council will hear those in favor and those opposed to the transfer for \$1.00. Notice was advertised in the Cape Breton Post on November 9th and November 16th, 2019. We did receive one email regarding placement of the artificial lighting on the MacKinnon's field site. This concern will be passed on to the planning officials for further consideration.

RECOMMENDATION:

Staff is recommending to Council to pass the following Motion:

- To sell the property identified as PID 15478613 and PID 15478647, including Lowell Cormier Avenue to the Province for the consideration of \$1.00 provided the Province agrees to the relocation of community recreation assets as set out below and subject to final approval by CBRM
 1. Artificial turf field complete with lighting, fencing and spectator seating and storage building relocated to the MacKinnon Field (Attachment "D");
 2. Tennis Court (four courts) including surface, fencing and out building shall be relocated to the MacKinnon Field Site (Attachment "D");
 3. Relocate basketball court to MacKinnon Field Site (Attachment "D");
 4. MacKinnon Field along with a small outbuilding shall be relocated to Colliery Lands Park (Attachment "E").

Respectively Submitted,

Sheila Kolanko
Property Manager

Attachment (5)

A

Duggan Avenue

Ross Avenue

PID: 15478647
CAPE BRETON REGIONAL MUNICIPALITY

Gibbon Street

Eighth Street

PID: 15478613
CAPE BRETON REGIONAL MUNICIPALITY

Lowell Cormier Avenue

PID: 15478613
CAPE BRETON REGIONAL MUNICIPALITY

Victoria Avenue

Eighth Street

Lanich Avenue

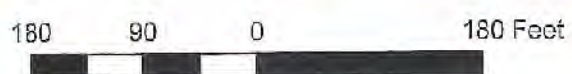
Willow Street

MacLeod Avenue

Johnstone Terrace

Larch Street

Jeil Street





ATTACHMENT "B"

Search

Provincial Map

Bulletin Board

← Back to Search Results

Map Actions

Point Select

Pan

Zoom In

Zoom Out

Zoom Box

Monument Select

Clear Selection

Center Selection

Map Layers

Properties

LR Parcel Shading

Topo

Monuments

Place Names

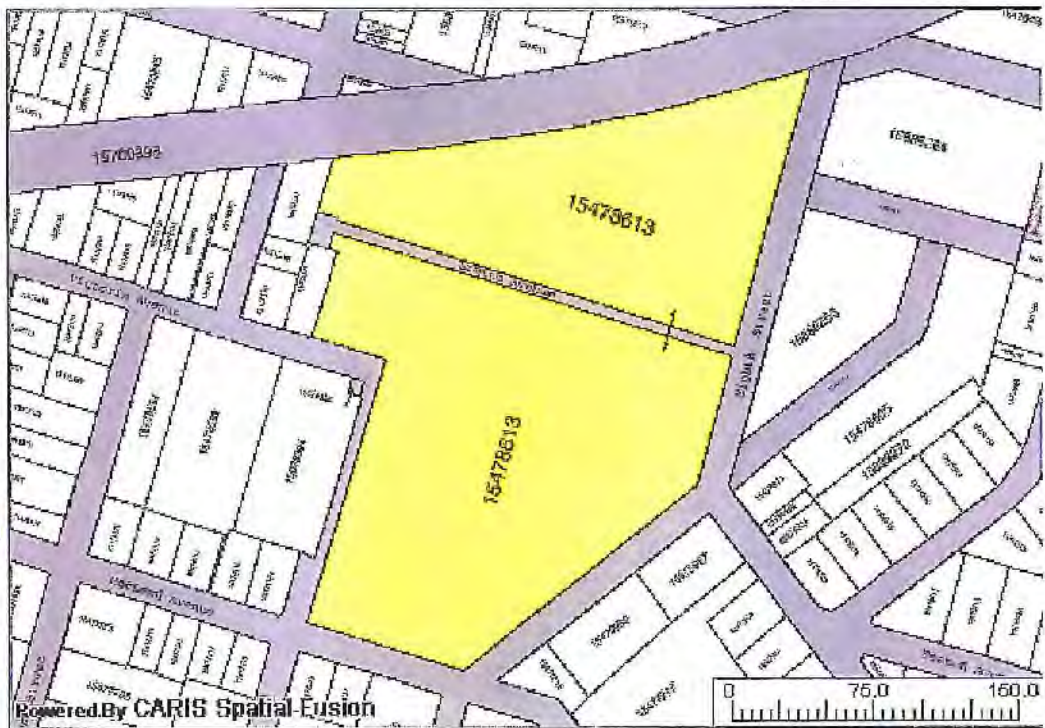
Refresh Map

Map Controls

NS Overview

Locator Map

Print Map



Powered By CARIS Spatial Fusion

Lat: 46-14-33N

Long: 60-05-09W

Scale: 3605

Zoom: 2

The Provincial mapping is a graphical representation of property boundaries which approximate the size, configuration and location of parcels. Care has been taken to ensure the best possible quality, however, this map is not a land survey and is not intended to be used for legal descriptions or to calculate exact dimensions or area. The Provincial mapping is not conclusive as to the location, boundaries or extent of a parcel [Land Registration Act subsection 21(2)]. THIS IS NOT AN OFFICIAL RECORD.

Property Online version 2.0

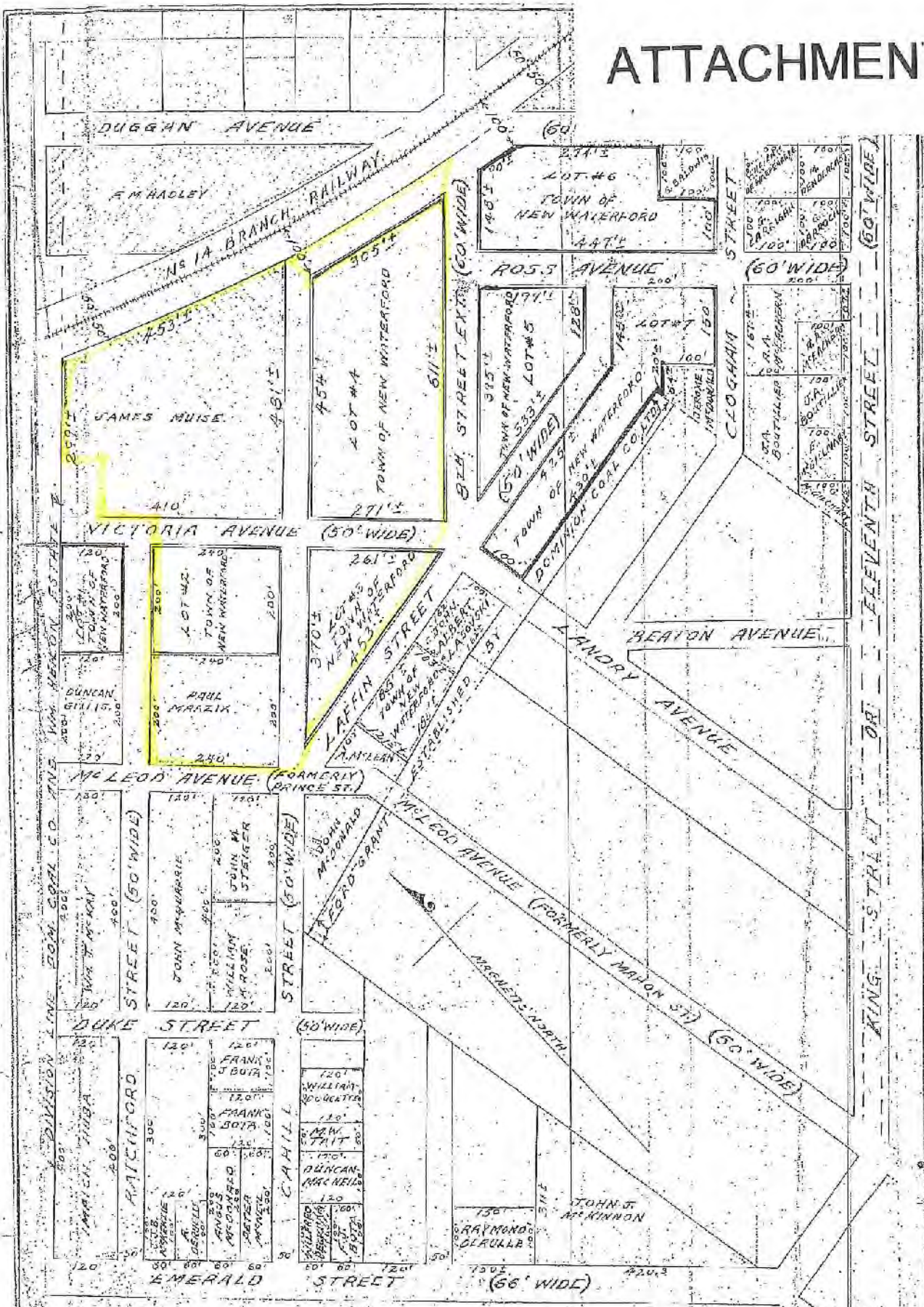
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If you have comments regarding our site please direct them to: propertyonline@gov.ns.ca

Please feel free to [Submit Problems](#) you find with the Property Online web site.

Compression: Off

ATTACHMENT "C"



PART PLAN
TOWN OF NEW WATERFORD.

DOMINION COAL COMPANY, LIMITED
GLACE BAY, N.S.
PLAN OF LANDS CONVEYED TO
TOWN OF NEW WATERFORD
SCALE: 1" = 200'
No 591-0
PART - 2

New Waterford Recreation Facilities

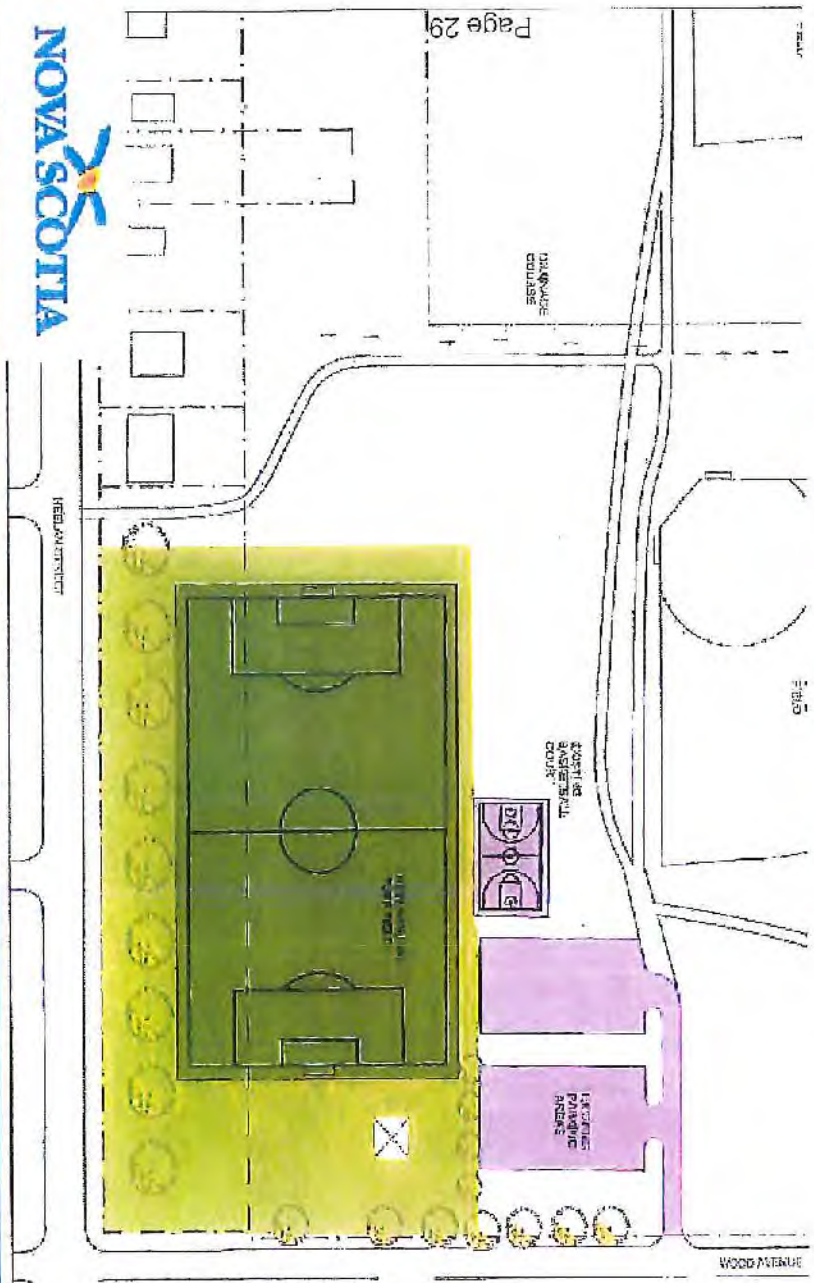
Proposed: MackInnon Site (Illustration Only)



ATTACHMENT "D"

New Waterford Recreation Facilities

Proposed: Colliery Lands Site (Illustration only)



ATTACHMENT "E"

Excerpt - Draft General Committee Minutes - November 4, 2019

**Request for Land Purchase - Thomas Parsons - Convent Street, North Sydney
Portion of PID 15032220**

Motion:

Moved by Councillor MacMullin, seconded by Councillor Marshall, to declare a portion of PID 15032220 on Convent Street, North Sydney, as **surplus** subject to the following:

1. A 50-foot strip that encompasses the narrow gravel lane be retained by CBRM;
2. The paved section of Convent Street included in PID 15032220 as outlined in the staff Issue Paper dated November 4, 2019 be retained by CBRM and recommended to Council to accept and deem that section a public road as recommended by Engineering and Public Works Department;
3. Remainder parcel be deemed surplus and sold to Thomas Parsons pursuant to MGA and Property Management Policy;
4. All cost and fees be the responsibility of Mr. Parsons.

Motion Carried.



CBRM

A Community of Communities

ISSUE PAPER

TO: Mayor and Council

FROM: Sheila Kolanko – Property Manager

SUBJECT: Convent Street, North Sydney
PID 1S032220

DATE: November 19th, 2019

At the General Committee meeting held on November 4th, 2019 a motion was passed to recommend to council to accept and deem the paved section of Convent Street encompassed in PID 1S032220 (Attachment "A") as a public street as recommended by Engineering & Public Works (EPW). The portion is identified and crosshatched in red on the attached map (Attachment "A") and measures 100 feet north into PID 15033220 and 50 feet in width.

Section 308 (3) of the Municipal Government Act states:

No road, or allowance for a road, becomes a street until the council formally accepts the road or allowance, or the road or allowance is vested in the municipality according to law.

RECOMMENDATION

Staff recommendation to Council is to formally accept that portion of land, currently owned by CBRM and identified on the attached map, outlined in yellow, as a public road and to be an extension of Convent Street.

Respectively Submitted by:

Sheila Kolanko
Property Manager
(Attachment 1)

A



Area of PID 15032220 to be retained by CBRM and deemed a public street



Area of PID 15032220 to be retained by CBRM



Area of PID 15032220 to be deemed surplus

100 50 0 100 Feet



CBRM

A Community of Communities

ISSUE PAPER

TO: Mayor and Council

FROM: Sheila Kolanko – Property Manager

SUBJECT: Request from New Aberdeen Revitalization Affordable Housing Society
PID 15439748 – Sixth Street, Glace Bay (Vacant land)
PID 15439177 - Fourth Street, Glace Bay (Vacant land)

DATE: November 19th, 2019

REQUEST:

CBRM is in receipt of 2 letters from the New Aberdeen Revitalization Affordable Housing Society requesting CBRM convey 2 parcels of land (identified in the Provincial Land Registry as PID 15439748 and PID 15439177) for consideration of \$1.00. The parcels are outlined in red on the maps attached herein. (Attachment A and B).

BACKGROUND INFORMATION:

As you are aware, the Society has developed a working relationship with the CBRM with an understanding that if the Society entice families to invest in residential development within the New Aberdeen area, CBRM would entertain conveying surplus lands to the Society for \$1.00. The properties are currently listed in CBRM's inventory as surplus to the needs of the municipality.

The Society has been contacted by 2 separate individuals wishing to purchase the said properties and move into the New Aberdeen area. The proposed purchasers wish to build small homes on the said properties. The Society has secured a deposit for both lots and have been advised by the proposed purchasers they wish to start construction in the Spring of 2020.

The Society is aware that any development on the said properties must comply with CBRM 's Land Use By-Law, Building By-Law, Subdivision By-Law and have communicated this to potential purchasers.

The Municipal Government Act permits municipalities to sell at a price below market value to a nonprofit organization that Council considers to be carrying on an activity that is beneficial to the Municipality.

MUNICIPAL GOVERNMENT ACT

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.*

Paul Burt, Manager of Buildings and Planning & Licensing Laws is in regular contact with the Society and their recent activities. He has confirmed that he fully supports the Society's request.

Recommendation

It is my recommendation to Council to pass a motion for each request individually and for each motion to translate as follows:

Motion #1: To convey the property identified herein as **PID 1S439748** to the New Aberdeen Revitalization Society for \$1.00 for the purpose of sale by the Society to a proposed purchaser for development. The conveyance shall be subject to an application for a building permit within One (1) year from date of transfer of the lot parcel by CBRM to the Society. All costs will be the responsibility of the Society.

Motion #2: To convey the property identified herein as **PID 1S439177** to the New Aberdeen Revitalization Society for \$1.00 for the purpose of sale by the Society to a proposed purchaser for development. The conveyance shall be subject to an application for a building permit within One (1) year from date of transfer the lot parcel by CBRM to the Society. All costs will be the responsibility of the Society.

Respectively Submitted by

Sheila Kolanko
Property Manager



A



**CBRM Property
PID 15439748**

Sixth Street

Sixth Street

Centre Avenue

Fifth Street



B



**CBRM Property
PID 15439177**



City Hall
 320 Esplanade
 Sydney, NS B1P 7B9

Item No.

Council Agenda Request Form		
<input checked="" type="checkbox"/> Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	<input type="checkbox"/> Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
Date of Council Meeting: November 2019		
Subject: Seeking higher office		
<u>Motion for Council to Consider:</u> To request an issue paper		
<u>Reason:</u> The provincial government recently announced that municipalities may bring in their own policies regarding elected municipal councilors who wish to seek higher office such as but not restricted to Mayor, MLA and MP. Residents expect and deserve for their elected officials to focus on their needs 100% of the time.		
<u>Outcome Sought:</u> To set proper guidelines and procedures for all municipal elected officials to follow if they wish to seek nominations for higher office and if they win the nomination.		
<i>Councillor: Steve Gillespie</i>	<i>District: 4</i>	
<i>Date: October 15th, 2019</i>	<i>Received by Clerk's Department (date):</i>	



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 320 Esplanade
 Sydney, NS B1P 7B9

Item No.

Council Agenda Request Form	
<input checked="" type="checkbox"/> Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)
<input type="checkbox"/> Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion	
Date of Council Meeting: November 19, 2019	
Subject: Tipping Fees for Non-Profit Organizations	
Motion for Council to Consider: <i>Staff to draft an issue paper regarding the possibility of waiving tipping fees for registered non-profit organizations.</i>	
Reason: We are all aware that our non-profit organizations work diligently to maintain their programing and services even with so many financial demands. It has been brought to my attention that there are some Municipalities across the country that offer exemptions or reimbursements of tipping fees for various non-profit charities and organizations through means of policy, application processes etc. Tipping fees for non-profit organizations, specifically those who work to reduce, reuse and divert materials from our landfills are another financial hurdle that we as a municipality may be able to alleviate; therefore, I would like to see this item given our consideration.	
Outcome Sought: Waiving of tipping fees for registered non-profit organizations.	
<i>Councillor Earlene MacMullin</i>	<i>District 2</i>
Date: <i>November 12, 2019</i>	Received by Clerk's Department (date):



City Hall
 320 Esplanade
 Sydney, NS B1P 7B9

Item No.

Council Agenda Request Form		
<p>Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)</p>	<p><input checked="" type="checkbox"/> Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)</p>	<p><input type="checkbox"/> Request from the Floor: (New Business)</p> <ul style="list-style-type: none"> - Announcement - Referral - Submit Petition - Notice of Motion
<p>Date of Council Meeting: November 19, 2019</p>		
<p>Subject: CBRM's ability to offer homeowner loans for installation or replacement of septic systems.</p>		
<p>Motion for Council to Consider:</p> <p><i>Staff to draft an issue paper reviewing the CBRM's ability to offer homeowner loans for installation or replacement of septic systems</i></p>		
<p>Reason:</p> <p>At the end of October 2019, amendments to the Municipal Government Act were introduced that will allow all municipalities to offer loans to homeowners in their area who need to install or replace their septic systems. This amendment was clear to state that each municipality "may" offer such an option, so I am asking staff to investigate the process and the ability of the CBRM to offer such a program.</p>		
<p>Outcome Sought:</p> <p>If feasible, CBRM to offer homeowner loans for installation or replacement of septic systems.</p>		
<p><i>Councillor Earlene MacMullin</i></p>	<p><i>District 2</i></p>	
<p><i>Date:</i> November 13, 2019</p>	<p><i>Received by Clerk's Department (date):</i></p>	

Revenue	Year To Date Assigned	6 Month Budget	6 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 55,575,508	\$ 55,192,476	\$ 383,032	\$ 110,384,952	\$ 54,809,444
Total Federal Government	1,527,797	1,527,797	(0)	3,055,594	1,527,797
Total Federal Government Agencies	373,597	373,598	(0)	747,195	373,598
Total Provincial Government	1,100,199	1,100,199	-	2,200,398	1,100,199
Total Provincial Government Agencies	1,594,162	1,594,162	0	3,188,324	1,594,162
Total Services to Other Local Government	304,375	304,375	0	608,750	304,375
Total Transit	763,996	550,000	233,996	1,117,500	333,504
Total Environmental Development Services	178,107	123,100	55,007	246,200	68,093
Total Licenses & Permits	71,103	75,500	(4,397)	151,000	79,897
Total Fines & Fees	292,071	308,239	(16,168)	616,477	324,406
Total Rentals	291,400	298,245	(6,845)	596,490	305,090
Total Concessions & Franchises	181,361	185,000	(3,639)	370,000	188,639
Total Interest on Taxes	585,422	755,000	(169,578)	1,510,000	924,578
Total Finance Revenue	13,455	15,000	(1,545)	30,000	16,545
Total Solid Waste Revenue	1,422,808	1,390,500	32,308	2,700,000	1,277,192
Total Recreation & Cultural Service Programs	452,993	476,429	(23,436)	2,100,000	1,647,007
Total Water Utility Charges	2,475,755	2,475,755	(0)	4,951,510	2,475,755
Total Unconditional Transfers	7,967,919	7,967,919	-	15,935,838	7,967,919
Total Conditional Transfers	-	-	-	-	-
Year To Date Assigned	\$ 75,192,028	\$ 74,713,293	\$ 478,736	\$ 150,510,228	\$ 75,316,200

ORIGINAL SIGNED BY

Reviewed

Departmental

Summary

Statement of Expenditures

September 30, 2019

Expenditures	Year to date Expended	6 Month Budget	6 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 726,682	\$ 780,527	\$ 53,845	\$ 1,626,311	\$ 899,629
Administration	354,311	427,726	73,415	1,082,923	728,612
Finance	1,134,610	1,247,460	112,849	2,663,928	1,529,318
Legal	925,576	882,689	(42,887)	1,843,611	918,035
Human Resources	517,864	619,469	101,605	1,350,257	832,393
Technology & Communications	542,196	563,776	21,579	1,339,155	796,959
Municipal Clerk	207,512	221,359	13,847	544,230	336,718
Fiscal Services	11,225,950	11,198,023	(27,927)	32,506,114	21,280,164
Police Services	13,177,909	13,262,593	84,684	27,611,933	14,434,024
Fire Services (Incl EMO)	9,287,215	9,750,338	463,124	17,891,006	8,603,791
Engineering & Public Works	22,348,223	22,744,692	396,469	47,080,056	24,731,833
Planning	1,284,371	1,299,749	15,378	2,665,010	1,380,639
Facilities C200 & Arenas	1,741,377	1,704,321	(37,056)	3,507,642	1,766,265
Parks & Grounds	1,501,991	1,507,946	5,955	2,889,432	1,387,441
Buildings	1,518,647	1,551,237	32,589	3,253,791	1,735,144
Recreation	1,819,702	1,849,956	30,254	2,654,825	835,123
Total expended to date	\$ 68,314,136	\$ 69,611,859	\$ 1,297,723	\$ 150,510,224	\$ 82,196,088

ORIGINAL SIGNED BY

Departmental

Reviewed

Port of Sydney Development Corporation

Income Statement September 30, 2019

	This Year Actual	This Year Budget	Variance to budget	Annual Budget
Wharfage & Berthage	315,647.77	287,122.85	28,524.92	553,384.64
Event Revenue	116,946.85	108,403.41	8,543.44	73,100.00
Miscellaneous Revenue	116,805.77	16,534.46	100,271.31	4,300.00
Storage & Rental	187,652.03	193,084.61	(5,432.58)	289,927.21
Passenger tax	851,947.00	757,862.55	94,084.45	1,172,691.45
Security/Traffic Control	167,361.60	168,174.39	(812.79)	264,435.64
Government Grants	213,084.44	51,400.00	161,684.44	153,900.00
Craft Market Revenue	54,748.27	55,090.00	(341.73)	83,545.00
	<u>2,024,193.73</u>	<u>1,637,672.27</u>	<u>386,521.46</u>	<u>2,595,283.94</u>
Wages & Salaries	508,321.71	491,206.40	17,115.31	931,041.18
Professional Fees	41,094.73	52,300.00	(11,205.27)	80,800.00
Advertising & Promotions	138,816.70	35,680.00	103,136.70	59,155.00
Cruise Activities	18,895.66	40,950.00	(22,054.34)	59,595.00
Dues & Membership Fees	22,552.31	23,704.00	(1,151.69)	39,176.00
Event Expense	7,572.85	4,030.00	3,542.85	7,775.00
Insurance	49,171.48	38,480.00	10,691.48	84,960.00
Interest & Bank Charges	4,880.61	3,570.00	1,310.61	6,870.00
Office & Admin	40,915.26	81,563.00	(40,647.74)	94,555.00
Office Rent	26,160.00	26,160.00	0.00	52,320.00
Miscellaneous Expense	1,756.74	2,400.00	(643.26)	4,800.00
Repairs & Maintenance	129,844.35	365,309.00	(235,464.65)	426,428.00
Repairs- JHCP	34,588.53	73,000.00	(38,411.47)	73,000.00
Travel	6,987.59	24,515.00	(17,527.41)	43,630.00
Utilities	80,163.10	92,084.00	(11,920.90)	206,584.00
Bad Debt Expense	0.00	1,000.00	(1,000.00)	1,500.00
Security Expense	101,467.57	155,814.60	(54,347.03)	217,696.20
Leasehold Improvements	1,430.03	11,500.00	(10,069.97)	11,500.00
Transport Canada Marketing	42,715.74	0.00	42,715.74	0.00
	<u>1,257,334.96</u>	<u>1,523,266.00</u>	<u>(265,931.04)</u>	<u>2,401,385.38</u>
	766,858.77	114,406.27	652,452.50	193,898.56
Less Amortization	(175,000.02)	(175,000.02)	-	(350,000.00)
	<u>591,858.75</u>	<u>(60,593.75)</u>	<u>652,452.50</u>	<u>(156,101.44)</u>

