

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, SEPTEMBER 15TH, 2015

6:00 P.M.

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

Cape Breton Regional Municipal Council

Tuesday, September 15th, 2015

6:00 p.m.

AGENDA ITEMS

ROLL CALL

O' Canada

Moment of Silent Reflection

1. APPROVAL OF MINUTES: (Previously Distributed)

➤ Regular Council – August 18th, 2015

2. BUSINESS ARISING:

2.1 General Committee, September 1st, 2015:

a) Harbour Divestiture and Aboriginal Consultation:

Committee recommends approval of the draft agreements reached in Phase I and II of the Aboriginal Consultation Process. Michael Merritt, Chief Administrative Officer (See page 7)

b) Supplemental Capital Road Work – Collector Roads Paving Program: (See page 10)

Committee recommends that Council approve the \$440,000 CBRM allocated in the 2015 Budget for the NBCF-PTIC-SCF to continue the “Collector Roads Program” outside of the provincial / federal program to complete supplemental capital road work on sections of:

- a) Gibbon Street, New Waterford – Road Rebuilt and Concrete
- b) Charlotte Street, Sydney – Road Rebuild and Concrete
- c) Queen Street, Sydney Mines – Road Rebuild and Concrete

Continued...

3. **DELEGATIONS:**

- 3.1 **Cape Breton Island's University – Strategic Update:** Spokespersons Dr. David Wheeler, CBU President and Vice-Chancellor; and Amanda McDougall, Manager of Immigration Partnerships
Follow up to June 16th, 2015 Council meeting (See page 16)

4. **PLANNING ISSUES:**

4.1 **FINAL APPROVAL: (Public Hearings)**

- a) **Municipal Planning Strategy and Zoning Amendment Application 1005 – Wayne Weatherbee, Terry Way, Mira Road (PID #15843907):**

Public Hearing to consider amending the Municipal Planning Strategy to and Land Use Bylaw to allow a doctor's office to be located on property on Terry Way in Sydney, PID #15843907. Karen Neville, Planner (See page 21)

- b) **Zoning Amendment Application 1007 – Membertou Development Corporation, Churchill Drive, Sydney (PID #15852494):**

Public Hearing to consider amending the Land Use Bylaw to allow the Membertou Development Corporation to construct a hotel on a vacant parcel of land on Churchill Drive, Sydney. Karen Neville, Planner (See page 35)

- c) **Zoning Amendment Application 1009 - Share, Support and Recovery, 166 Lingan Road, Sydney:**

Public Hearing to consider discharging the existing Development Agreement in effect for PID 15614340 and amending the Land Use Bylaw to allow Share, Support and Recovery to construct two four-unit buildings on the property located at 166 Lingan Road, Sydney. Karen Neville, Planner (See page 46)

4.2 **APPROVAL TO ADVERTISE:**

- a) **Zoning Amendment Application 1008 - Membertou Development Corporation, Churchill Drive and Highway 125, Sydney:**

Application to amend the Land Use Bylaw to expand the jurisdiction of the Gabarus Highway – Highway 125 Business Development Zone. Karen Neville, Planner (See page 57)

Continued...

PLANNING ISSUES (Cont'd):

4.3 REQUEST FOR MUNICIPAL PLANNING STRATEGY AMENDMENT:

- a) **Request from Mora MacLennan and Mary Walker:** to consider amending the CBRM Municipal Planning Strategy to extend the Downtown Central Business District (CBD) in North Sydney to include an additional block of Archibald Avenue to the centre line of Pierce Street to allow a business to occupy 33 Archibald Avenue, North Sydney. Karen Neville, Planner (See page 64)

5. CORPORATE SERVICES ISSUE:

- 5.1 **Request from Eastlink to Lease CBRM Property to Construct a Telecommunication Tower, Scotchtown:** Malcolm Gillis, Director of Planning and Development (See page 73)

6. **Financial Statements to July 31, 2015:** Marie Walsh, Chief Financial Officer (See page 76)

7. BY-LAWS, RESOLUTIONS & MOTIONS:

- 7.1 **By-Laws:** N/A

7.2 **Proclamations:**

- a) **National Teen Driver Safety Week**
Deputy Mayor George MacDonald (See page 100)
- b) **Terry Fox Day**
Councillor Claire Detheridge (See page 101)
- c) **International Overdose Awareness Day**
Councillor Ivan Doncaster (See page 102)
- d) **International Day of Older Persons**
Councillor Eldon MacDonald (See page 103)

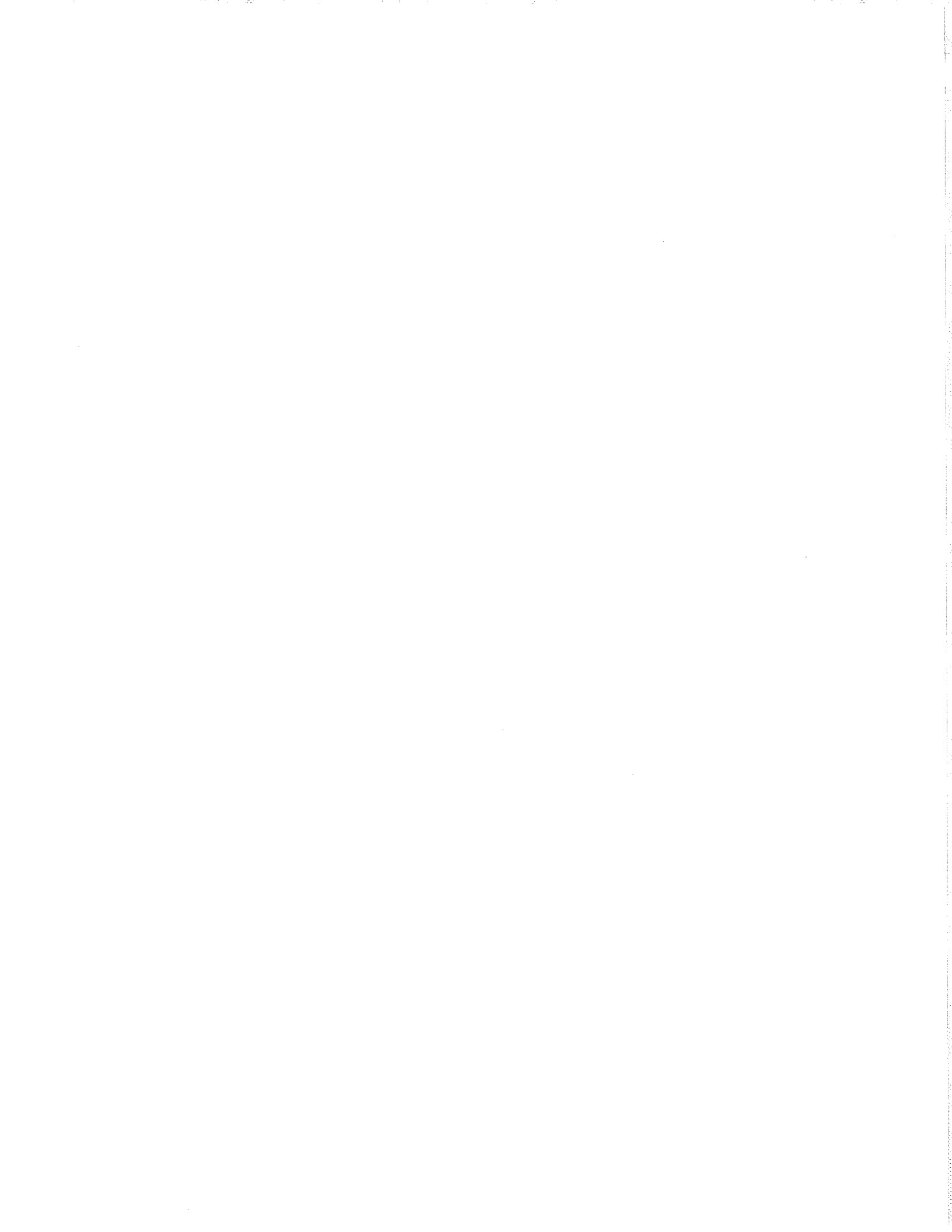
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BY-LAWS, RESOLUTIONS & MOTIONS (Cont'd):

Proclamations (Cont'd):

- e) **Cape Breton University “CBU” Alumni Day**
Councillor Jim MacLeod (See page 104)
- f) **Suicide Prevention Day** (for ratification)
Councillor Jim MacLeod (See page 105)
- g) **Her Majesty Queen Elizabeth Appreciation Day** (for ratification)
Councillor Charlie Keagan (See page 106)

Adjournment



Harbour Divestiture and Aboriginal Consultation:

Motion:

Moved by Councillor MacLeod, seconded by Deputy Mayor George MacDonald, that a recommendation be made to Council, to approve the draft agreements reached in Phase I and II of the Aboriginal Consultation Process as presented by staff.

Motion Carried.



CBRM

A Community of Communities

Issue Paper

TO: Mayor & Council

RE: Harbour Divestiture and Aboriginal Consultation

DATE: August 12, 2015

Background

The Federal Government and the Cape Breton Regional Municipality (CBRM) entered into negotiations regarding the sale of federal lands to the CBRM in 2014. These negotiations resulted in an Agreement of Purchase and Sale being concluded between the Parties. The CBRM has conducted its due diligence on the sale and purchase of these lands. In October of 2014, subsequent to the scheduled Closing of the land sale the federal government informed the CBRM, that an aboriginal consultation process would need to be conducted to determine if there were any potential infringements of Aboriginal Interests that would require accommodation as a consequence of these properties being transferred to the CBRM.

The Government of Canada – through Transport Canada as the consultation lead, commenced formal consultations with the Assembly of Nova Scotia Mi'kmaq Chiefs on the proposed sale. After discussing the situation with our legal counsel, the CBRM agreed to participate in a committee with the federal government (Transport Canada, Public Works Canada), the Assembly of Nova Scotia Mi'kmaq Chiefs and the Cape Breton Regional Municipality, as we believed this was the most expeditious and equitable process to secure the lands from the federal government.

It was agreed that the consultation be broken into three phases:

Phase I - Lands in the Downtown area of Sydney would be reviewed to expedite the construction of a second berth for the Sydney Marine Terminal Expansion Project.

Phase II - the Sydport properties amounting to 1250 acres to expedite securing lands for a possible container terminal building and other related economic development opportunities. These also include lands in South Bar and Sydney as well.

Phase III – The securing of the harbour bed and waterlots around the harbour including the Contained Disposal Facility (CDF).

In early May negotiations began with respect to an Interim Agreement relating to the proposed further development of the Sydney Marine Terminal. The CBRM and Assembly agreed that any such resulting agreement would fall within the broader negotiation framework and would be binding with respect to formal federal aboriginal consultation obligations.

Phase I

At the January 26th, 2015 special meeting of council, the mayor gave an overview of a letter he intended to send to Chief Paul, with a copy going to Chief Denny in an attempt to expedite the process of Aboriginal Consultation. In his letter the mayor outlined the potential conditions that would be adhered to in regard to development on lands/projects that would be subject to aboriginal consultation. These conditions included:

- That CBRM will include in the tendering process that all Construction/Project bids will include a stipulation that at least 5% of project development costs will benefit the Mi'Kmaq of Nova Scotia.
- The property taxation on the Membertou Heritage Centre will base on residential rates as opposed to commercial rates (except for those components that are considered to be private sector or commercial space).
- The property taxation on the Membertou Wellness Centre will be considered tax exempt, except for those components that are considered to be private sector or commercial space).

A draft agreement has been reached on Phase I and requires Council approval to proceed.

Phase II

A second draft agreement has been reached in regard to the phase II and the federal government will provide CBRM with the 1250 acres of property that they originally agreed to transfer to the CBRM in 2014. This will be provided for the nominal price of \$1.00. The accommodation requested on this transaction was 250 acres of the total of 1250 acres. Consequently, the CBRM will convey 250 acres of this land to the Assembly of Nova Scotia Mi'Kmaq Chiefs for the nominal price of \$1.00. The Assembly of Nova Scotia Mi'Kmaq Chiefs has also agreed that the Contained Disposal Facility (CDF) be included in this agreement and therefore no further consultation or accommodation is required on this property.

Phase III

A tentative meeting has been scheduled to discuss Phase III of this process in September. However, the results of these discussions will not impact the agreements reached on Phases I and II.

Recommendation

Council approval of agreements reached in Phase I and II of the Aboriginal Consultation Process.

Respectfully submitted,

**Original Signed by
Michael Merritt,
Chief Administrative Officer**

Supplemental Capital Road Work – Collector Roads Paving Program:

Motion:

Moved by Councillor Cormier, seconded by Councillor Keagan, that a recommendation be made to Council to approve the \$440,000 CBRM allocated in the 2015 Budget for the NBCF-PTIC-SCF to continue the “Collector Roads Program” outside of the provincial / federal program to complete supplemental capital road work on sections of:

- a) Gibbon Street, New Waterford – Road Rebuilt and Concrete
- b) Charlotte Street, Sydney – Road Rebuild and Concrete
- c) Queen Street, Sydney Mines – Road Rebuild and Concrete

Motion Carried.



A Community of Communities

Issue Paper

TO: **General Committee**

September 1, 2015

RE: "Supplemental Capital Road Work"

"Collector Roads Paving Program"

The Provincial Department of Municipal Affairs has recently informed the Cape Breton Regional Municipality that our application under the New Building Canada Fund - Small Communities Fund (SCF) was not approved for funding in 2015 or 2016. Please see letter of July 15, 2015 from Aileen Waller-Hebb, Director, Grants & Programs, and letter of July 29, 2015 from Mayor Cecil Clarke to Minister Churchill for reconsideration.

CBRM's 2015 Capital Budget had allotted \$440,000 (CBRM Share) to Collector Roads Cost Share Paving Projects, with the intention of funding support. The Collector Roads Program is a vital component of CBRM's Roads Paving Program. Although the intent was to incorporate funding into our program, suspending the program for 2 years or longer pending application approval is not recommended due to the current state of our road infrastructure.

Due to the timeframe associated with notification with respect to our New Building Canada Fund - SCF application, the remaining construction season will not allow for larger, more time consuming jobs be completed by end of 2015, even if funding was available. The following roads were selected based on "worst first", bearing in mind funding parameters, scope of work that is required on each identified street project and, most importantly, the time remaining in this construction season.

- | |
|--|
| <p>1) It is recommended that CBRM Council approve the \$440,000 CBRM allocated in the "2015 Budget" for the NBCF-PTIC-SCF to continue the "Collector Roads Program outside of the provincial / federal program to complete "Supplemental Capital Road Work" on sections of:</p> <ul style="list-style-type: none">a) Gibbon Street (New Waterford) - Road Rebuild & Concreteb) Charlotte Street (Sydney) - Road Rebuild & Concretec) Queen Street (Sydney Mines) - Road Rebuild & Concrete |
|--|

We respectfully request a motion of Council to adopt the "Collector Roads Supplemental Road Work" recommendation.

Respectfully submitted:

**Original Signed by
Wayne MacDonald for**

**Bruce Hardy, c.e.t.,
Manager Engineering Services**



Department of Municipal Affairs
Grants, Programs and Operations

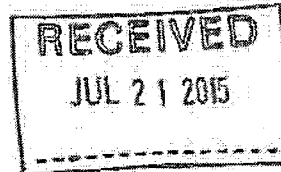
Aileen Waller Hebb, P. Eng.
Director, Grants and Programs

Box (902) 424-7414
Fax (902) 424-0821
E-mail: Aileen.Waller.Hebb@novascotia.ca

14th Floor N, Maritime Centre
1505 Barrington St.
PO Box 216
Halifax, NS B3J 2N4

JUL 15 2015

Mr. Michael Merritt
Chief Administrative Officer
Cape Breton Regional Municipality (CBRM)
320 Esplanade
Sydney, NS B1P 7B9



Dear Mr. Merritt: *Mike*

RE: CBRM Collector Streets 2015-2020 Project

I am writing to acknowledge receipt of your application for funding assistance under the New Building Canada Fund – Small Communities Fund (SCF).

As you may be aware, the first intake of applications under SCF closed in December 2014 and your application was reviewed for consideration. Unfortunately, the CBRM Collector Streets 2015-2020 Project was not approved.

The SCF is a 10 year program (2014-2024) with defined annual allocations. The number of applications received far outweighed the funding available in the early years of the program. The approved applications addressed provincial and federal priorities around water and wastewater projects. While we are currently developing the process and parameters for the Second Round of applications under SCF, we anticipate the next intake to take place within two years. When the Round Two application process is finalized, you will be notified.

Should you require any further information, please feel free to contact me at 902-424-7414 or Hardy Stuckless, Infrastructure Manager, at 902-424-2770.

Yours truly,

Aileen Waller-Hebb
Director, Grants and Programs



CAPE BRETON REGIONAL MUNICIPALITY
OFFICE OF THE MAYOR

July 29, 2015

Hon. Zack Churchill, Minister
Dept. of Municipal Affairs
14th Floor North, Maritime Centre
1505 Barrington Street
Halifax, NS B3J 2M4
E-mail: SNSMRMIN@novascotia.ca

Dear Minister:

Re: 2015-2020 SCF Application

First, congratulations on your appointment as Minister for Municipal Affairs. Your leadership will make a positive impact at a time of much uncertainty for municipalities within Nova Scotia. Please be assured of the City's cooperation and commitment for continued positive change. Cape Breton Regional Municipality looks forward to the establishment of the new Partnership Agreement.

I am writing to ask for your reconsideration of the CBRM's 2015-2020 application through Building Canada's *Small Communities Fund*. Attached please find a copy of the rejection letter to our local roads program. This five-year, \$12 million plan has been approved and budgeted for by CBRM Council.

As you are aware, this fiscal year marked an important turning point on the fiscal relationship between the province and city. The stability provided enabled the municipality to resume basic public works mitigation projects. Accessing the national component of Build Canada has resulted in much-needed improvements on major arteries.

I believe it is important to recognize that CBRM, the largest Nova Scotia municipality eligible to access the *Small Communities Fund*, should be in receipt of a portion of funding. The projects in our application are part of our five-year capital plan endorsed by all levels of government.

The *Small Communities Fund* plan represents critical community road work and the rejection of the CBRM's five-year plan will now create great uncertainty. It is imperative that the CBRM plan is recognized because, without the *Small Communities Fund*, we will continue to face an insurmountable infrastructure deficit or a decision to increase debt that will be counter to the CBRM's debt management plan.

I would ask that our respective officials meet as soon as possible to reconsider the CBRM's application with hopes that we may be able to achieve the 2015 year-one priorities this fall construction season.

Kind personal regards,

Original Signed by

Cecil P. Clarke

CFC 161

Attachment 1

- c. Hon. Geoff MacLellan, Minister of Transportation & Infrastructure Renewal, Province of NS
- MLA-Elect Derek Mombourquette, Sydney-Whitney Pier, Province of NS
- MLA-Elect Dave Wilson, Cape Breton Centre, Province of NS
- Dan MacDougall, Deputy Minister, Dept. of Municipal Affairs, Province of NS
- Alicia Walter-Hubb, Director, Grants and Programs, Dept. of Municipal Affairs, Province of NS
- CBRM Council
- Michael Merritt, CAO, CBRM
- Marie Walsh, CFO, CBRM
- Wayne MacDonald, Director of Engineering and PW, CBRM

3. DELEGATION:

3.1 Cape Breton Island's University – Strategic Update:

Councillor MacLeod welcomed and introduced Dr. Wheeler

Dr. David Wheeler, CBU President and Vice-Chancellor, provided a presentation to Council on CBU's Strategic Update which included:

- New Draft Mission;
- The Island's University:
 - Strategy on Course;
 - Commitments to Nova Scotia, International and Out of Province Students;
 - Community Engagements;
 - CBU in the future;
- Developing an Entrepreneurial Society in Cape Breton.

Dr. David Rae, Dean of the Shannon School of Business, spoke to Entrepreneurship at CBU. He highlighted:

- Rationale for Entrepreneurship;
- Strategic Entrepreneurship Action Plan;
- Proposed Centre for Sustainable Entrepreneurship;
- Desired outcomes by 2020;
- Role of CBU.

Ms. Amanda McDougall, Manager, Immigration Partnerships, provided Council with information on the Rural-Urban Immigration Pilot Project that included:

- Guiding Questions for Immigrants;
- Task Force on Immigration;
- Survey of International Students;
- Next steps recommendations;
- Action Plan.

Mayor Clarke noted that due to technical issues, the meeting was not live streamed and believes it would be beneficial to have the CBU present again at a fall meeting of Council, to afford the CBRM public with an opportunity to view the presentation. Dr. Wheeler indicated their willingness to present again at a future meeting.

Mayor Clarke thanked Dr. Wheeler, Dr. Rae and Ms. McDougall for their presentation.

For Information Only.

CAPE BRETON ISLAND'S UNIVERSITY – STRATEGIC UPDATE

Cape Breton University
Happen.

NEW DRAFT MISSION

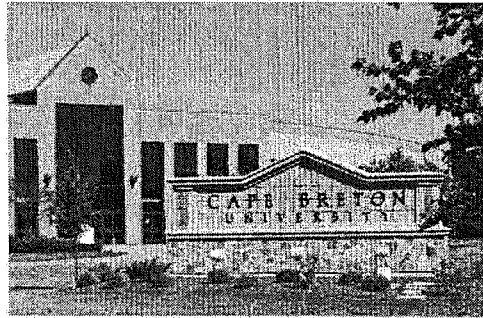
Cape
Breton
University
Happen

Cape Breton University is a multicultural, sustainable and entrepreneurial academic institution committed to teaching excellence, world changing research and deep engagement with the social, economic and cultural aspirations of every community and individual we serve.

THE ISLAND'S UNIVERSITY

Cape
Breton
University
Happens

- CBU Strategy On Course
- Commitment to NS Students
- Commitment to International & Out of Province Students
- Community Engagement
- CBU in the Future



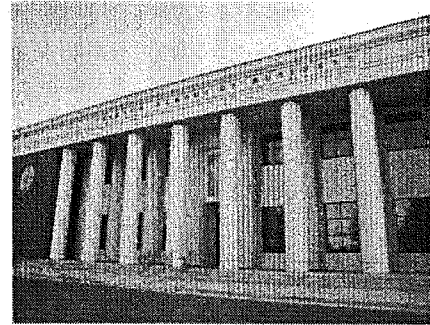
DEVELOPING AN ENTREPRENEURIAL SOCIETY IN CAPE BRETON

Cape
Breton
University
Happens

ENTREPRENEURSHIP AT CBU

Cape
Breton
University
Happen.

- Rationale for Entrepreneurship
- Strategic Entrepreneurship
Action Plan
- Proposed Centre for
Sustainable Entrepreneurship
- Desired outcomes by 2020
- Role of CBU



RURAL-URBAN
IMMIGRATION
STRATEGY FOR
CAPE BRETON

Cape
Breton
University
Happen.

THE PILOT AT A GLANCE

Cape
Breton
University
Happen

- Overview
- Guiding questions
- Task Force on Immigration
- Survey of International Students
- Next Steps: Recommendations
- Plan II: Action Plan



Rural-Urban
Immigration
PILOT PROJECT
FOR CAPE BRETON

REQUESTS

Cape
Breton
University
Happen

- Continue encouragement of CBU as a leading agent of change for the sector
- Broaden and deepen welcome to international students
- Work towards an MoU to align objectives?

**Zoning Amendment Application – 1005 Wayne Weatherbee Terry Way, Mira Road
(PID 15843907):**

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, approval to advertise notice of a Public Hearing to be held at the September 2015 meeting of Council to consider amending the Municipal Planning Strategy and Land Use Bylaw to allow a doctor's office to be located on property on Terry Way in Sydney, PID 15843907 as outlined in the staff report dated August 10th, 2015.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: ZONE AMENDMENT APPLICATION – 1005
Wayne Weatherbee
Terry Way, Mira Road (PID 15843907)**

DATE: September 10, 2015

Introduction

At the June 16th meeting of Council, Mr. Wayne Weatherbee requested a zoning amendment to permit a doctor's office on PID 15843907 which is located off of Terry Way in Sydney (Attachment A). The property in question is zoned Residential Urban C (RUC) and while the RUC zone does permit non-residential uses, a doctor's office is not one of them.

Mr. Weatherbee invested in the construction of Terry Way to allow for the development of the Health Park Medical Clinic adjacent to the Regional Hospital along the west side of Terry Way (Attachment A). As a result of the construction of Terry Way, the business development zone in effect along George Street in the front of the Regional Hospital was expanded to include the Health Park Medical Clinic. At the time this zoning was amended, Mr. Weatherbee specifically advocated against business development on the east side of Terry Way because the property owners on that side of the newly constructed Terry Way did not invest in its construction. However, this decision was made a generation ago, and therefore it is reasonable for Council to revisit this decision.

Why Amend the Municipal Planning Strategy?

Policy 16, Part 10 of the Municipal Planning Strategy (MPS) indicates Council may consider a zone amendment to a zone immediately adjacent without requiring an amendment to the MPS. In this case, the proposed zone requested is the Mira Road Business (MRB) zone, a portion of the lot in question is immediately adjacent to the MRB zone. While this request does appear to be in keeping with the intent of Policy 16, Part 10, this request is more than just a simple zone amendment it would also involve an amendment to the MPS. Considering the growth in uses associated with the Regional Hospital, Council should consider adopting a policy directive in the MPS to allow for the expansion of the MRB zone into all of the adjacent lands along Terry Way. A copy of the proposed MPS amendment has been included as Attachment B for Council's consideration.

Why Amend the Land Use By-law?

Policies within the MPS related to land use are implemented through the provisions of the Land Use By-law (LUB). As a result of the proposed amendments to the MPS, the text and map of the LUB must also be

amended. A copy of the proposed LUB amendment has been included as Attachment C for Council's consideration.

Public Participation Program

Of the eighteen notices mailed out to property owners in the vicinity of PID 15843907, nine people attended a public participation program held on July 28th. This informal meeting was an opportunity to discuss the possible amendments to the MPS and LUB, ask questions, and provide feedback to Planning Staff. Those in attendance were generally supportive of the proposed amendments; however, several individuals expressed concerns that Mullers Lane would be used to access the proposed development. The proposed LUB amendment requires access off of Terry Way and restricts access off of Mullers Lane (Attachment C).

Other questions posed were:

What are the permitted uses within the MRB zone?

- Staff provided the range of permitted uses within the MRB zone. The range of permitted uses, which resulted from public consultation, are those deemed to be compatible with the Regional Hospital as well as the surrounding residential area.

What is the potential height, size, and lot coverage for the proposed doctor's office?

- The MRB zone does not contain a height restriction or a lot coverage requirement
- Size of the proposed doctor's office will be dictated by lot size, setback requirements, and parking area provisions.
 - One parking space for every 150 square feet of the proposed building.
 - The building has to be set back at least 50 feet from a residential dwelling in another zone
 - When it comes to the parking area, the LUB includes provisions related to:
 - Separation from a public street
 - Parking lots sizes
 - Width of driveway or aisle leading to a parking area
 - Adequate access to permit ingress or egress of motor vehicles

Will parking be provided on-site?

- On-site parking is required in accordance with the parking provisions within the General Provision for all Zones of the LUB

Will the existing vegetation abutting residential properties be maintained?

- It is proposed that a provision be included in the LUB amendment addresses the retention of existing vegetation

In addition to those comments made at the public participation program, a written submission was received from Glenna Birt, Regional General Manager of the Northwest Healthcare Properties (Health Park Medical Clinic). A copy of Ms. Birt's submission can be found as Attachment D. The following is a summary of Ms. Birt's comments and my responses.

1. What is the supply of doctor's office space within three kilometres

After the public meeting, Ms. Birt emailed staff to ask staff to conduct "a needs analysis". This request was made because of her stated concern about a potential "... oversupply of doctor's office space...". The CBRM does not regulate the vacancy rates for private industry. The LUB regulates land uses, the question before Council is, is it reasonable, from a land use planning perspective, to permit the uses in the MRB

zone on the east side of Terry Way. While the current request may be for a doctor's office, the properties in question could be developed for any of the uses within the MRB zones.

2. Parking Issues to be resolved

As stated earlier, any proposed use must comply with the on-site parking requirements as outlined within the LUB.

Parking in and around the Regional Hospital

Prior to the issuance of a Development/Building Permit, parking requirements as outlined in the LUB must be met on-site. The intention of parking provisions is to ensure that each development has sufficient on-site parking to match the needs of a development. It is the CBRM's responsibility to ensure that a development has on-site parking based on the requirements of the LUB, it is not the responsibility of the CBRM to regulate how this parking is used. Parking in and around the Regional Hospital on private land is the responsibility of those property owners.

Pricing

The LUB does not regulate parking fees associated with private property. If a private owner wishes to charge its patrons a fee to park on their property they may do so.

Unregulated parking on lot PID 15839830

The LUB regulates parking associated with a land use through the issuance of Development Permits. PID 15839830 is a vacant parcel of land not a parking lot as regulated by the LUB. While individuals may choose to park on this vacant parcel of land, the owner is neither advertising nor charging for parking; therefore they are not in contradiction of the LUB.

3. Explanation of the zoning history in this particular area

In response to the announcement of the development of the Regional Hospital, the Municipality of the County of Cape Breton adopted the Prime Brook-Mira Road Area Municipal Planning Strategy and Land Use By-law. During the public consultation process residents raised concerns over the potential for an increase in commercial development as the result of the Regional Hospital being located in their neighbourhood. In response to these concerns, a zone permitting limited commercial development was created along George Street from its intersection with Rotary Drive to its intersection with Highway 125.

When the CBRM adopted its MPS and LUB in 2004 it took direction from the planning documents in affect in the former municipalities within the CBRM boundary. As a result, the commercial zone along George Street from the Prime Brook-Mira Road Area Land Use By-law was respected in the new CBRM LUB and it was extended to include the Regional Hospital.

When Mr. Weatherbee purchased the property which is the site of current Health Park Medical Clinic, it was considered to be a land locked parcel. In order to permit the construction of the Health Park Medical Clinic, steps needed to be taken to ensure that lot parcel had frontage on a public street. For this to occur, what was the driveway leading to the Regional Hospital had to be conveyed to the Municipality as a public street and Mr. Weatherbee had to construct Terry Way and Weatherbee Road. In addition to lot frontage requirements, Mr. Weatherbee had to request a zone amended to permit the Health Park Medical Clinic. At that time, Council adopted an amendment to the Land Use Bylaw map expanding the jurisdiction of the MRB zone to allow for the construction of the Health Park Medical Clinic, but only on the west side of Terry Way, because the property owners on the east side did not assist in the capital cost of constructing Terry Way.

The applicant has interest from an individual who would like to purchase the property to construct a doctor's office, as a result no construction plans have been submitted. Mr. Weatherbee has made an application to Council requesting that a doctor's office be permitted on this property to facilitate the sale of this property. What is before Council is to determine if it is reasonable to allow the uses within the MRB zone on the east side of Terry Way. If approved by Council, it is the Development Office who will review construction plans to ensure compliance with the LUB.

Staff replied to Ms. Birt's request for a needs analysis stating that the Planning and Development Department would not be conducting a needs analysis for this application. There is no policy directive within the MPS directing the CBRM to conduct a market assessment for zone amendment requests to expand the jurisdiction of a business development zone. In fact the Municipal Government Act (MGA), which is the enabling legislation for the Council's consideration of such an application, does not give Municipalities the authority to regulate development by imposing market thresholds on private business development.

In response to staff's reply to Ms. Birt's email, Brian Awad, legal counsel for NorthWest Healthcare Properties, submitted a follow-up written submission (Attachment F). Mr. Awad's letter indicates that NorthWest does not agree that Council is prohibited from considering needs and economic impact in making planning-related and development-related decisions. Mr. Awad references the fact that the terms 'needs' and 'needs analysis' appears on pages 5.1, 5.4 and 7.8 of the MPS.

Recreational Service Responsibilities of the CBRM is found page 5.1. According to this section of the MPS, the objectives of the recreation department must be grounded in an understanding of the individual recreational needs of its constituency group. The 'needs' contained on page 5.1 refers to how the CBRM should determine if there is a need to invest tax payer dollars in new recreational services and if so, what those service should be. The content of page 5.1 does not apply to private development, it applies to public investment in recreational services.

The use of the terms analyze and need found on page 5.4 is also associated with public recreational uses, in particular developing a rationale of open space requirement for non-structured recreational activities in densely developed urban communities. This section of the MPS states residents in some densely developed core areas of our urban communities claim there is very little public land available for unorganized recreational use. It is important to note that the MPS states that the CBRM has not attempted to analyze its land-based data to either support or challenge such claims. However, because open space for unorganized recreational use is an asset that all segments of the population can use, the MPS includes a policy that a report respecting the concept of urban open space for unorganized recreational use should be prepared subsequent to the adoption of the MPS.

Policy 5 of Part 7 Transportation and Infrastructure, which is found on Page 7.8, does state that the CBRM shall adopt a land use policy regarding new road infrastructure needs that impresses upon the Province of Nova Scotia and the Federal Government funding should be provided based on certain priorities. While this policy does reference a land use policy based on needs it is not tied to private industry it is tied to funding from other levels of Government for CBRM road infrastructure.

In addition to three pages highlighted, Mr. Awad states that the information on page 3.10 of the MPS strengthens the argument that the CBRM Council does have the authority under the MGA to consider the need and economic impacts in making planning-related and development-related decisions. The quote included in Mr. Awad's letter, "New construction needs growth to be warranted", is associated with the development potential for the former coke ovens site. The remediation of this site resulted in a large tract

of land being available for development and there was considerable debate about the development potential of the site. At the time the MPS was prepared, only 1% of the site's land base was privately owned, the remainder was is vested in the Province of Nova Scotia or owned by the CBRM. It was determined that if the area was identified for residential development it would likely remained undeveloped for a long time. As result, it was decided the best use for this large tract of public land was a combination of outdoor active and passive recreational uses and light industrial.

While these sections highlighted by Mr. Awad do speak to the CBRM ability to conduct 'needs analysis', this authority is connected to decisions related investing public funding on recreational development, the development of public land, or road infrastructure, and on not private industry. When the CBRM is investing public funds or developing public land it is responsible for the CBRM to analyze the impacts of these decisions.

In Mr. Awad's conclusion, he requests that Council be advised that NorthWest asked the Planning Department to prepare a needs analysis and an economic-impact analysis in regards to this proposal and that the Planning Director refused to do so. The request for a needs analysis by Ms. Birt and staff's response to this request was included in the Issue Paper presented at the August 18th meeting of Council.

Notification of Neighbours

Notice was this application was mailed to eighteen assessed property owners in the vicinity of the property in question (PID 15843907). Other than the written submissions from Ms. Glenna Birt and Brian Awad, which were highlighted above, no written comments were received by the Planning and Development Department.

Evaluation

Section 205 of the MGA provides Council with the statutory authority to adopt and amend the MPS. The proposed amendment is in keeping with the intent of the policies within the MPS. With the exception of the representatives of the Health Park Medical Clinic, those individuals that were in attendance at the public participation program did not object to the proposed amendment. The concern of Mullers Lane residents that their street would be used to access the subject properties was addressed in the proposed LUB amendment. From a land use planning perspective, it is reasonable for a doctor's office, as well as the other uses permitted within the MRB zone, to be permitted in proximity with the largest medical provider in Cape Breton (Attachment E).

Recommendation

I recommend that Council pass approve the expansion of the Mira Road Business zone 150 feet along the eastern boundary of Terry Way by passing a motion to adopt the amending By-law accompanying this report.

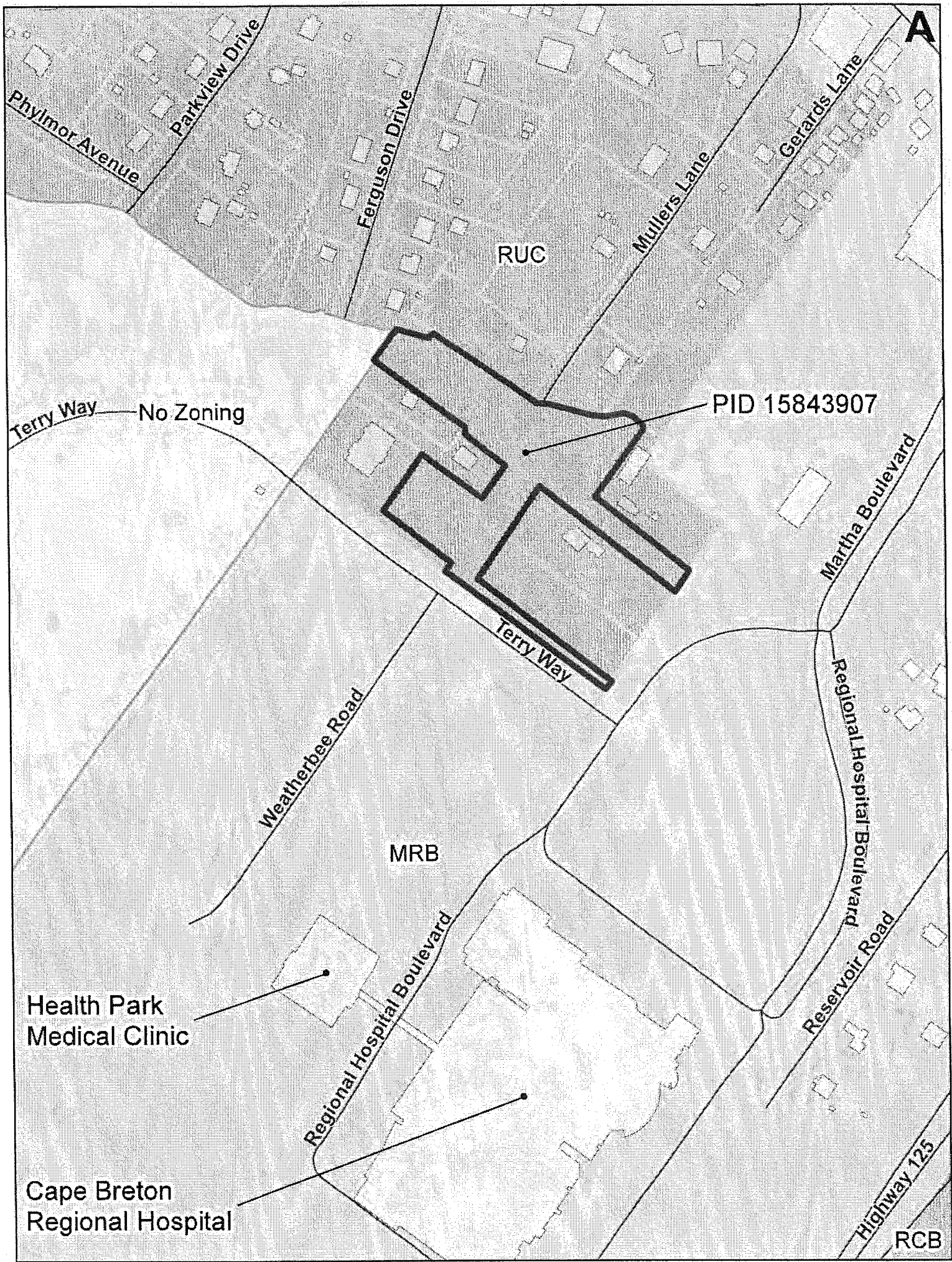
The recommended amendment to the Municipal Planning Strategy can be found in Attachment B.

The recommended amendment to the Land Use By-law can be found in Attachment C.

Submitted by:

Original Signed by

**Karen Neville
Planner**



A

Phylmor Avenue
Parkview Drive

Ferguson Drive

Mullers Lane

Gerards Lane

RUC

Terry Way — No Zoning

PID 15843907

Martha Boulevard

Terry Way

Weatherbee Road

MRB

Regional Hospital Boulevard

Reservoir Road

Health Park
Medical Clinic

Cape Breton
Regional Hospital

Regional Hospital Boulevard

Highway 125

RCB

By-law
of the Cape Breton Regional Municipality

amending the

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

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

THAT: Part 2 Sales/Service Business Development of the Municipal Planning Strategy is hereby amended by repealing policy 4.d and replacing it with the following:

4.d Following the announcement the current Regional Hospital was to be originally constructed (it opened in 1995), a Municipal Planning Strategy and implementing Land Use Bylaw was prepared and adopted for the community of Mira Road. These planning documents channeled business development to just the area in proximity to the Regional Hospital and nowhere else in the community. Properties on both sides of George Street between its intersections with Rotary Drive and Highway 125 (including the proposed site of the Regional Hospital) and Reservoir Road were under the jurisdiction of a Zone exclusively designed to permit only those types of business developments considered to complement the services provided by the hospital. With the conveyance of the hospital driveway to the CBRM to be used and maintained as a public street and the construction of Terry Way to provide access to a proposed medical complex, the jurisdiction of this Zone was expanded. An exclusive zone was established to be in effect in this area titled the Mira Road Business (MRB) Zone. That Zone and the policy objective supporting it was carried included when this Planning Strategy was adopted.

Considering the growth in business developments complementing the Regional Hospital, it shall be a policy of Council to adopt a policy directive that allows for the expansion of the MRB zone into adjacent lands along Terry Way provided access is not provided via any of the public street/roads or unlisted roads serving the residential neighbourhood directly to the east of Terry Way.

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 Municipal Planning Strategy.

Deborah Campbell, CLERK

By-law
of the Cape Breton Regional Municipality

amending the

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

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

THAT: Part 8 Mira Road Business (MRB) zone of the Land Use By-law is hereby amended by adding the following:

Section 5 Special Provision for East of Terry Way/Mira Road

in addition to all of the other applicable provisions within the MRB zone, development on properties with 150 feet of Eastern boundary of Terry Way shall be subject to the following:

- The lot parcel shall have access off of Terry Way, and
- Access to the lot parcel shall not be permitted off of Mullers Lane, and
- Parking areas shall only be permitted in the front and/or the side of the main building, and
- All existing significant vegetation shall be retained except where its removal is necessary for the construction of the development.

THAT: Council amends the CBRM's Land Use Bylaw map by deleting the Residential Urban C (RUC) Zone in effect for the properties within 150 feet of the Eastern boundary of Terry Way and replacing it with the Mira Road Business (MRB) Zone.

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

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK

June 30, 2015

Malcolm Gillis,
Director of Planning and Development
Cape Breton Regional Municipality
320 Esplanade # 200
Sydney, Nova Scotia B1P 7B9

Email: mggillis@cbrm.ns.ca

Dear Mr. Gillis,

Re: Request to amend MPS and zoning – PID 14843907

I have a copy of your June 10, 2015 memo to council, and I have listened to the audio of your presentation to council on June 16. Council accepted your recommendation that an "issue paper" be prepared. There are some issues that I would like to see addressed in that paper:

1. Current supply of doctor's office space

Please set out in your paper the amount of doctor's office space that exists within 3 km of the regional hospital. This would include HealthPark and the Membertou Professional Centre. Please also set out what you can determine regarding vacancy.

2. Parking issues

Please note in your paper that parking is an issue to resolve. Please describe the current parking situation in and around the regional hospital, including the issue of pricing and the problem of unregulated parking on PID 15839830.

3. Zoning / planning principles

In your June 10 memo to council, and in your June 16 presentation to council (which I have listened to at http://archive.isiglobal.ca/vod/cbrm/archive_2015-06-16.mp4.html), you note that the historical financial interest of Mr. Weatherbee was that the east side of Terry Way remain RU-C as he did not want the east-side property owners to get a "windfall" or "free ride" on his "capital investment" in building Terry Way. I do not understand this, and would ask that you explain it in the paper.

Your June 16 presentation indicates that it is now in Mr. Weatherbee's interest to have the east side of Terry Way (or, at least, his property) re-zoned to permit a "doctor's office". (You used the phrase "small medical clinic" in your presentation.)

Your June 16 presentation makes it clear that you support the zoning change because a doctor's office near the hospital makes sense. I confess that I have always assumed that the Mira Road Business Zone ended at Terry Way because, on the east side of Terry Way, there begins a residential area, and a basic principal of planning is separation of land uses.

Please ensure that your paper explains how a planner balances the interests of one landowner with the interests of other landowners, particularly if there are changes over time, and sets out in a balanced manner the rationales both for and against this proposal.

Please email a copy of or link to the issue paper to glenna.birt@nwhreit.com once it is public.

Respectfully,



Glenna Birt
Regional General Manager – Atlantic

MEMBERTOU FIRST NATION

73

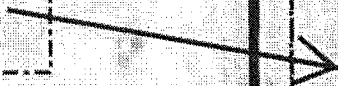


Extent of Proposed
Municipal Planning Strategy
Amendment



Property Boundary

PID 15843907



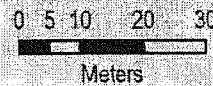
Weatherbee Road

Terry Way

Regional Hospital Boulevard

Martha Boulevard

H



Our File: 133995

August 13, 2015

VIA EMAIL – kmneville@cbrm.ns.ca

Karen Neville
Planning & Development
Cape Breton Regional Municipality
320 Esplanade
Sydney NS B1P 7B9

Dear Ms. Neville:

Re: Proposal to extend the Mira Road Business Zone to the east side of Terry Way to permit doctors' offices on PID 15843907

I am writing on behalf of NorthWest Healthcare Properties REIT, the owner and manager of HealthPark in Sydney. NorthWest is interested in ensuring that council makes a well-considered decision in regard to the proposal to extend the Mira Road Business Zone to the east side of Terry Way to permit doctors' offices on PID 15843907 ("the Proposal"). To that end, NorthWest wishes to ensure that council is aware that NorthWest is of the view that council and the public would benefit from a needs analysis and an economic-impact analysis in regard to the Proposal.

A representative of NorthWest attended the informal public meeting regarding the Proposal on July 28, 2015. The representative has requested that the Planning Department conduct the analyses in question. The email response from the Director of Planning & Development was as follows:

The Planning Department will not be conducting a needs analysis or economic impact. What you are asking is that the Regional Municipality consider a zoning amendment application based on a market needs analysis. The decision of a municipal council regarding a zoning amendment must not contradict the policy directives of the Municipality's Planning Strategy. There is no policy directive in the CBRM Municipal Planning Strategy directing the Regional Municipality to conduct a market assessment when a zoning amendment request is made to expand the jurisdiction of a business development zone because the enabling legislation (i.e. Municipal Government Act) does not give Municipality's the authority to regulate development by imposing market thresholds on what is essentially private business development.

To put it another way, if the CBRM conducted a needs analysis which determined there is currently more office space for the medical professions than the need based on the number of medical professionals practicing at the Regional Hospital and Council used that information to reject a zoning amendment application preventing the construction of

a new building which would have competed with existing office space, that decision would be overruled by the Nova Scotia Utility and Review Board if it was appealed. That's municipal government attempting to regulate the free market and the Province did not give us that authority.

With due respect to the Director, NorthWest does not agree that council is prohibited from considering needs and economic impacts in making planning-related and development-related decisions. The CBRM Municipal Planning Strategy ("MPS") contains many references to "economic development", "economic potential", "economic benefits", and speaks of concern about accelerating economic decline and the need to revive the economy. At page 5.1, there is reference to a "needs assessment report" prepared in regard to recreational facilities, and a reference to meeting the "needs of the population". Needs and needs analyses are also referenced at pages 5.4 and 7.8 of the MPS.

Most directly on point, at page 3.10, the MPS states, "New construction needs growth to be warranted." This comment applies to the commercial real estate market as much as to any other "construction". With regard to the Proposal, without growth, an increase in the supply of doctor's offices will simply drive down rents and parking rates, compromising the viability of existing space (such as HealthPark and Membertou's commercial space) and reducing the revenue of the regional hospital. (As you know, the proponent of the Proposal owns a parcel of land on the west side of Terry Way that is currently being used as an illegal parking lot by persons seeking to avoid the parking fees charged by the hospital.)

Contrary to what the Director suggests, NorthWest is not suggesting that council "regulate the free market". NorthWest is simply asking the Planning Department to put council in a position to guard against unwittingly causing deterioration in the commercial real estate market. It is within the authority of council to accept or reject a proposal on the basis of what the market can bear. One building too many can trigger a perfect storm that impairs the commercial real estate market for a decade. The Planning Department and council should want to avoid such a public-sector failure.

I understand that you are preparing an "issue paper" for the August 18 meeting of council. On behalf of NorthWest, I respectfully request that you advise council in that paper that NorthWest has asked the Planning Department to prepare a needs analysis and an economic-impact analysis in regard to the Proposal, and that the Director has refused to do so.

Yours very truly,

MCINNES COOPER



Brian K. Awad

BKA/

**Zoning Amendment Application - 1007: Membertou Development Corporation,
Churchill Drive, Sydney (PID # 15852494):**

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, approval to advertise notice of a Public Hearing to be held at the September 2015 meeting of Council to consider amending the Land Use Bylaw to allow the Membertou Development Corporation construct a hotel on a vacant parcel of land on Churchill Drive.

Motion Carried.



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: ZONING AMENDMENT APPLICATION – 1007
MEMBERTOU DEVELOPMENT CORPORATION
Churchill Drive, Sydney (PID 15852494)**

DATE: September 4th, 2015

Introduction

The Planning and Development Department has received a zone amendment application from Membertou Development Corporation. The applicant would like to construct a hotel on a vacant parcel of land on Churchill Drive (PID 15852494) [Attachment A]. The proposed three storey hotel will be approximately 62 feet by 244 feet and contain 80 rooms (Attachment B). The applicant intends on retaining the vegetation along the North West boundary, except where its removal is necessary for the construction of the development.

The proposed development can be accessed via Churchill Drive and Towerview Place. Both of these streets are considered to be part of the public street/road network because they are owned and maintained by the Membertou Development Corporation. To accommodate the proposed hotel and parking requirements, the applicant intends on consolidated PID 15852494 with a portion of PID 15855372 (Attachment C).

Why a zoning amendment is necessary for this development

The property in question is zoned Residential Urban A (RUA) and has an area of approximately 1.44 hectares (3.56 acres). While the RUA zone does permit a wide range of uses it does not permit a hotel; as a result, the Membertou Development Corporation is requesting a zone amendment.

Why should a zoning amendment be considered?Municipal Planning Strategy

Policy 16, Part 10 of the Municipal Planning Strategy (MPS) indicates Council may consider a zone amendment to a zone immediately adjacent without requiring an amendment to the MPS. In this case, the proposed zone request is the Membertou Shipyard Business (MSB) zone, which is immediately adjacent to the property in question, and therefore the request is in keeping with the MPS.

Provisions of the MSB Zone

If Council approves the proposed zone amendment request, any development on the subject property would need to comply with the provisions of the MSB zone as well as all other applicable provisions of the CBRM Land Use By-law. In particular, there are specific provisions in the MSB zone related to landscaping.

Surrounding Land Uses

The area surrounding PID 15852494 is comprised of a range of residential and non-residential uses. Based on our GIS data, in the surrounding area under the jurisdiction of the CBRM there is a radio station, a government office, three twelve unit seniors complexes, two eighty-three units apartment buildings, a private radio club, a medical office, a residence care facility, a hotel, along with a range of residential development. In particular, the two four storey eighty-three unit apartment buildings located on the property to the North West of the property in question are larger than the proposed hotel.

Also, in the immediate area within the boundary of Membertou there is a school, offices, video lottery pavilions, gasoline pumps, convenience store and take out restaurant, youth centre, bingo hall, public works buildings, and two strip malls along with residential development.

Within the Political Jurisdiction of the CBRM

Similar to the existing hotel in Membertou's business park, it is highly likely that this development will remain outside the Membertou's boundary because private interest will be investing in this development. This means the proposed hotel will remain within the political jurisdiction of the CBRM.

Evaluation

In 2004 when the MPS and LUB were developed, the extension of the Membertou business park close to residential neighbourhoods in CBRM was discussed with the surrounding neighbourhoods. As a result of these discussions, the list of permitted uses in the MSB zone was limited to the proposed developments that were acceptable as a concept by these neighbourhoods. A hotel is one of the limited uses within the MSB zone.

Given the content of Policy 16, Part 10 of the MPS, the range and scale of surrounding land uses, the provisions of the MSB zone, in particular the landscaping requirements, it is reasonable for Council to consider the request to amend the zoning on PID 15852494 from the RUA zone to the MSB zone.

Notification of Neighbours

Notice was this application was mailed to twenty six assessed property owners in the vicinity of the property in question (PID 15852494). At the time this report was prepared, one written comment from Brian R.F. Lugar of Novacorp Properties Limited was received by the Planning and Development Department (Attachment E). Novacorp Properties Limited is the property manager and authorised representative for Tower View Apartments which is located adjacent to the property in question. While Tower View Apartments is supportive of the development they do have some concerns. The following is a summary of their concerns and staff's response:

1. Planning and Development staff and Council would be unable to ensure proper positioning of development on the site (other than the general parameters as set out in the zoning by-laws) to reflect the change in proposed use for the site.

The proposed development would need to compile with the provisions outlined the MSB zone as well as the applicable provisions in the General Provisions for All Zones part of the LUB. Under the current zoning, an apartment building of a scale similar to the proposed hotel or the apartments on the abutting property could be developed on the property in question. In addition the based on the Section 25 of the General Provision Part of the LUB a large nursing home would also be permitted on this property. The requirements of the General Provisions for All Zones would be applicable to any development on the site even if the proposed amendment is not approved.

2. Lack of requirement for applicant to maintain a sufficient vegetative buffer zone (this buffer zone can currently be removed if it is so required) by the development) and to properly position light standards and parking areas to ensure that lights illuminating the parking area and building do not disrupt residents of the abutting property.

The MSB Zone does have specific provisions for landscaping. These provisions require that all exposed ground comply with the LUB's definition of landscaped open area. As well, the landscaped area shall be provided at the ratio of 1/3rd the total area of the lot parcel unless a landscaping plan is designed and completed by a Certified Horticultural Technician or Architect in which case the landscaped open space shall be at least 5% of the total area of the lot parcel.

If Council chooses, they can include a provision in their motion which would be specific to the vegetation on PID 15852494. This provision could require the retention of the existing stand of trees on the property except where their removal is necessary for the construction of the development specific.

The LUB does have specific standards for parking which require the lights used for illumination of the parking lot/area to be arranged as to divert the light away from streets, adjacent lot parcels and building. The parking standards within the LUB also requires parking areas to be separated from any public street/road boundary by a distance of at least 6 ft. and be no closer than 3 ft. from any other lot parcel boundary. In addition to these setbacks, these areas shall be raised or separated by curbs or otherwise made inaccessible to motor vehicles and comply with this By-law's definition for landscaped open area.

3. Inability of Planning and Development staff and Council to ensure proper setback, positioning of the building and parking area, and a sufficient vegetative buffer zone to ensure that vehicular traffic and parked commercial vehicles (with generators and reefer units running) do not disrupt my client's building residents quiet enjoyment during the night.

Any proposed development on this site would need to comply with setback provisions and parking as outlined in the General Provisions for All Zone of the LUB. These standards would be in affect whether or not this zone amendment was approved.

Mr. Lugar concludes his letter by asking that in lieu of providing approval for the requested Zoning Amendment that the existing zoning be maintained and the applicant be required to enter into a development agreement with CBRM whereby Council and Planning and Development staff can ensure that any development on the site addresses the above concerns.

The MPS specifically outlines when Council enters into Development Agreements. Instead of entering into a Development Agreements, the approach taken in the CBRM is to create site specific zoning. Site specific zoning enables Council to establish development controls for a specific site while avoiding the legal undertaking of adopting a Development Agreement. A site specific zone was not suggested in this case because the zone immediately adjacent does permit the proposed use. In 2004 when the MPS and LUB were developed, the extension of the Membertou business park close to residential neighbourhoods was discussed with the surrounding neighbourhoods. As a result of these discussions, the list of permitted uses in the MSB zone was limited to the proposed developments that were acceptable by these neighbourhoods. A hotel is one of the limited uses within the MSB zone, for this reason I would not suggest Council enter a Development Agreement for this site.

Recommendation

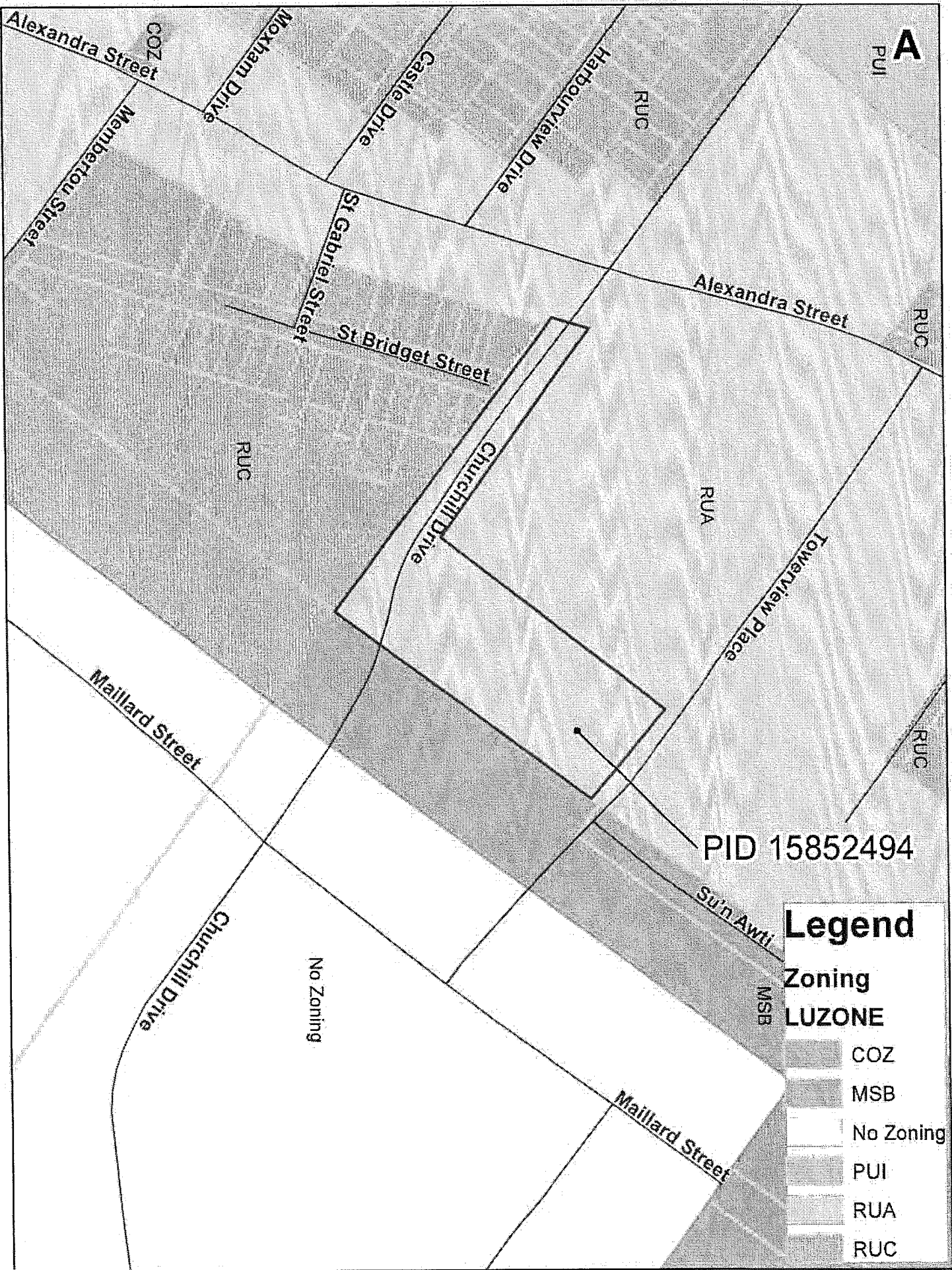
I recommend that Council pass a Motion to amend the zoning on PID 15852494 from the Residential Urban A (RUA) Zone to the Membertou Shipyard Business (MSB) Zone.

A copy of the amending Land Use By-law as it applies to PID 15852494 can be found in Attachment D.

Submitted by:

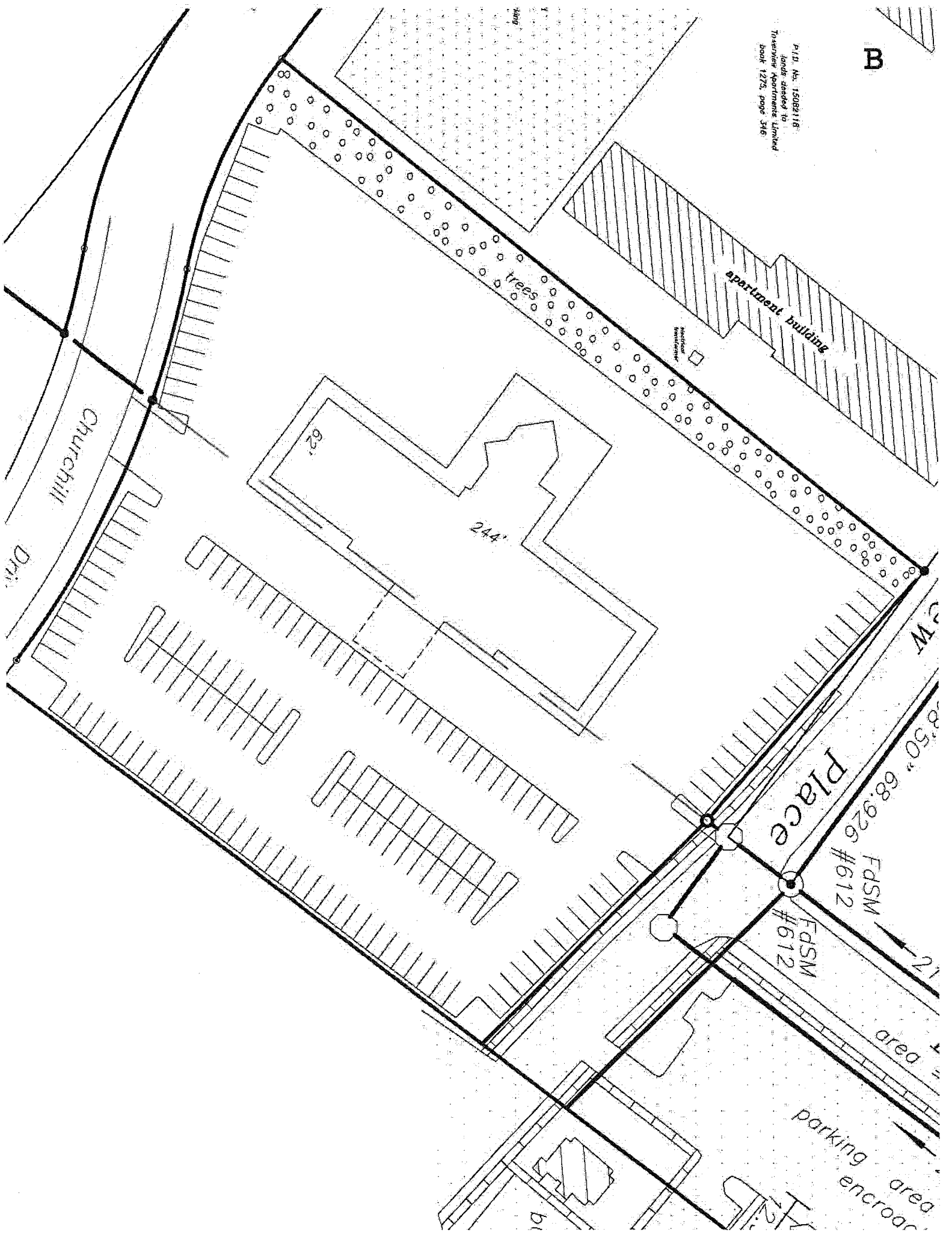
Original Signed by

Karen Neville
Planning and Development Department



B

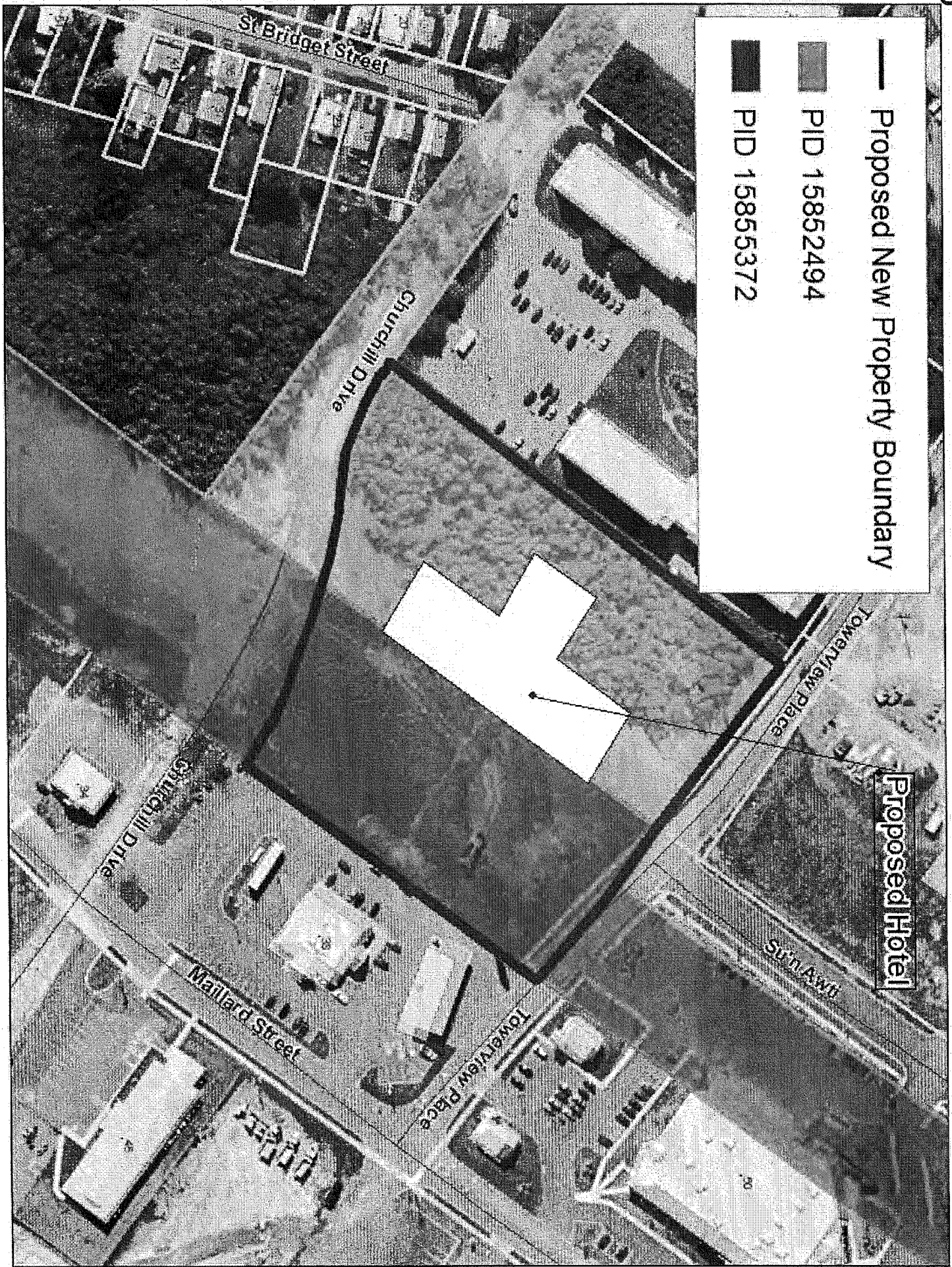
P.L.D. No. 15082118
lots added to
Theview Apartments Limited
book 1273, page 316



— Proposed New Property Boundary

■ PID 15852494

■ PID 15855372



Proposed Hotel

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

THAT: Council amends the CBRM's Land Use Bylaw map by deleting the Residential Urban A (RUA) Zone in effect for PID# 15852494 replacing it with the Membertou Shipyard Business (MSB) Zone.

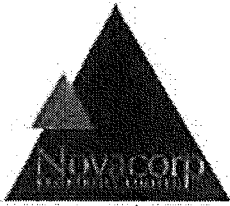
PASSED AND ADOPTED: by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on _____.

MAYOR

CLERK

***THIS IS TO CERTIFY** that the attached is a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.*

Deborah Campbell, CLERK



September 11th, 2015

Cape Breton Regional Municipality
320 Esplanade, Suite 200
Sydney Nova Scotia
B1P 7B9

DELIVERED BY EMAIL & COURIER

Attention: Ms Karen Neville, MCIP

Dear Ms Neville,

Re: Zone Amendment Application – Membertou Development Corporation (PID # 15852494)

We are in receipt of notice of Public Hearing for the proposed Zone Amendment of Membertou Development Corporation's lands at Churchill Drive (PID # 15852492) from RUA to MSB zoning. This notice was received September 8th, 2015.

Novacorp Properties Limited is the property manager and authorised representative of Towerview Apartments Limited, the owner of the adjacent property (PID 15082118) known as Towerview Apartments (civic numbers 50 and 70 Towerview Place).

We understand that:

- If the Zone Amendment is approved, the applicant intends to construct a three storey hotel complex on the site, and has provided CBRM Planning staff with a site plan indicating a possible positioning of a proposed building on the site.
- By granting a Zone Amendment, the applicant (or any future owner of the site) would have the right to build a hotel on the site, provided that the development met the requirements as set out CBRM's planning and development documents, but would not be obligated to develop a hotel as stated or as shown on the plan circulated to Council.
- The proposed Zone does not provide CBRM staff or Council with the ability to ensure that any proposed development on the site will be positioned on the site in a manner that protects the vegetative boundary between my client's existing buildings and any development on the site.
- The proposed Zone does not provide CBRM staff or Council with the ability to ensure that lighting, parking, and site access for any development on the site is positioned such that it does not negatively affect the abutting residential property.

Our client is supportive of development in the area and has an excellent relationship with the applicant.

Notwithstanding, our client is concerned that the change in zoning for this site permits a commercial operation (hotel or arena) that, by its very nature (24 hour seven day a week operation) may, if not properly situated on the site, create noise and nuisance that may negatively affect my client's ability to lease out apartment units facing the proposed development, resulting in a loss of economic value of my client's property.

Of specific concern:

- Planning and Development staff and Council would be unable to ensure proper positioning of development on the site (other than the general parameters as set out in the zoning by-laws) to reflect the change in proposed use for the site.
- Lack of requirement for applicant to maintain a sufficient vegetative buffer zone (this buffer zone can currently be removed if it is so 'required' by the development) and to properly position light standards and parking areas to ensure that lights illuminating the parking area and building do not disrupt residents of the abutting property.
- Inability of Planning and Development staff and Council to ensure proper setback, positioning of the building and parking area, and a sufficient vegetative buffer zone to ensure that vehicular traffic and parked commercial vehicles (with generators and reefer units running) do not disrupt my client's building residents quiet enjoyment during the night.



While we recognize that these concerns exist to a lesser extent under the site's current zoning, the proposed zoning allows a commercial operation that materially increases these concerns and risks for my client.

We ask that Council consider, in lieu of providing approval for the requested Zoning Amendment that the existing zoning be maintained and the applicant be required to enter into a development agreement with CBRM whereby Council and Planning and Development staff can ensure that any development on the site addresses the above concerns.

We would be pleased to meet with Planning and Development staff and / or the applicant to discuss these concerns for the mutual benefit of all parties.

Respectfully submitted,
Novacorp Properties Limited
As authorized representative for the Owner

Brian R.F. Lugar
Vice President & Managing Broker
(Direct line 902.462.8682)

/bl

cc George Guy

Zoning Amendment Application - 1009: Share, Support and Recovery, 166 Lingan Road, Sydney:

Motion:

Moved by Councillor MacLeod, seconded by Councillor Eldon MacDonald, approval to advertise notice of a Public Hearing to be held at the September 2015 meeting of Council to consider discharging the existing Development Agreement in effect for PID 15614340 and amending the Land Use Bylaw to allow Share, Support and Recovery to construct two four unit buildings on the property located at 166 Lingan Road, Sydney.

Motion Carried.

**TO: CBRM Council****FROM: Karen Neville****SUBJECT: ZONING AMENDMENT APPLICATION – 1009
Share, Support and Recovery
Lingan Road, Sydney****DATE: September 9th, 2015**

Introduction

The Planning and Development Department has received an application from Share, Support and Recovery requesting the Development Agreement in effect for PID 15614340, currently owned by Housing Nova Scotia, be discharged and a new zone in the CBRM Land Use By-law (LUB) be created for this property (Attachment A). The property is currently vacant and has an area of 24620.02ft² (2287.27m²). Share, Support and Recovery has secured funding to develop eight residential units and it is their intention to construct two four unit buildings on this property (Attachment B).

This application was made because the development proposal made by Share, Support and Recovery is not a permitted use in compliance with either Development Agreement or the residential zoning in effect throughout the surrounding neighbourhood.

Why the Development Agreement needs to be discharged?

A Development Agreement was entered into for the property in question (blue) as well as three lot parcels (red) on the opposite (i.e. East) side of Lingan Road in 1985 between Scotsburn Dairy and the City of Sydney (Attachment A). The property which is the subject of this request is now vacant but was once the site of the dairy's manufacturing plant. The existing buildings on the East side of Lingan Road (166 Lingan Road) was the dairy's fleet maintenance and repair facility. In 1995, a subsequent Development Agreement was entered into between MacPhee's Welding and the City of Sydney. Both Development Agreements are still in effect. There is no record of a Motion of the CBRM Council discharging the original Development Agreement, and there are clauses in both Development Agreements that indicate they are interrelated.

Due to the fact that the Development Agreement applies to several properties under different ownership, staff contacted all of the property owners subject to these Development Agreements. The properties located at 166 Lingan Road (red) are currently owned by Empire Concrete Inc. (Attachment A). Joe Camilli, Empire Concrete Inc, was contacted about the possibility of discharging the Development Agreements for the properties located at 166 Lingan Road. Mr. Camilli was open to the possibility of discharging the

Development Agreements in place for his properties. At the time this report was prepared, Mr. Camilli did not formally apply for the Development Agreements to be discharged from his properties.

According to Subsection 229(2) of the *Municipal Government Act*, Council may discharge a Development Agreement, in whole or in part, in accordance with the terms of the agreement or with the concurrence of the property owner. While the Development Agreements in effect applies to several properties which are under different ownership, there is nothing in the Development Agreements which indicates all property owners must be in agreement to discharge as it applies to one property.

Surrounding Land Uses

The area surrounding PID 15614340 is predominantly residential however there is a range of non-residential uses in the area including a day care facility, educational training centre, union hall, several home based businesses as well as Empire Concrete located directly across the street at 166 Lingan Road. Based on GIS data, there are seventeen two unit dwellings, five three unit dwellings, one five unit dwelling, and one six unit dwelling within the area outlined Attachment C.

What Does the Municipal Planning Strategy Say

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

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

There are two residential properties abutting the property in question. The applicant intends on retaining the existing trees as well as planting additional vegetation to buffer abutting the residential properties (Attachment D).

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

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

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

This zoning amendment will allow for two four unit apartment buildings on the site. Currently there are various provisions in the LUB that could result in several two dwelling units being constructed on this property without the need for a zone amendment. The property also has the potential to be subdivided into several lot parcels, all of which could contain a two unit dwelling. If the applicant chose to undertake

either of those options the resulting development would have a similar volume of traffic as the proposed apartment building. Also, the criteria to evaluate increased traffic is more relevant when considering a zone amendment for a much larger apartment building.

- The development proposal must mitigate the potential adverse effects any significant buildings will have on much smaller scale low density residential buildings.

Due to the large lot size, the density of the proposed buildings is actually comparable to other residential development in the area. The proposed zone amendment would only permit two four unit apartment buildings to be constructed on the property. If the applicant wants additional apartment developments on the property, a subsequent zone amendment would need to be evaluated and approved by Council.

- The site plan and building design must respect any aesthetic aspects of the streetscape that are easily discernable;

The exterior of the proposed building will blend with surrounding residential properties (Attachment B).

- Any adverse affects such as bulk and height resulting from a significantly greater scale than existing residential development in proximity shall be mitigated.

The proposed building will only be two storeys high, which is not uncommon for residential buildings in the general area. Vegetation will be retained and planted along the West property boundary to screen the proposed development from abutting residential properties.

MPS Policy 1.d.10, Part 4, states that apartment building development shall be prohibited in all areas of the CBRM not serviced with a Municipal piped sanitary sewer main. PID 15614340 can be serviced by a Municipal sanitary sewer main and water main.

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

- the level of the public street/road accessing the site;
- the variety of land use types in the vicinity; and
- the existing development densities in a given neighbourhood;

The property in question has frontage on Lingan Road, Mt. Pleasant Street, and Henry Street, all of which are considered to be Level 4 Urban Streets. While the area is predominantly single unit and two unit dwellings there is a range of higher density residential buildings and non-residential uses in the area. Given current provisions in the LUB, the property has the potential to contain several two-unit dwelling as a result two four unit apartment buildings would be a comparable density. Based on the above evaluation, the proposed zone amendment to permit two four unit apartment buildings on PID 15614340 would meet the intent of the MPS.

Notification of Neighbours

Notice was this application was mailed to twenty five assessed property owners in the vicinity of the property in question (PID 15614340). At the time this report was prepared no written comments were received by the Planning and Development Department.

Recommendation

I recommend that Council pass a Motion to discharge the Development Agreement in effect for PID 15164340 and to amend the zoning on PID 15614340 to the Lingan Road Apartment Building (LAB) Zone.

A copy of the amending Land Use By-law as it applies to PID 15614340 can be found in Attachment E.

Submitted by:

Original Signed by

**Karen Neville
Planning and Development Department**



PID 15614340

A

West Street
Fisher Street

Bay Street

Henry Street

Mt. Pleasant Street

Muggah Street

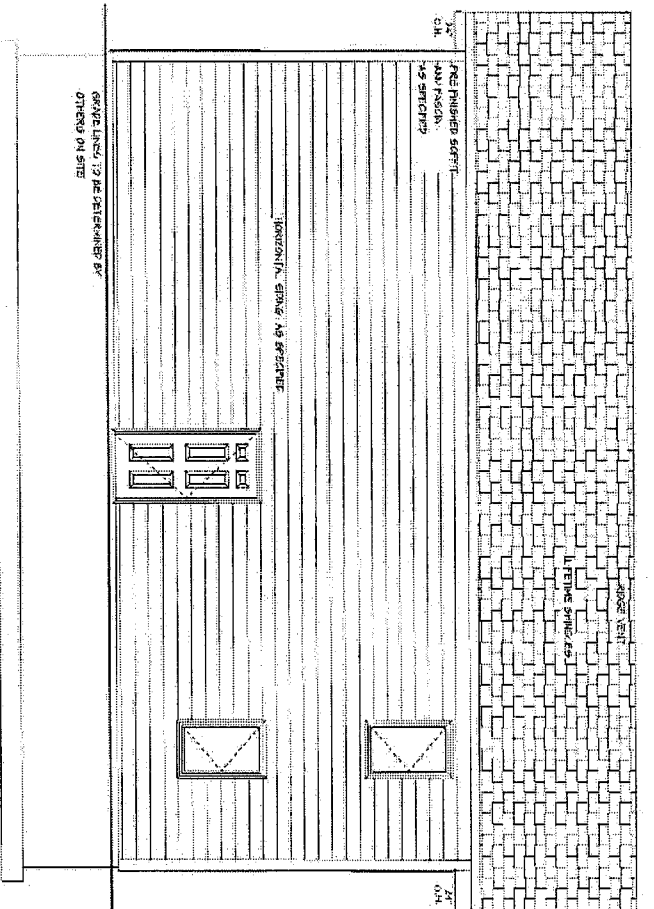
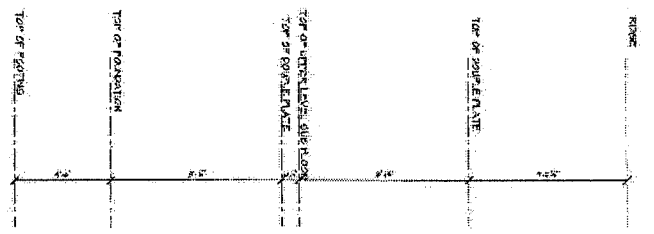
Lingan Road

Lingan Road

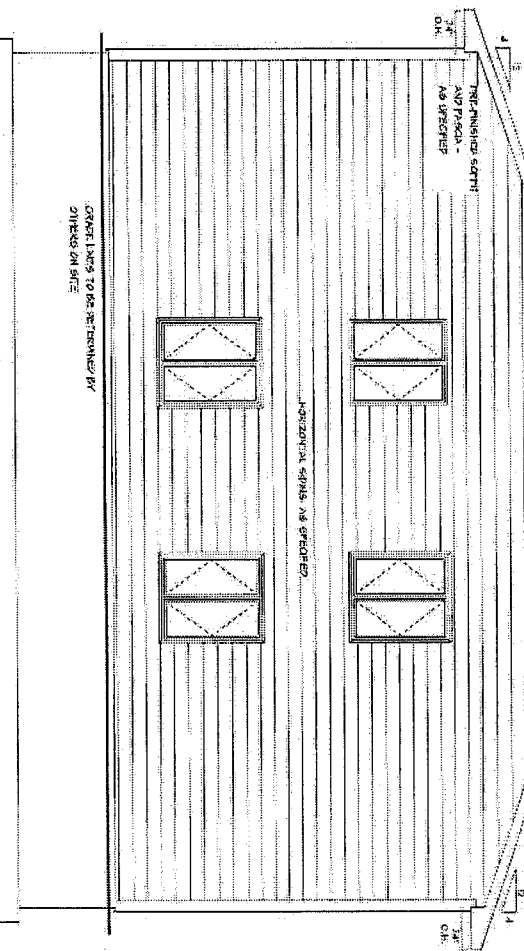
Henry Street

Kitchener Street

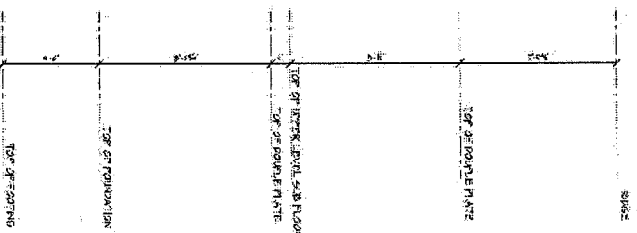
French Street



RIGHT ELEVATION
SCALE 1/4" = 1'-0"



REAR ELEVATION
SCALE 1/4" = 1'-0"



ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE PREPARATION OF THESE PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE EXISTING AND NEIGHBORING WORK. ALL DIMENSIONS SHALL BE TAKEN FROM THE EXTERIOR FACE UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

REV	BY	DATE	DESCRIPTION
		18 JUNE 2015	

DATE PRINTED: June 18, 2015

DRAWN BY: KERRY WILLCOX EMAIL: kerrywillcox@eastlink.ca

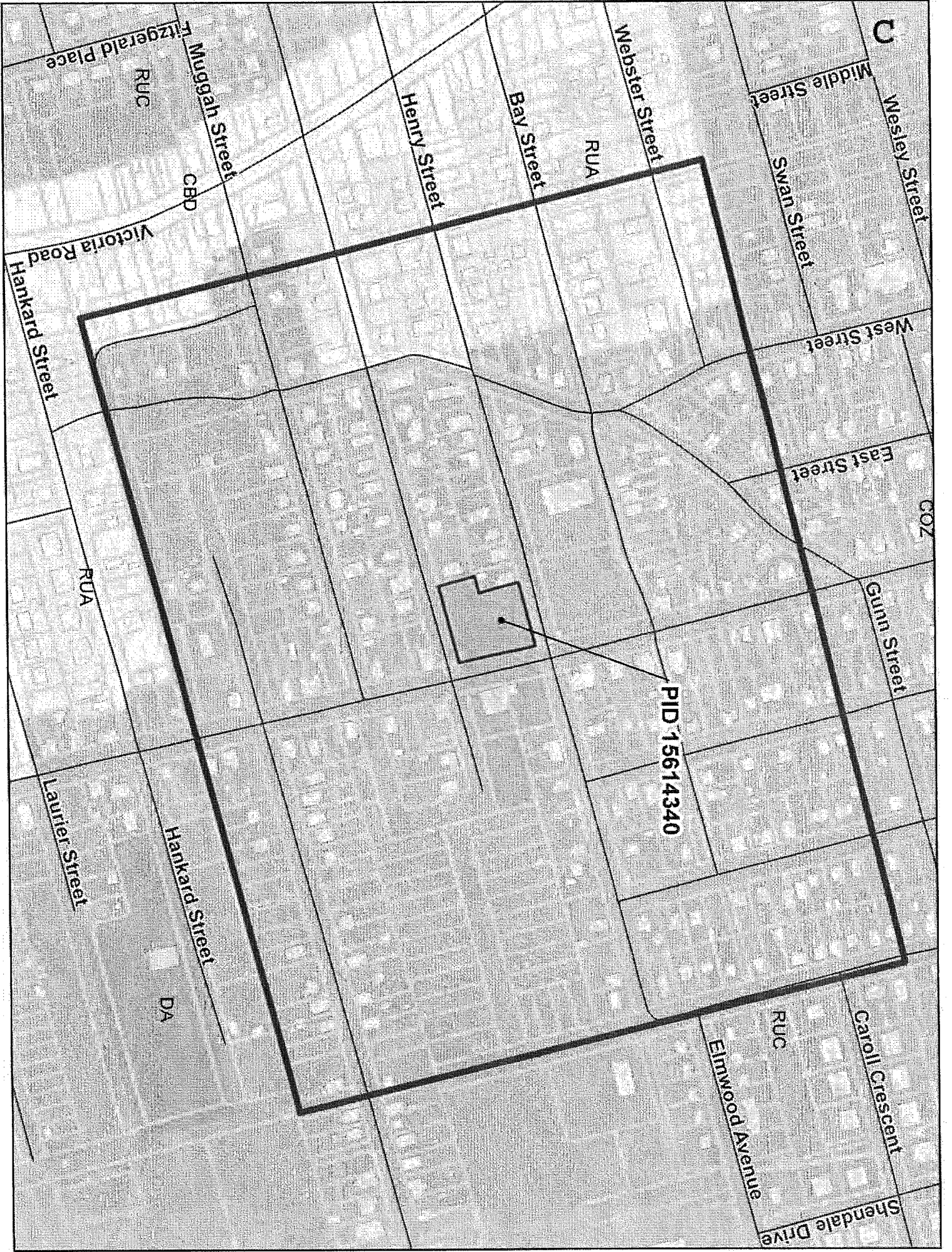
PROJECT: **REAR ELEVATIONS**

SCALE: 1/4" = 1'-0"

SHEET: **A2**

Gillis Home Building Centre
1076 King's Rd
Sydney River NS
B1S 1C7
T 902 539 0738
F 902 562 8615





C

Wesley Street

Middle Street

Swan Street

Webster Street

RUA

Bay Street

Henry Street

CBD

Mungah Street

RUC

Fitzgerald Place

West Street

East Street

COZ

Gunn Street

PID 15614340

RUA

Hankard Street

Laurier Street

Hankard Street

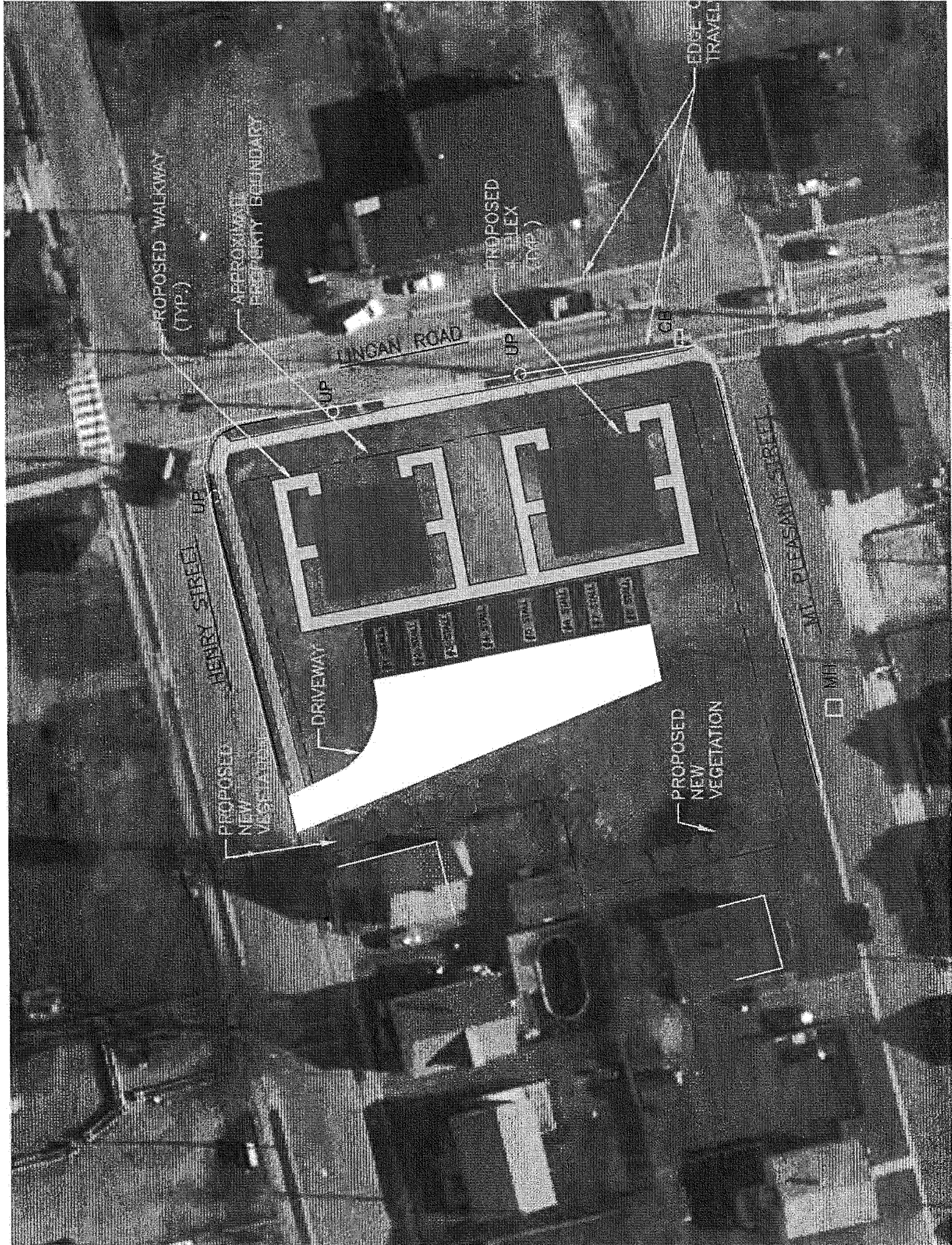
DA

RUC

Elmwood Avenue

Carroll Crescent

Shendale Drive



PROPOSED WALKWAY (TYP.)

APPROXIMATE PROPERTY BOUNDARY

PROPOSED DUPLEX (DUP.)

EDGE OF TRAVEL

LINGAN ROAD

HENRY STREET

MT PLEASANT STREET

DRIVEWAY

PROPOSED NEW VEGETATION

PROPOSED NEW VEGETATION

UP

UP

UP

UP

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

THAT: Council Renumbers Part 87 Definitions to Part 88

THAT: Council amends the text of the Land Use By-law by creating the following Zone.

PART 87 LINGAN ROAD APARTMENT BUILDING (LAB) ZONE

Section 1 LAB Uses Permitted

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

- apartment buildings
- all uses permitted in the RUC Zone subject to the RUC Zone requirements

Section 2 LAB Lot Parcel Development Requirements

- The number of storeys shall be two.
- The density shall not be greater than 1 dwelling unit per 3000 sq. ft. of land on the lot parcel;
- A minimum of 8 parking spaces shall be provided on-site. All other aspects of the parking area shall be in compliance with the General Provision Section of this Bylaw titled "Parking Area Standards".
- A stand of shrubs, bushes, or trees shall be planted or preserved in the yard between the apartment buildings and the lot parcel boundaries shared with PIDs 15132467 (i.e. 252 Henry Street) and PID 15132533 (i.e. 211 Mt. Pleasant Street).
- All other areas of the lot parcel subject to this Zone not occupied by the building footprint, parking area, deck, or not referenced in any of the above mentioned sub-sections shall be in compliance with this Bylaw's definition for landscaped open area.

THAT: Council amends the Land Use Bylaw map by deleting Development Agreement in effect for PID 15614340 by replacing it with the Lingan Road Apartment (LAB) Zone.

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

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK



TO: CBRM Council

FROM: Karen Neville

**SUBJECT: ZONING AMENDMENT APPLICATION – 1008
MEMBERTOU DEVELOPMENT CORPORATION
Churchill Drive and Highway 125, Sydney**

DATE: September 9, 2015

Introduction

The Planning and Development Department has received a zoning amendment application from the Membertou Development Corporation to expand the jurisdiction of a business development zone directly south of the Membertou First Nations Reserve on the south side of Highway 125. The Zone Membertou Development Corporation wants to expand was originally created with the adoption of the CBRM Municipal Planning Strategy (MPS) back in 2004.

The lands subject to this zoning amendment application has an area of approximately 115 acres and located to the east of Prime Brook Sales/Service (SSP) Zone. These lands are outlined in orange on the map titled "Gabarus Highway – Highway 125 Business Zone" (Attachment A). The area that is subject to this zoning amendment consists of a number of lot parcels; it is the applicant's intention to consolidate these parcels (Attachment B). The Membertou Development Corporation is proposing to develop Churchill Crossing which will consist of a series of sales and service businesses on the property currently zoned SSP as well as the lands subject to this zone amendment.

The proposed development will be accessed via Churchill Drive, which is considered to be part of the public street/road network because it is owned and maintained by the Membertou Reserve (Attachment C). In addition to Churchill Drive there will be an internal road system to service the individual sales and service developments. This internal road system will also be owned and maintained by the Membertou Development Corporation, but it will not be considered to be a part of the public street/road network because it would not be constructed to public street/road standards, and therefore subdivision approval cannot be granted by the Regional Municipality's Development Officer in compliance with the CBRM Subdivision Bylaw. It is Membertou Development Corporation's objective to enter into lease agreements with the retailers and service providers who will be establishing their businesses at Churchill Crossing.

Why an amendment is necessary for this development?

The properties in question are zoned Rural CBRM (RCB) and while the RCB zone does permit a wide range of sales and service uses, it does not permit the uses associated with the proposed development; because of this, the Membertou Development Corporation is requesting a zone amendment.

In addition to amending the zoning, Section 16 Frontage on a Public Street Part 2 General Provisions for all Zones must be amended. Section 16 regulates the frontage requirements for the issuance of a Development Permit. Subsection 16 b. 8. states that a Development Permit shall be issued for business developments on lot parcels within the MSB Zone serviced by streets owned and maintained by the Membertou Reserve as stipulated in the MSB Zone. The proposed amendment will remove reference to the MSB zone.

In April 2014, Council approved amendments to the definition of 'public street/road' in both the Land Use and Subdivision By-laws. As result of Membertou Development Corporation's planned development to the south of Highway 125, the definition of a public street/road was amended within the Land Use and Subdivision By-law to include a street or road owned by the Membertou Development Corporation. The proposed amendment to Subsection 16 b. 8. would support the amendments approved in 2014.

Why should a zoning amendment be considered?

Municipal Planning Strategy

Policy 16, Part 10 of the MPS indicates Council may consider a zone amendment to a zone immediately adjacent without requiring an amendment to the MPS. In this case, the proposed zone request is the SSP zone, which is immediately adjacent to the properties in question. While this request does appear to be in keeping with the intent of Policy 16, Part 10, the intent of all of the policies the MPS must also be satisfied.

Part 2 Policy 3.a of the MPS advocates designating sites for large scale business developments in proximity to major intersections with Highway 125. The intersection of the Gabarus Highway with Highway 125 in Prime Brook was one of the intersections subject to this policy. More than 225 acres of undeveloped land (outlined in yellow) on both the east and west side of the Gabarus Highway was zoned Prime Brook Sales/Service (SSP) in accordance with this Policy (Attachment A). The Membertou Development Corporation owns 62 acres within the SSP Zone (Attachment A). This 62 acre acquisition, coupled with the designation of the site for large scale business developments, was a big part of the reason Membertou lobbied the Province to construct the new Highway 125 interchange.

While this zone amendment satisfies the intent of Policy 3.a, the MPS also has several statements that articulate the benefits of having strong, vibrant downtown cores within the region, and there are policies suggesting that Council should undertake planning efforts specifically focused on downtown revitalization. Council has not adopted a formal downtown revitalization plan. The proposed expansion of commercial development along the new interchange on Highway 125 should be seen as an opportunity to start discussing developing a strategy to support and encourage development in our downtowns. However, this discussion should be considered separate from this amendment, and will be presented to Council in the form of an issue paper at a later date.

Provisions of the SSP Zone

If Council approves the proposed zone amendment request, any development on the subject property would need to comply with the provisions of the SSP zone as well as all other applicable provisions of the CBRM Land Use By-law. Specifically the SSP zone has provisions for screening of a sales/service use from any residential development.

Surrounding Land Uses

The area surrounding predominantly vacant; that being said, the Membertou Development Corporation is proposing a combination of sales and service uses on the property to the North West which is zoned SSP (Attachment A).

Within the Political Jurisdiction of the CBRM

Similar to the other developments by the Membertou Development Corporation, it is highly likely that this development will remain outside the Membertou's boundary because private interest will be investing in this development. This means the proposed that this commercial area will remain within the political jurisdiction of the CBRM.

Next Steps

If Council agrees to schedule a Public Hearing at their September 15th meeting, the earliest date for the Public Hearing would be during the October 20th meeting of Council. Upon a decision of Council to schedule a Public Hearing, notice of this zone amendment application will be placed in the newspaper encouraging people to contact the Planning and Development Department if they have any questions and of their opportunity to attend the Public Hearing.

Recommendation

I recommend that Council pass a motion to schedule a Public Hearing to consider this zoning amendment application during the October 20th meeting of Council.

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

Submitted by:

Original Signed by

**Karen Neville
Planning and Development Department**

Gabarus Highway- Highway 125 Business Zone Colored yellow

A



Westmount

SYDNEY

Churchill Drive

George St

Alexandra St

Membertou

Terry Way

Mira Road

Kings Rd

Churchill Drive

Highway 125

zoning amendment
requested

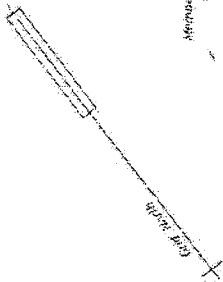
Sydney River

Prime Brook

Gabarus Hwy



0 0.25 0.5 1 1.5 Kilometers



P.L.U. No. 1597216
Nova Scotia Power Inc.
Reference: 1597216
Document # 1597216

Nova Scotia Power Inc.

Highway #125

Parcel - All
Area of Interest
to be used for the purpose of
the project as shown on the
plan and as shown on the
map of the project.

Project Area
(to be used for the
purpose of the project)

P.L.U. No. 1597216
Area shown to the
CHRM

P.L.U. No. 1597216
Area shown to the
Manager of Environment Corporation

c

By-law
of the Cape Breton Regional Municipality

amending the

Cape Breton Regional Municipality's
Land Use Bylaw

Pursuant to Section 21D 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 2 General Provisions, Section 16 Frontage on a Public street/road of the Land Use Bylaw is hereby amended by deleting 16b.8, and replacing it with the following:

developments on lots parcels serviced by streets owned and maintained by Membertou Reserve.

THAT: Council amends the CBRM's Land Use Bylaw map by deleting Rural CBRM (RCB) Zone in effect for the properties identified in Schedule A replacing it with the Prime Brook Sales/Service (SSP) Zone.

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

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape Breton Regional Municipality's Land Use By-law.

Deborah Campbell, CLERK



MEMO

FROM: Karen Neville

SUBJECT: Request from Mora MacLennan and Mary Walker to amend the Municipal Planning Strategy

DATE: September 10, 2015

Introduction

Mora MacLennan and Mary Walker are requesting that the commercial zoning in downtown North Sydney be extended to include the intersection of Archibald Avenue and Pierce Street. Ms. MacLennan resides and operates a law practices at 33 Archibald Ave (PID 15027964). Ms. MacLennan has prospective purchaser for her property, Ms. Walker. Ms. Walker, the owner of Granny's Country Cottage, would like to purchase this property as a residence and to operate her gift boutique business. The current zoning of Residential Urban C (RUC) does not permit this type of retail use (Attachment A).

Prior to amalgamation, the Town of North Sydney had two commercial zones associated with their downtown, the Central Business District Zone and the Commercial Downtown Periphery Zone (Attachment B). The North Sydney Municipal Planning Strategy contained policy which required a Development Agreement for commercial development outside of the Downtown or the vicinity of the North Sydney Mall. In 2004 when the CBRM Municipal Planning Strategy (MPS) and Land Use By-law (LUB) were adopted, the intent of plan policy, zoning and Development Agreements from the Town of North Sydney's Planning Documents were respected. As a result, the CBRM MPS does not contain policy that would support this type of retail use in a residential area; therefore, the MPS would need to be amended to permit their request.

In cases like this Council has two options, either reject Ms. MacLennan and Ms. Walker's request outright or ask staff to prepare and submit an issue paper to a subsequent meeting of Council or its General Committee.

Submitted by:

Original Signed by

Karen Neville

Planning and Development Department



A

PID 15027964

M. MORA B. MACLENNAN

33 Archibald Avenue, North Sydney, N. S. B2A 2W6

Barrister & Solicitor
Notary

Telephone: (902) 794-2060 Facsimile: (902) 794-3558
Email: moramaclessan@eastlink.ca

September 8, 2015

Council Office - Civic Centre
320 Esplanade
Sydney, NS B1P 7B9

Dear Mayor Clarke & Councillors Keagan, Prince, Rowe, Detheridge, E. MacDonald, G. MacDonald, Paruch, Doncaster, Saccary, Flynt, Cormier and MacLeod:

Re: Zoning - North Sydney District

I am a Solicitor in North Sydney and I reside and carry on my Law Practice from my home at 33 Archibald Avenue.

I write to you at this time as I have been attempting to sell my home for several years and now have a very promising prospective Purchaser.

Mary Walker, the owner of Granny's Country Cottage, wishes to purchase my home for her Residence and to also operate her Gift Boutique Business from the home. There is one obstacle preventing the transaction from being agreed to, that being the current Residential Urban C (RUC) Zone. My request of you, is that the designation of RUC be amended to extend the current Downtown Central Business District (CBD) Zone from its current termination point, to one block further up Archibald Avenue, to include my Property.

You will be aware that the CBD portion of Archibald Avenue currently ends at the centre line of Pleasant Street. My request is, as I say, to extend the CBD to the centre line of Pierce Street. You will note in reviewing the Zoning Map of this District, my Property is mostly surrounded by Businesses and St. Joseph's Church. The re-designation from RUC to CBD would only affect three properties, of which two are residences and one is a vacant lot.

It is my hope that you, Mr. Mayor and Council Officials, will recognize the benefits, not only to me personally and to Mary Walker, but to the entire Downtown Core of North Sydney, by the extension of the CBD Designation. I believe those benefits will allow further business to develop in the Downtown Core Area, perhaps not on the Main Street, which is now subject to the Canadian Maritime Engineering arrangements, but nevertheless accessible by the entire Community and the traffic using the Marine Atlantic Ferry Services.

I thank you for your anticipated consideration of this request and the eventual re-designation to the Downtown Central Business District (CBD) Zone.

Yours Most Sincerely,

MACLENNAN LAW OFFICE

M. Mora B. Maclessan

bcb



September 8, 2015

Mr. Mayor and CBRM Council:

I write to you today to introduce myself and my business and ask for your consideration in allowing my business to occupy 33 Archibald Avenue, North Sydney.

My name is Mary Walker and I am the owner of Granny's Country Cottage. I started Granny's 16 years ago to pursue a dream of mine and fulfill a need in our community.

I am currently located in the North Sydney Mall where I started in 1999. The mall has fallen on hard times and disrepair and no longer reflects the image and integrity that I value. The mall is currently owned by a property holding company in Quebec who have directly and indirectly informed us that the mall will continue in its current path which I refer to as...decline.

My lease is soon up at the mall and I will not be continuing in that location or possibly at all if a suitable location is not found. I believe I have found the property that reflects the image and specialty nature of Granny's Country Cottage. The property is at 33 Archibald Avenue in North Sydney and is currently the home and business location of Mora MacLennan and the Mora MacLennan Law Office.

My desire to stay in North Sydney where I started had me pursue every available property that I could possibly buy or lease. The recent CME purchase of Archibald's Wharf has taken downtown North Sydney off our list of considerations based on the noise and atmosphere I believe their type of business will create. Not a condemnation of their business or arrival but rather a reflection of our mission and goals for a new location.

We had even approached CBRM about Archibald's Wharf about 6 months prior to the CME announcement. We know the woman who ran the restaurant that was located there. We were, as we still are, trying to stay on the Northside. We wanted to take over the entire 2nd building as its location and image would have also been what we were hoping for. I mention only to demonstrate our desire to stay has been ongoing and the CME project was obviously already in motion. Someone will likely recall our emails and phone calls.

33 Archibald Avenue is presently surrounded by other businesses, ranging from insurance offices and laundry mats to churches and convenience stores. So I was quite surprised to find out that a boutique like Granny's would be prohibited given all the existing retail, office and sales oriented businesses operating on all sides of 33 Archibald Avenue.

The following list are either all within eye shot or a 1 block radius of 33 Archibald Avenue;

Immediate surroundings...

- *MacLennan Law Office (current use of 33 Archibald Avenue)
- *A.A. Munro Insurance
- *Pierce Street Dairy
- *Lyndon Johnson Accountant
- *Hairmasters Salon
- *Cape Breton Healing Centre
- *Backyard Car Repair (currently allowed in RUC zone)
- *Paulines Healthy Pantry
- *St. Joseph Church

General area-1 block radius...

- *Dooley's Funeral Home
- *Royal LePage Real Estate
- *Aliant Depot
- *Cogan Apartments
- *Cameron's Cleaners
- *Munro Apartments
- *Debbie's Salon
- *Beauty Salon
- *Canadian Legion Bar
- *Empty Canada Post Depot

Granny's Country Cottage is a ladies boutique with a focus on home decor, handcrafts, unique fashion/jewelry and organic/local products. I handcraft many of our items myself and the rest is selected based on my personal criteria.

Our overall vibe would be considered traditional in the sense that we seek out or make modern interpretations of traditional and timeless classics. This makes 33 Archibald Avenue a wonderful location as it's the very embodiment of a timeless classic.

Our products are displayed in context not bulk. A visit to Granny's is an experience as much as it is a means to an end for the consumer even in our less than stellar current location. I have endeavored to create the store and experience I couldn't find.

Our range of products are loosely as follows:

- *Handcrafted Wreaths
- *Celtic Jewelry
- *Handcrafted Centerpieces
- *Select Ladies Fashions
- *Personalized Keepsakes
- *Scented Candles
- *Handcrafted Gift Baskets
- *Quilts and Throws
- *Linen and Lace Window Coverings
- *Pine Furniture
- *Traditional Prints
- *Angels and Collectibles
- *Nova Scotia Pottery
- *Organic Lotions and Creams

Our intentions for the business would be to continue as I started and be the boutique I always wanted to find but in this a far more suitable location. The house is 4600sqft of which roughly 1000sqft would be "boutique" and the remaining 3600sqft would be our home. Less than 25% of the residence would be used for the boutique which translates to 2/3rds of the main floor. The 2nd and 3rd floor would be a single family residence.

The store will be run by myself and my husband, as we do now, with a staff cultivated from the past 16 years. Our hours would be neighborhood friendly 10am to 6pm all but one day where we would likely remain open until 8:00pm.

The property has parking for 6 to 8 cars before street parking is even used. Archibald Avenue is also uniquely wider than most streets, being a main connector and thoroughfare, so street parking when used is safe and convenient as the current list of businesses can attest.

The malls and plazas have become nothing more than discount stores and big box bonanza stores and we are neither. They are great for what they are but there is a growing consumer base that is beginning to demand more and they are hard pressed to find it. The resurgence of this type of business also brings life back to areas that are perhaps struggling to redefine themselves in times of change and economic challenge.

Our demographic is the local consumer looking for something better and the traveler looking for that "piece" of Cape Breton and Granny's in this particular location can offer both. The mall as well as Main Street offer very little for the local consumer as they have been taken over for office space and fast food chains due to the lower rents.

North Sydney has an opportunity with not only the local consumer begging for "Big Chain" alternatives but the traveling consumer many of whom walk the streets of North Sydney while their vehicle is parked at Marine Atlantic waiting for the ferry.

These travelers in particular ready and willing to make a contribution to the Northside economy but currently have but 1 Dollar Store and a convenience store to browse in walking distance. They do however have no less than 3 pizza shops, 3 restaurants and 3 lawyers offices at their disposal.

We would like to be part of a new initiative to offer more to those travelers and the residents of the Northside.

We would also like to be part of an initiative to grow North Sydney's economic base and save some of our stately heritage homes from being carved up into many lower rent apartments or worse being left derelict and abandoned...both are happening in this very area.

Our impact on the area would be no more than its current use as a Law Office. Our customers currently come a few at a time and are very much the quiet and reserved traditional shopper as that's what we sell quiet and traditional pieces.

I invite you all to come visit Granny's and see what I mean. My husband once described it as "walking into a hug". Its an ambient place with soft music pleasant conversation....it truly is unique.

We could look to Sydney but in all honesty there are people filling the niche there and our customer base and hearts are here on the Northside.

North Sydney is looking for an infusion of positive energy and an indication of growth and prosperity. I truly feel that with a slight expansion of the CBD, 1 block northwest from halfway through Pleasant St to halfway through Pierce St. on Archibald Avenue, will allow us help in that regard. Its an Avenue that is all ready mostly if not all business now...we feel it is a push in the right direction.

We had given up on North Sydney but finding 33 Archibald has sparked our creativity and has re-energized us to hopefully become part of the solution versus leaving and adding to the current problem.

We are the "postcard" version of the Mom & Pop boutique that started and thrived in areas exactly like Archibald Avenue. We have been buying and selling locally for 16 years. We have been employing locals for 16 years and would like nothing more than to continue to do so.

We would appreciate your help and consideration in seeing the zoning updates that would allow Granny's to continue its success in bringing a service based traditional boutique values to this new and exciting location in North Sydney.

I apologize for being long winded but its such an important issue and so close to my heart...not only for Granny's but for North Sydney in general.

Thank You,

Mary Walker



MEMO

FROM: Malcolm Gillis

SUBJECT: Request from Eastlink to Lease CBRM Property to Construct a Telecommunication Tower, Scotchtown

DATE: September 2, 2015

Introduction

The CBRM was approached by Eastlink to lease a portion of CBRM land to construct a telecommunication tower (PID15275399). The proposed site is located alongside an existing Bell telecommunication tower and the CBRM's water tower in Scotchtown (Attachment A).

In Canada, all telecommunication towers are governed by Federal legislation and regulation. Industry Canada is the approval agency, under the *Radiocommunication Act*, with respect to the final decision to approve and licence the location of telecommunication towers. The Municipality is not the approving authority for telecommunication towers. Normally, the role of the Municipality is to provide input and comments to Industry Canada through the Municipality's statement of concurrence or non-concurrence of the proposed installation. The Municipality can only provide comments to Industry Canada and does not have the authority to stop the construction of telecommunication towers. However, in this case, CBRM is the property owner. In order for the telecommunication tower to be located in this site, the CBRM would need to enter into a lease agreement with Eastlink.

During the initial discussions with Eastlink, it was expressed that CBRM would consider entering into a lease agreement with Eastlink based on the outcome of Eastlink's public consultation process. Eastlink held a public meeting in Scotchtown on August 20th at the Scotchtown Fire Hall. Eastlink provided notice to 108 neighbouring property owners. Industry Canada requires notification to property owners located within a radius of three times the height of the telecommunication tower; however, based on consultation with Councillor Cormier and CBRM staff the notification area was expanded.

Of the 108 notifications mailed to property owners, only approximately 20 people attended the public meeting held on August 20th. The majority of those individuals present at the meeting expressed they did not support a telecommunication tower being located at the proposed site or anywhere in their community in such close proximity to their homes. Their concerns were health related, claiming that radiation from the tower would adversely affect their health and the water in the CBRM water utility

tower adjacent the proposed site of the Eastlink tower. Although Eastlink staff politely explained that Health Canada does not believe such concerns are valid it did not alleviate their angst in any way.

In addition to those individuals in attendance at the meeting, CBRM received a petition against the proposed location of the telecommunication tower with approximately 530 signatures. The petition did not include the addresses of those who signed and its preamble only provides supporting information that advocates against the proposal.

This is Eastlink's proposal. Our only promise was that we would consider leasing them the site depending on the outcome of a public consultation process. Many of the people in the neighbourhood are in angst about this proposal, however questionable the legitimacy of their angst may be. However, this is not a CBRM issue. Residents in the surrounding neighbourhood are nervous about this proposal. It is not CBRM's role to convince them their concerns are valid. It is Eastlink's responsibility. Councillor Lowell Cormier and staff of the Planning Department believe it is best if Eastlink looks for another site in the greater New Waterford area unless they can convince the neighbourhood otherwise.

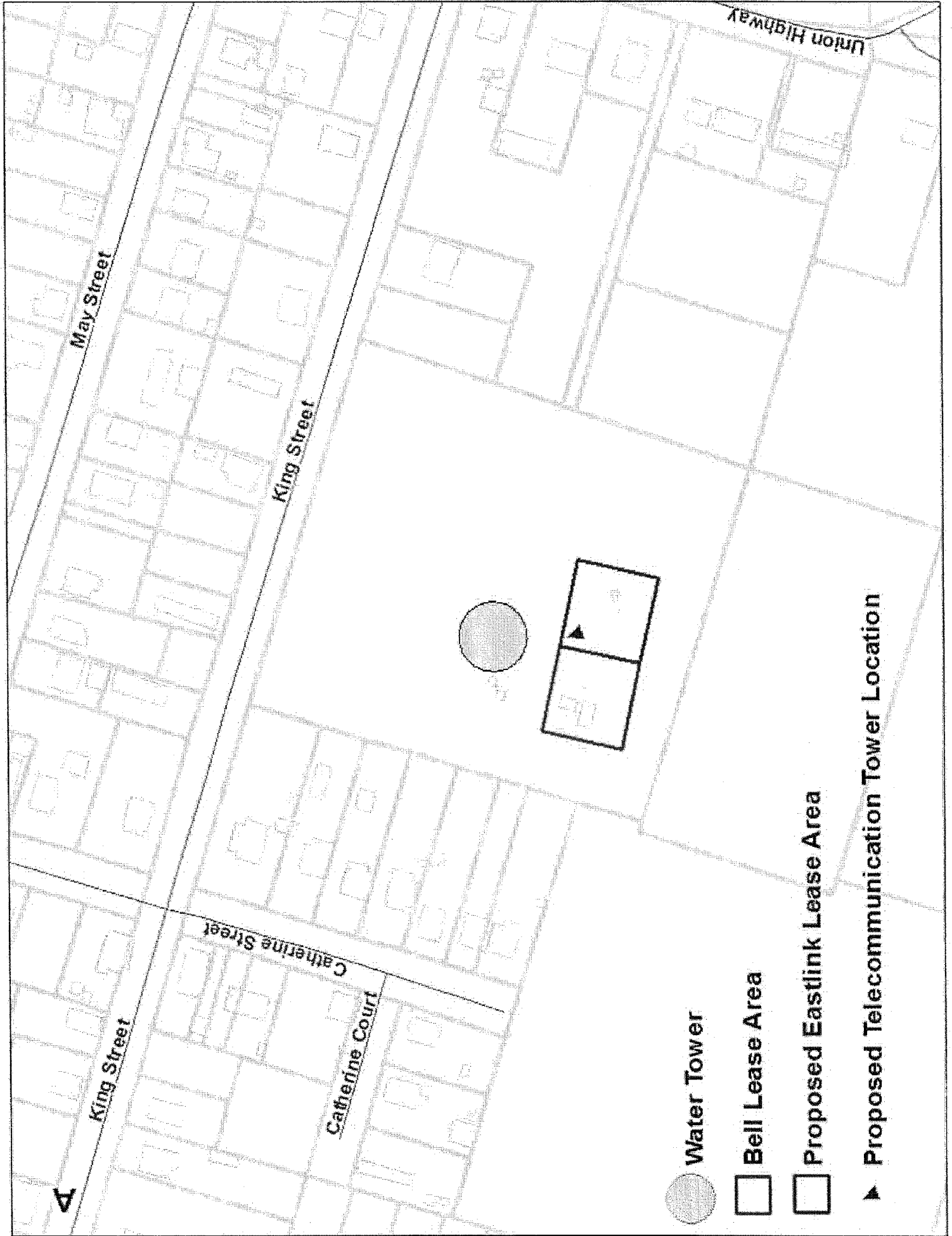
Recommendation

Based on the input from the residents of Scotchtown, I recommend that the CBRM does not enter into a lease agreement with Eastlink for a telecommunication tower at PID 15275399, Scotchtown.

Submitted by:

Original Signed by

Malcolm Gillis
Director of Planning



● Water Tower

□ Bell Lease Area

□ Proposed Eastlink Lease Area

▲ Proposed Telecommunication Tower Location

Revenue	Year To Date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
Total Taxes	\$ 34,118,205	\$ 33,961,318	\$ 156,887	\$ 101,883,955	\$ 67,765,750
Total Federal Government	845,352	845,352	-	2,536,056	1,690,704
Total Provincial Government	392,500	392,503	(3)	1,177,510	785,010
Total Provincial Government Agencies	441,632	441,633	(1)	1,324,898	883,266
Total Provincial Government Agencies	976,024	976,023	1	2,928,070	1,952,046
Total Services to Other Local Government	143,260	143,260	0	429,779	286,519
Total Transit	201,629	210,000	(8,371)	630,000	428,371
Total Environmental Development Services	119,267	86,723	32,544	260,168	140,901
Total Licenses & Permits	59,072	59,667	(595)	179,000	119,928
Total Fines & Fees	199,706	184,451	15,255	553,353	353,647
Total Rentals	187,172	183,333	3,839	550,000	362,828
Total Concessions & Franchises	137,172	122,172	15,000	368,517	229,345
Total Return on Investments/Interest on Taxes	433,687	416,833	16,854	1,250,500	816,813
Total Finance Revenue	10,010	10,167	(157)	30,500	20,490
Total Solid Waste Revenue	722,708	683,333	39,372	2,267,000	1,544,294
Total Recreation & Cultural Service Programs	304,890	277,991	26,898	1,789,105	1,484,215
Total Water Utility Charges	1,650,503	1,650,503	(0)	4,951,510	3,301,007
Total Unconditional Transfers	5,291,134	5,307,153	(16,019)	15,921,458	10,630,324
Total Conditional Transfers	1,240,672	1,392,674	(152,002)	4,178,021	2,937,349
Year To Date Assigned	\$ 47,474,593	\$ 47,295,090	\$ 179,504	\$ 143,207,400	\$ 95,732,807

Original Signed by
Daria Durham

Original Signed by
Marie Walsh

Departmental

Reviewed

INCOME STATEMENT

SUMMARY

Expenditures	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
Legislative	\$ 477,778	\$ 493,741	\$ 15,963	\$ 1,415,714	\$ 937,936
Administration	416,120	424,126	6,006	995,609	577,489
Finance	742,611	881,481	138,870	2,739,607	1,996,996
Legal	150,177	192,325	42,148	565,444	415,267
Human Resources	490,833	537,800	46,968	1,600,549	1,109,716
Technology & Communications	296,649	322,035	25,387	1,153,099	856,450
Municipal Clerk	109,534	129,664	20,131	480,466	370,932
Fiscal Services	7,892,213	7,964,666	72,453	34,772,031	26,879,818
Occupational Health & Safety	63,757	70,710	6,953	215,532	151,775
Facilities: Centre 200 & Arenas	841,229	1,049,313	208,084	3,127,620	2,286,391
Police Services	8,080,124	8,296,825	216,702	25,110,074	17,029,950
Fire Services (Incl EMO)	5,371,079	5,744,175	373,096	16,550,728	11,179,649
Engineering & Public Works	15,599,355	16,266,405	667,051	48,849,744	33,250,390
Planning	790,631	878,736	88,105	2,650,361	1,859,730
Recreation	1,808,020	1,856,518	48,498	2,980,821	1,172,801
Total expended to date	\$ 43,132,108	\$ 45,108,521	\$ 1,976,413	\$ 143,207,400	\$ 100,075,292

Original Signed by
Daria Durham

Original Signed by
Marie Walsh

Departmental

Reviewed

Legislative	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 288,876	\$ 286,519	\$ (2,357)	\$ 876,474	\$ 587,598
6010 BENEFITS	37,324	42,052	4,728	128,640	91,316
6030 TRAVEL/CONFERENCES	95,096	89,683	(5,413)	209,000	113,904
6040 PROF MEM/DUES & FEES	19,032	19,388	356	55,325	36,293
6050 OFFICE SUPPLIES	5,020	6,821	1,800	20,000	14,980
6060 OFFICE EQUIPMENT	1,653	5,217	3,564	6,550	4,897
6080 ADVERTISING	2,935	7,005	4,070	14,500	11,565
6100 COURIER	115	208	94	625	510
6110 TELEPHONE/FAX	10,736	18,901	8,165	51,900	41,164
6120 PUBL/SUBSCRIPTIONS	845	1,567	721	4,700	3,855
6130 COMPUTER HARDWARE	2,125	1,380	(745)	3,000	875
6150 MEETING EXPENSES	3,854	7,667	3,813	23,000	19,146
6170 PROMOTION	7,166	7,333	167	22,000	14,834
6180 COST RECOVERY	3,000	-	(3,000)	-	(3,000)
8010 OPERATIONAL MAT/SUPP	-	-	-	-	-
8100 PROFESSIONAL SERVICES	-	-	-	-	-
Total expended to date	\$ 477,778	\$ 493,741	\$ 15,963	\$ 1,416,714	\$ 937,936

Original Signed by
Cecil P. Clarke

Original Signed by
Marie Walsh

Administration	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 108,401	\$ 107,904	\$ (497)	\$ 330,082	\$ 221,681
6010 BENEFITS	15,391	18,335	2,943	56,087	40,696
6020 TRAINING/EDUCATION	1,575	1,167	(408)	1,500	(75)
6030 TRAVEL/CONFERENCES	11,857	8,284	(3,573)	20,500	8,643
6040 PROF MEM/DUES & FEES	667	315	(352)	945	278
6050 OFFICE SUPPLIES	328	405	77	2,405	2,077
6100 COURIER	19	100	81	300	281
6110 TELEPHONE/FAX	716	983	267	2,950	2,234
6130 COMPUTER HARDWARE	-	640	640	1,920	1,920
6150 MEETING EXPENSES	563	640	77	1,920	1,357
6170 PROMOTION	15,975	19,856	3,881	20,000	4,025
8100 PROFESSIONAL SERVICES	39,337	42,208	2,871	126,624	87,287
8150 GRANTS/SUBS TO ORG	223,290	223,290	-	430,376	207,086
Total expended to date	\$ 418,120	\$ 424,126	\$ 6,006	\$ 995,609	\$ 577,489

Original Signed by
Michael Merritt

Original Signed by
Marie Walsh

Departmental

Finance

Finance	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 554,486	\$ 601,182	\$ 46,697	\$ 1,839,038	\$ 1,284,552
6010 BENEFITS	104,571	118,030	13,459	361,059	256,488
6020 TRAINING/EDUCATION	2,398	6,730	4,332	24,630	22,232
6030 TRAVEL/CONFERENCES	3,587	6,814	3,027	24,000	20,413
6040 PROF MEM/DUES & FEES	4,015	4,300	285	5,330	1,315
6050 OFFICE SUPPLIES	2,916	6,167	3,251	18,500	15,584
6060 OFFICE EQUIPMENT	370	4,833	4,463	14,500	14,130
6090 ADVERTISING	13,417	13,152	(265)	42,000	28,583
6090 POSTAGE	58,072	72,710	14,638	157,300	99,228
6100 COURIER	3,384	7,587	4,183	22,700	19,316
6110 TELEPHONE/FAX	4,049	6,600	2,551	19,800	15,751
6130 COMPUTER HARDWARE	5,160	9,900	4,740	19,800	14,640
6140 COMPUTER SOFTWARE	-	-	-	57,000	57,000
6160 LIABILITY INSURANCE	100,155	109,316	9,161	299,600	199,445
6180 COST RECOVERY	(153,726)	(138,324)	15,402	(347,150)	(193,424)
8010 OPERATIONAL MAT/SUPP	600	2,332	1,733	7,000	8,400
8100 PROFESSIONAL SERVICE	15,843	16,000	357	55,000	39,357
8110 CONTRACTS/AGREEMENTS	18,997	23,638	4,641	83,800	44,803
8120 LEASES	2,644	5,233	2,589	15,700	13,056
8180 TAX EXEPT/WRITE OFF	1,875	5,500	3,625	40,000	38,125
Total expended to date	\$ 742,611	\$ 881,481	\$ 138,870	\$ 2,739,607	\$ 1,996,956

Original Signed by
Daria Durham for
Jennifer Campbell

Departmental

Original Signed by
Marie Walsh

Finance

Legal	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 90,399	\$ 95,831	\$ 5,431	\$ 293,150	\$ 202,751
6010 BENEFITS	17,808	19,416	1,608	59,394	41,587
6020 TRAINING/EDUCATION	828	3,704	3,079	6,500	5,874
6030 TRAVEL/CONFERENCES	1,952	2,833	881	8,500	6,548
6040 PROF MEM/DUES & FEES	5,778	5,805	28	6,200	423
6050 OFFICE SUPPLIES	259	1,167	907	3,500	3,241
6060 OFFICE EQUIPMENT	1,708	1,400	(308)	4,200	2,492
6070 PHOTOCOPY SUPPLIES	796	833	38	2,500	1,704
6080 ADVERTISING	-	333	333	1,000	1,000
6100 COURIER	65	800	735	1,000	935
6110 TELEPHONE/FAX	1,244	1,867	422	5,000	3,756
6120 PUBL./STATUTES	2,062	4,068	2,006	14,000	11,938
6130 COMPUTER HARDWARE	-	1,000	1,000	3,000	3,000
6140 COMPUTER SOFTWARE	-	-	-	2,500	2,500
6150 MEETING EXPENSE	-	167	167	500	500
6180 COST RECOVERY	-	-	-	-	-
8100 PROFESSIONAL SERVICE	27,481	53,301	25,820	154,500	127,019
Total expended to date	\$ 150,177	\$ 192,325	\$ 42,148	\$ 565,444	\$ 415,267

Original Signed by
Demetri Kachafanas

Original Signed by
Marie Walsh

Finance

HUMAN RESOURCES

INCOME STATEMENT

JULY 31, 2015

Human Resources	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 159,243	\$ 182,597	\$ 23,354	\$ 558,570	\$ 399,327
6010 BENEFITS	249,357	245,473	(3,884)	733,399	484,042
6020 TRAINING/EDUCATION	-	2,000	2,000	6,000	6,000
6030 TRAVEL/CONFERENCES	3,765	7,661	3,896	10,250	12,485
6040 PROF MEM/DUES & FEES	862	577	(286)	1,730	868
6050 OFFICE SUPPLIES	1,234	5,233	4,000	15,700	14,466
6060 OFFICE EQUIPMENT	-	1,500	1,500	2,500	2,500
6080 ADVERTISING	3,670	3,175	(495)	5,000	1,330
6110 TELEPHONE/FAX	2,163	3,333	1,170	10,000	7,837
6120 PUBL./SUBSCRIPTIONS	312	1,252	940	2,400	2,088
6130 COMPUTER HARDWARE	2,621	3,333	712	4,000	1,379
6150 MEETING EXPENSE	-	667	667	2,000	2,000
8010 OPERATIONAL MAT/SUPP	293	-	(293)	-	(293)
8100 PROFESSIONAL SERVICE	65,271	78,833	11,562	230,600	165,229
8110 CONTRACTS/AGREEMENTS	2,042	4,167	2,125	12,500	10,458
Total expended to date	\$ 490,833	\$ 537,800	\$ 46,968	\$ 1,800,549	\$ 1,109,716

Original Signed by
Angus Fleming

Original Signed by
Marie Walsh
Finance

Technology/Communications	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
8000 WAGES/SALARIES	\$ 122,578	\$ 130,702	\$ 8,124	\$ 392,824	\$ 277,246
8010 BENEFITS	27,377	26,144	(1,233)	79,975	52,598
8020 TRAINING/EDUCATION	-	6,000	6,000	18,000	18,000
8030 TRAVEL/CONFERENCES	3,249	8,687	3,418	20,000	16,751
8040 PROF MEM/DUES & FEES	628	333	(292)	1,000	374
8050 OFFICE SUPPLIES	2,133	1,489	(684)	3,000	817
8060 OFFICE EQUIPMENT	1,297	600	(697)	3,000	1,703
8080 ADVERTISING	-	167	167	500	500
8100 COURIER	-	100	100	300	300
8110 TELEPHONE/FAX	15,963	25,000	9,032	75,000	59,032
8120 PUBL/SUBSCRIPTIONS	-	333	333	1,000	1,000
8130 COMPUTER HARDWARE	27,138	27,333	195	130,000	102,862
8140 COMPUTER SOFTWARE	90,366	80,333	(93)	180,000	99,634
8150 MEETING EXPENSE	81	167	76	500	409
8110 CONTRACTS/AGREEMENTS	-	-	-	42,000	42,000
8120 LEASES SAP	5,776	6,667	890	95,000	89,224
8130 LICENSES/PERMITS	-	-	-	94,000	94,000
Total expended to date:	\$ 296,649	\$ 322,035	\$ 25,387	\$ 1,153,099	\$ 856,450

Original Signed by
John MacKinnon

Original Signed by
Marie Walsh

Departmental

Finance

Municipal Clerk	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 75,638	\$ 83,442	\$ 7,804	\$ 255,252	\$ 179,614
6010 BENEFITS	16,955	17,804	849	54,464	37,509
6020 TRAINING/EDUCATION	890	2,086	1,396	5,500	4,810
6030 TRAVEL/CONFERENCES	3,060	2,756	(304)	6,500	3,440
6040 PROF MEM/DUES & FEES	641	633	(8)	700	69
6050 OFFICE SUPPLIES	13	3,333	3,320	10,000	9,987
6060 OFFICE EQUIPMENT	1,113	4,917	3,803	14,750	13,637
6070 PHOTOCOPY SUPPLIES	3,995	6,000	2,005	18,000	14,005
6080 ADVERTISING	-	333	333	1,000	1,000
6100 COURIER	-	333	333	1,000	1,000
6110 TELEPHONE/FAX	1,052	1,500	448	4,500	3,448
6120 PUBL./SUBSCRIPTIONS	1,382	1,393	11	1,800	418
6140 COMPUTER SOFTWARE	4,549	4,633	84	7,000	2,451
8110 CONTRACTS/AGREEMENTS	444	500	56	100,000	99,556
Total expended to date	\$ 109,534	\$ 129,664	\$ 20,131	\$ 480,466	\$ 370,932

Original Signed by
Deanna Best for
Deborah Campbell

Original Signed by
Marie Walsh

Finance

Fiscal Services	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
9010 INT SHRT TERM BORROW	\$ 65,578	\$ 125,000	\$ 59,422	\$ 375,000	\$ 309,422
9020 INT ON DEBT	1,214,129	1,214,129	-	2,386,672	1,172,543
9051 PRINC ON DEBT	497,487	497,487	-	13,626,208	13,128,721
9090 BANK CHARGES	19,024	28,667	9,643	85,000	66,976
9430 APPROP TO B.I.D.C.	30,388	30,035	(353)	93,105	59,717
9600 PROV. CORRECTIONS	364,656.00	369,624	4,968	1,108,871.00	744,215.00
9610 CB REG. HOUSING	680,391	688,196	7,805	2,064,568	1,384,197
9620 REGIONAL LIBRARY	221,088	223,333	2,246	670,000	448,912
9630 CB/VIC. SCHOOL BOARD	4,344,609	4,333,333	(11,276)	13,000,000	8,655,391
9640 PROPERTY ASSESSMENT	454,964	454,862	(2)	1,364,587	909,723
Total expended to date	\$ 7,832,213	\$ 7,964,666	\$ 72,453	\$ 34,772,031	\$ 26,879,818

Original Signed by

Daria Durham for Jennifer Campbell

Original Signed by

Marie Walsh

Departmental

Finance

Occupational Health Safety Income Statement

JULY 31, 2015

Occupational Health & Safety	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 45,200	\$ 47,915	\$ 2,716	\$ 146,575	\$ 101,375
6010 BENEFITS	10,368	9,708	(660)	29,697	19,329
6020 TRAINING/EDUCATION	2,870	1,950	(920)	5,850	2,980
6030 TRAVEL/CONFERENCES	1,004	3,667	2,662	11,000	9,996
6040 PROF MEM/DUES & FEES	-	178	178	535	535
6050 OFFICE SUPPLIES	469	1,000	531	3,000	2,531
6060 OFFICE EQUIPMENT	817	-	(817)	-	(817)
6110 TELEPHONE/FAX	991	1,125	134	3,375	2,384
6120 PUBL/SUBSCRIPTIONS	-	667	667	2,000	2,000
6130 COMPUTER HARDWARE	-	667	667	2,000	2,000
6140 COMPUTER SOFTWARE	-	167	167	500	500
6150 MEETING EXPENSES	1,821	833	(988)	2,500	679
8010 OPERATIONAL MAT/SUPP	-	-	-	-	-
8100 PROFESSIONAL SERVICE	217	1,833	1,616	6,600	6,283
8120 CONTRACTS & AGREEMENT	-	1,000	1,000	3,000	3,000
Total expended to date	\$ 63,757	\$ 70,710	\$ 6,953	\$ 215,532	\$ 151,775

Original Signed by
Marie Walsh

Departmental

Finance

	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 420,682	\$ 428,082	\$ 5,400	\$ 1,309,400	\$ 882,718
6010 BENEFITS	80,633	79,558	(1,075)	243,370	162,737
6020 TRAINING	492	833	341	2,500	2,008
6030 TRAVEL/CONFERENCES	4,458	1,833	(2,625)	6,000	1,542
6040 PROF MEM/DUES & FEES	258	500	242	500	242
6050 OFFICE SUPPLIES	1,065	1,833	768	5,500	4,435
6060 OFFICE EQUIPMENT	280	833	553	2,500	2,220
6080 ADVERTISING	8,038	3,333	(4,705)	10,000	1,962
6100 COURIER	-	500	500	1,500	1,500
6110 TELEPHONE/FAX	5,057	10,000	4,943	30,000	24,943
6130 COMPUTER HARDWARE	-	667	667	2,000	2,000
6140 COMPUTER SOFTWARE	2,229	1,667	(562)	5,000	2,771
6160 LIABILITY INSURANCE	5,296	9,333	4,037	28,000	22,704
7000 HEAT	4,321	16,083	11,762	45,000	40,679
7010 ELECTRICAL	88,935	140,000	41,065	420,000	321,065
7020 WATER	11,377	14,167	2,790	42,500	31,123
7030 BLDG/FACILITY MAINT	19,219	45,707	28,489	135,000	115,781
7040 BLDG/FACILITY REPAIR	7,175	31,533	24,358	85,000	77,825
7050 BLDG/FACILITY INS	7,196	6,433	(763)	19,300	12,104
7060 BLDG/FACILITY RENOV	1,183	5,000	3,817	15,000	13,817
7080 PLANT MAINTENANCE	1,310	13,667	12,358	31,000	29,690
7110 SECURITY	16,016	21,667	5,650	65,000	48,984
7500 VEH/EQUIP MAINT	-	333	333	1,000	1,000
7510 VHE/EQUIP REPAIRS	-	4,167	4,167	12,500	12,500
7520 VEH/EQUIP INSURANCE	824	1,183	359	3,550	2,726
7540 VEH/EQUIP RENTAL	2,595	2,500	(95)	2,500	(95)
8000 OPERATIONAL EQUIPMENT	-	1,667	1,667	5,000	5,000
8010 OPERATIONAL MAT/SUPP	19,288	44,733	25,445	115,000	95,712
8050 COST OF SALES	109,343	138,833	29,490	416,500	307,157
8090 UNIFORMS/CLOTHING	1,290	3,833	2,543	11,500	10,210
8100 PROFESSIONAL SERVICE	8,907	6,667	(2,240)	20,000	11,093
8110 CONTRACTS/AGREEMENTS	3,029	14,000	10,971	42,000	38,971
8130 LICENSES/PERMITS	732	167	(565)	500	(232)
Total expended to date	\$ 841,229	\$ 1,049,313	\$ 208,084	\$ 3,128,120	\$ 2,286,891

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Departmental

Finance

	Year to date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
GL 5001 Ice Rentals	\$ 17,398	\$ 600	\$ (16,798)	\$ 600,000	\$ 582,602
GL 5002 Public Skating	-	-	-	18,500	18,500
GL 5003 High School Hockey	-	5,333	5,333	32,000	32,000
GL 5004 Arena Rental	5,922	20,875	14,953	29,000	23,078
GL 5005 Gym Rental	4,174	6,000	1,826	18,000	13,826
GL 5006 Canteen Sales	91,764	33,493	(58,272)	333,500	241,736
GL 5009 Major Events	36,755	61,053	24,298	100,000	63,245
GL 5010 Other Revenue	60,243	44,830	(15,413)	350,000	289,757
GL 5010 Advertising Revenue	3,000	-	(3,000)	-	(3,000)
GL 5033 Program Equipment	11,416	8,439	(2,976)	28,500	17,084
GL 5032 Special Event Revenue	-	-	-	-	-
GL 5034 Facility Rentals	49,879	45,833	(4,045)	125,000	75,121
TOTAL C200	\$ 280,550	\$ 226,456	\$ (54,093)	\$ 1,634,500	\$ 1,353,950

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Departmental

Finance

FIRE SERVICES INCLUDING EMO

INCOME STATEMENT

JULY 31, 2015

Fire Services Including EMO	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 1,492,510	\$ 1,680,802	\$ 188,292	\$ 5,141,040	\$ 3,649,130
6010 BENEFITS	310,282	315,676	5,394	965,865	655,363
6011 MISC. BENEFITS	53,384	33,098	(20,283)	33,098	(20,283)
6020 TRAINING/EDUCATION	12,209	58,060	45,851	148,270	136,061
6030 TRAVEL/CONFERENCES	14,886	23,385	8,509	51,100	36,214
6040 PROF MEM/DUES & FEES	6,641	4,225	(2,416)	11,734	5,093
6050 OFFICE SUPPLIES	3,699	4,033	364	12,100	6,431
6060 OFFICE EQUIPMENT	2,261	2,150	(111)	6,450	4,189
6070 PHOTOCOPY SUPPLIES	-	167	167	500	500
6080 ADVERTISING	2,483	1,783	(700)	5,350	2,867
6100 COURIER	107	150	43	450	343
6110 TELEPHONE/FAX	11,150	17,261	6,112	61,784	40,634
6120 PUBL./SUBSCRIPTIONS	-	900	900	2,700	2,700
6130 COMPUTER HARDWARE	4,501	4,924	423	14,007	9,506
6140 COMPUTER SOFTWARE	1,789	3,835	2,046	12,006	10,217
6150 MEETING EXPENSES	567	1,468	901	4,404	3,837
6160 LIABILITY INSURANCE	-	-	-	-	-
6170 PROMOTION	6,875	12,667	5,788	38,000	31,122
6180 COST RECOVERY	6,289	-	(6,289)	-	(6,289)
7000 HEAT	18,408	38,570	20,162	115,711	97,302
7010 ELECTRICAL	15,906	21,658	5,753	68,100	52,194
7020 WATER	3,714	11,277	7,563	27,108	23,394
7030 BLDG/FACILITY MAINT	17,046	19,333	2,287	58,000	40,954
7040 BLDG/FACILITY REPAIR	11,030	7,133	(3,897)	21,460	10,370
7050 BLDG/FACILITY INS	3,020	2,739	(281)	8,218	5,196
7060 BLDG/FACILITY RENOV	-	-	-	-	-
7070 BLDG/FACILITY RENTALS	1,912	-	(1,912)	-	(1,912)
7080 PLANT MAINTENANCE	-	133	133	400	400
7500 VEH/EQUIP MAINT.	17,999	28,275	10,276	89,824	71,825
7505 GASOLINE/DIESEL	20,043	36,269	16,226	91,507	71,464
7510 VEH/EQUIP REPAIRS	11,719	6,333	(5,386)	19,000	7,281
7520 VEH/EQUIP INSURANCE	22,180	23,313	3,133	64,036	41,856
7530 VEH/EQUIP REPLACEMENT	2,672	15,667	13,994	70,000	67,328
7540 VEH/EQUIP RENTAL	-	-	-	204	204
7550 VEH/EQUIP TOWING	-	667	667	2,000	2,000
7560 VEH/EQUIP GEN SUPPLY	1,516	5,333	3,818	16,000	14,485
8000 OPERATIONAL EQUIP	73,225	112,000	38,775	398,000	282,775
8010 OPERATIONAL MAT/SUPP	15,436	15,341	(94)	45,870	30,434
8020 MAINTENANCE EQUIP	5,117	17,533	11,417	52,600	46,483
8040 COMM EQUIPMENT LINES	1,853	13,067	11,183	39,200	37,317
8090 UNIFORMS/CLOTHING	11,012	25,813	14,805	77,452	56,440
8100 PROFESSIONAL SERVICE	-	667	667	2,000	2,000
8110 CONTRACTS/AGREEMENTS	12,213	11,827	(386)	35,752	23,569
8120 LEASES	33,166	32,974	(192)	98,922	65,766
8130 LICENSES/PERMITS	16,569	5,187	(11,382)	5,187	(11,382)
8135 REGULATORY FEES	-	-	-	-	-
8150 GRANTS/SUBS TO DRG	802,769	803,416	646	1,741,193	938,424
8195 WATER SUPPLY & HYDR	2,321,919	2,321,919	0	6,965,758	4,643,639
Total expended to date	\$ 5,371,079	\$ 5,744,175	\$ 373,096	\$ 16,550,728	\$ 11,179,649

Original Signed by
Bernie MacKinnon

Original Signed by
Marie Walsh

FIRE SERVICES

INCOME STATEMENT

JULY 31, 2015

Fire Services Revenue	Year to date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
4776 PROT. SERV. MEMBERTOU	143,260	143,260	(0)	429,779	286,519
Total Revenue to date	\$ 143,260	\$ 143,260	\$ (0)	\$ 429,779	\$ 286,519

Original Signed by
Bernie MacKinnon

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Marie Walsh

Finance

Engineering and Public Works Actuals to July 31, 2015

	Actual & Committed Y-T-D July 31, 2015	Budget Y-T-D July 31, 2015	Variance Y-T-D July 31, 2015	Total Annual Budget	Annual Budget Remaining	% of Annual Budget
REVENUE						
TRANSIT	\$ 201,628.80	\$ 209,999.94	\$ 8,371.14	\$ 630,000.00	\$ 426,371.20	32.00%
SOLIDWASTE TIP FEES	\$ 724,313.80	\$ 633,333.33	\$ (90,980.47)	\$ 2,000,000.00	\$ 1,275,686.20	36.22%
SOLIDWASTE COST RECOVERIES	\$ -	\$ -	\$ -	\$ 367,000.00	\$ 367,000.00	0.00%
SEWER PERMIT FEES	\$ 36,122.09	\$ 47,666.66	\$ 11,544.57	\$ 143,000.00	\$ 106,877.91	25.26%
BUILDINGS	\$ 187,172.42	\$ 183,333.32	\$ (3,839.10)	\$ 550,000.00	\$ 362,827.58	34.03%
MISCELLANEOUS REVENUE	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%
WATER UTILITY ADMIN FEE	\$ 1,650,503.33	\$ 1,650,503.33	\$ -	\$ 4,951,510.00	\$ 3,301,006.67	33.33%
TOTAL PW REVENUES	\$ 2,799,740.44	\$ 2,724,836.58	\$ (74,903.86)	\$ 8,641,510.00	\$ 5,841,769.56	32.40%

EXPENDITURES						
ADMINISTRATION	\$ 2,061,844.08	\$ 2,120,598.24	\$ 58,754.16	\$ 6,135,856.72	\$ 4,074,012.64	33.60%
ENGINEERING	\$ 221,396.75	\$ 233,948.41	\$ 12,551.66	\$ 697,833.78	\$ 476,437.03	31.73%
CENTRAL DIVISION	\$ 1,829,035.76	\$ 1,886,791.38	\$ 57,755.62	\$ 6,311,531.17	\$ 4,482,495.41	28.98%
EAST DIVISION	\$ 1,678,309.41	\$ 1,698,599.22	\$ 20,289.81	\$ 5,701,095.20	\$ 4,022,785.79	29.44%
NORTH DIVISION	\$ 814,766.60	\$ 865,718.00	\$ 50,951.40	\$ 2,967,782.90	\$ 2,153,016.30	27.45%
SOLID WASTE	\$ 4,387,640.91	\$ 4,312,934.31	\$ (74,706.60)	\$ 11,426,284.72	\$ 7,038,643.81	38.40%
MECHANICAL FLEET	\$ 1,095,990.73	\$ 1,410,393.29	\$ 314,402.56	\$ 4,236,266.12	\$ 3,140,275.39	25.87%
TRANSIT	\$ 962,506.65	\$ 1,065,220.95	\$ 102,714.30	\$ 3,227,780.14	\$ 2,265,273.49	29.82%
PARKS & GROUNDS	\$ 851,636.25	\$ 801,869.50	\$ (49,766.75)	\$ 2,391,897.46	\$ 1,540,261.21	35.61%
BUILDINGS	\$ 864,405.05	\$ 1,035,779.21	\$ 171,374.16	\$ 3,239,634.64	\$ 2,375,229.59	26.68%
QUALITY CONTROL	\$ 806,649.30	\$ 809,236.26	\$ 2,586.96	\$ 2,436,831.53	\$ 1,630,182.23	33.10%
LIBRARIES	\$ 25,173.31	\$ 25,316.62	\$ 143.31	\$ 76,950.00	\$ 51,776.69	32.71%
TOTAL PW EXPENDITURES	\$ 15,599,354.80	\$ 16,266,405.39	\$ 667,050.59	\$ 48,849,744.38	\$ 33,250,389.58	31.93%

Signature: Original Signed by

Mike MacKeigan for Wayne MacDonald

Original Signed by

Marie Walsh

Director of Engineering & Public Works

Director of Finance

Recreation/Cultural Services	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 346,744	\$ 218,493	\$ (128,250)	\$ 668,379	\$ 321,635
6010 BENEFITS	53,956	44,003	(9,954)	134,605	80,649
6011 STUDENT WAGES/BENEFITS	*	180,099	180,099	286,385	286,385
GL 6000, 6010, & 6011 Wages & Benefits Including Summer Students	400,700	442,595	41,895	1,089,369	688,669
6020 TRAINING/EDUCATION	3,109	5,655	2,546	16,965	13,856
6030 TRAVEL/CONFERENCES	5,594	12,000	6,400	36,000	30,406
6040 PROF MEM/DUES & FEES	959	2,234	1,276	3,500	2,541
6050 OFFICE SUPPLIES	4,867	2,667	(2,200)	8,000	3,133
6060 OFFICE EQUIPMENT	1,226	4,185	2,959	8,000	6,774
6080 ADVERTISING	20,345	39,364	19,019	100,000	79,655
6110 TELEPHONE/FAX	6,019	6,333	314	19,000	12,981
6120 PUBL./SUBSCRIPTIONS	-	301	301	500	500
6130 COMPUTER HARDWARE	4,026	5,207	1,181	7,100	3,074
6140 COMPUTER SOFTWARE	-	-	-	-	-
6160 LIABILITY INSURANCE	2,556	3,333	777	10,000	7,444
7070 BLDG/FACILITY RENTAL	7,211	13,333	6,122	40,000	32,789
8000 OPERATIONAL MAT/SUPPLY	79,524	50,000	(29,524)	150,000	70,476
8025 COMMUNITY EVENTS	114,113	111,538	(2,575)	334,615	220,502
8150 SCHOLARSHIPS	20,710	20,710	-	20,710	-
8160 SPECIAL EVENTS & FESTIVALS	356,562	356,562	-	356,562	-
8170 OPERATING GRANTS POLICY	780,500	780,500	-	780,500	-
Total expended to date	\$ 1,808,020	\$ 1,856,518	\$ 48,498	\$ 2,980,821	\$ 1,172,801

Original Signed by
Daria Durham for
Christa Dicks

Departmental

Original Signed by
Marie Walsh

Finance

Recreation/Cultural Services	Year to date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
5031 PROGRAM REVENUE	\$ 24,450	\$ 29,348	\$ 4,898	\$ 88,045	\$ 63,595
5034 FACILITY RENTALS	2,890	-	(2,890)	12,000	9,110
5526 STUDENT FUNDING	-	22,187	22,187	66,560	66,560
	<u>\$ 27,340</u>	<u>\$ 51,535</u>	<u>\$ 24,195</u>	<u>\$ 166,605</u>	<u>\$ 139,265</u>

Original Signed by
Daria Durham for
Christa Dicks

Departmental

Original Signed by
Marie Walsh

Finance

Cape Breton Regional Municipality Water Utility
Statement of Operations to July 2015

	Actual Y-T-D July 31, 2015	Budget Y-T-D July 31, 2015	Variance Y-T-D July 31, 2015	Total Annual Budget 2015-2016
Revenue				
Operating:				
Metered Sales	\$ 4,933,232.00	\$ 5,683,334.00	\$ 750,102.00	17,050,000.00
Public Fire Protection	\$ 2,321,919.00	\$ 2,321,919.00	\$ -	6,965,758.00
Interest on Overdue Accounts	\$ 121,569.00	\$ 91,667.00	\$ (29,902.00)	275,000.00
Other Operating Revenue	\$ 53,917.00	\$ 7,333.00	\$ (46,584.00)	22,000.00
Total Operating Revenue	\$ 7,430,637.00	\$ 8,104,253.00	\$ 673,616.00	24,312,758.00
Expenditures				
Operating Expenses:				
Source of Supply	\$ 74,381.00	\$ 152,667.00	\$ 78,286.00	458,000.00
Power and Pumping	\$ 511,457.00	\$ 652,333.00	\$ 140,876.00	1,957,000.00
Water Treatment	\$ 1,206,746.00	\$ 1,228,333.00	\$ 21,587.00	3,685,000.00
Transmission & Distribution	\$ 1,240,654.00	\$ 1,477,333.00	\$ 236,679.00	4,432,000.00
Administration & General	\$ 867,934.00	\$ 951,333.00	\$ 83,399.00	2,854,000.00
Depreciation	\$ 866,000.00	\$ 866,000.00	\$ -	2,598,000.00
Taxes	\$ 669,439.00	\$ 750,000.00	\$ 80,561.00	2,250,000.00
Total Operating Expenses	\$ 5,436,611.00	\$ 6,077,999.00	\$ 641,388.00	\$ 16,234,000.00
Operating Profit/(Loss)	\$ 1,994,026.00	\$ 2,026,254.00	\$ 32,228.00	\$ 6,078,758.00

PLANNING/BYLAW/FIRE
INSPECTION

INCOME STATEMENT

JULY 31, 2015

Planning / ByLaw / Fire Inspection	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
6000 WAGES/SALARIES	\$ 396,318	\$ 429,193	\$ 32,874	\$ 1,312,918	\$ 916,600
6010 BENEFITS	89,759	89,297	(461)	267,657	177,893
6020 TRAINING/EDUCATION	4,376	7,000	2,624	21,000	16,624
6030 TRAVEL/CONFERENCES	8,023	10,500	2,477	31,500	23,477
6040 PROF MEM/DUES & FEES	1,263	2,367	1,104	7,100	5,838
6050 OFFICE SUPPLIES	3,019	7,333	4,315	22,000	18,981
6060 OFFICE EQUIPMENT	5,711	4,833	(878)	14,500	8,789
6070 PHOTOCOPY SUPPLIES	-	333	333	1,000	1,000
6080 ADVERTISING	18,910	16,167	(2,743)	48,500	29,590
6100 COURIER	-	167	167	500	500
6110 TELEPHONE/FAX	5,355	8,000	2,645	24,000	18,645
6120 PUBL./SUBSCRIPTIONS	189	433	244	1,300	1,111
6130 COMPUTER HARDWARE	9,181	10,167	986	14,500	5,319
6140 COMPUTER SOFTWARE	-	-	-	16,000	16,000
6150 MEETING EXPENSE	533	1,567	1,034	4,700	4,167
6180 COST RECOVERY	-	-	-	-	-
7040 BLDG/FACILITY REPAIR	-	-	-	-	-
7130 DEMOLITIONS	-	-	-	120,000	120,000
7500 VEH/EQUIP MAINT.	1,320	4,500	3,180	13,500	12,180
7505 GASOLINE & DIESEL	2,342	4,667	2,325	14,000	11,658
8000 OPERATIONAL EQUIPMENT	1,401	6,000	4,599	18,000	16,599
8010 OPERATIONAL MAT/SUPP	2,910	1,333	(1,577)	4,000	1,090
8090 UNIFORMS / CLOTHING	4,610	2,833	(1,776)	6,500	3,890
8100 PROFESSIONAL SERVICE	4,485	11,667	7,202	35,000	30,535
8110 CONTRACTS/AGREEMENTS	159,644	170,879	11,235	512,636	352,992
8130 LICENSES/PERMITS	59,443	65,500	6,057	65,550	6,107
8135 REGULATORY FEES	5,259	6,667	1,407	20,000	14,741
8150 GRANTS /SUBS TO ORG	6,600	17,333	10,733	52,000	45,400
Total expended to date	\$ 790,631	\$ 878,738	\$ 88,105	\$ 2,650,361	\$ 1,859,730

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Departmental

Finance

	Year to date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
Bylaw Revenue					
5112 Vendor Licenses	\$ 7,825	\$ 2,667	\$ 5,158	\$ 8,000	\$ 175
5113 Animal Licenses	800	-	800	-	(800)
5114 Taxi Licenses	6,615	6,000	615	18,000	11,385
5115 Vending Machine Licenses	7,710	3,333	4,377	10,000	2,290
5301 Parking Meter Revenue	137,172	122,172	15,000	366,517	229,345
Total Bylaw Revenue	\$ 160,122	\$ 134,172	\$ 25,950	\$ 402,517	\$ 242,395
Development / Planning Revenue					
5496 Mapping Sales	-	667	(667)	2,000	2,000
5495 Other Sales	1,064	933	130	2,800	1,736
5101 Building Permits	99,202	70,198	29,004	210,595	111,393
5102 Subdivision Fees	19,001	14,924	4,077	44,773	25,772
Total Develop / Planning Rev	\$ 119,267	\$ 86,723	\$ 32,544	\$ 260,168	\$ 140,901
Total Bylaw / Dev / Planning Revenue	\$ 279,389	\$ 220,895	\$ 58,494	\$ 662,685	\$ 383,296

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Departmental

Finance

Police Services	Year to date Expended	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
GL 6000, 6010, & 6011 WAGES & BENEFITS NET OF COST RECOVERY	\$ 6,991,123	\$ 6,911,878	\$ 79,245	\$ 21,373,467	\$ 14,472,344
6020 TRAINING/EDUCATION	70,726	68,432	(2,294)	145,927	75,201
6030 TRAVEL/CONFERENCES	39,485	35,000	(4,485)	105,000	65,515
6040 PROF MEM/DUES & FEES	2,693	1,867	(826)	5,000	2,174
6050 OFFICE SUPPLIES	15,716	18,142	2,426	53,000	37,284
6060 OFFICE EQUIPMENT	13,625	15,607	1,982	50,000	36,375
6070 PHOTOCOPY SUPPLIES	3,333	5,000	1,667	15,000	11,667
6080 ADVERTISING	988	1,607	619	5,000	4,012
6090 POSTAGE	1,816	2,334	518	7,000	5,184
6100 COURIER	-	-	-	-	-
6110 TELEPHONE/FAX	97,825	110,134	12,309	330,400	232,575
6120 PUBL/SUBSCRIPTIONS	904	2,008	1,104	5,000	3,896
6130 COMPUTER HARDWARE	32,821	73,219	40,398	228,838	196,017
6140 COMPUTER SOFTWARE	37,850	38,333	483	115,000	77,150
6150 MEETING EXPENSES	7,695	5,667	(2,028)	17,000	9,305
6160 LIABILITY INSURANCE	1,200	1,333	133	4,000	2,800
6170 PROMOTION	2,792	3,067	275	11,000	8,208
6180 OTHER COST RECOVERY - MEMBERTOU	-	-	-	(157,352)	(157,352)
7000 HEAT	15,584	15,587	3	50,000	34,413
7010 ELECTRICAL	25,027	33,217	8,190	99,650	74,460
7020 WATER	135	2,887	2,752	8,000	7,245
7030 BLDG/FACILITY MAINT	23,822	39,760	15,938	71,000	47,062
7040 BLDG/FACILITY REPAIR	1,116	15,333	14,217	49,000	34,783
7050 BLDG/FACILITY INS.	4,368	7,000	2,632	12,500	8,132
7060 BLDG/FACILITY RENOV	7,152	6,657	(495)	20,000	12,848
7070 BLDG/FACILITY RENTAL	19,348	22,687	3,339	58,000	38,652
7110 SECURITY	-	1,233	1,233	3,700	2,467
7500 VEH/EQUIP MAINT/GAS/DIESEL	139,944	156,657	16,713	500,000	360,056
7510 VEH/EQUIP REPAIRS	136,731	85,908	(50,823)	287,717	150,886
7520 VEH/EQUIP INSURANCE	17,180	18,333	1,153	55,000	37,820
7530 VEH/EQUIP REPLACEMENT	200,216	208,657	8,441	620,000	411,559
7540 VEH/EQUIP RENTAL	-	3,000	3,000	9,000	6,000
7550 VEH/EQUIP TOWING	(765)	1,657	2,422	5,000	4,235
7560 VEH/EQUIP GEN SUPPLY	299	3,333	3,034	10,000	6,966
8000 OPERATIONAL EQUIP	11,772	64,585	52,813	183,781	131,968
8010 OPERATIONAL MAT/SUPP	97,904	103,225	5,321	181,373	83,469
8020 MAINTENANCE EQUIP	-	1,904	1,904	3,579	1,675
8030 MAINTENANCE MAT/SUPP	6,198	8,333	2,135	18,000	11,802
8040 COMM EQUIPMENT LINES	1,505	3,333	1,828	10,000	8,172
8090 UNIFORMS/CLOTHING	50,934	80,833	29,899	242,500	191,601
8100 PROFESSIONAL SERVICE	32,254	25,488	(6,766)	95,000	62,734
8110 CONTRACTS/AGREEMENTS	11,129	16,400	5,271	21,000	9,729
8120 LEASES	-	-	-	-	-
8125 MAJOR INVESTIGATIONS	29,799	33,333	3,534	100,000	70,201
8130 LICENSES/PERMITS	28	500	472	10,000	9,522
8150 GRANTS/SUBS TO ORG	18,870	25,000	6,130	50,000	31,130
Total Expended to date	\$ 8,082,124	\$ 8,296,825	\$ 214,701	\$ 26,113,071	\$ 17,829,950

Original Signed by
Chief Peter McIsaac

Original Signed by
Marie Walsh

POLICE SERVICES

INCOME STATEMENT

JULY 31, 2015

Police Services Revenue	Year to date Assigned	4 Month Budget	4 Month Budget Variance	Annual Budget	Annual Budget Remaining
4751 RECORDS INQUIRIES	\$ 8,754	\$ 8,333	\$ (421)	\$ 25,000	\$ 16,246
6151 FINES	133,874	130,000	(3,874)	390,000	256,026
Total Revenue to date:	\$ 142,728	\$ 138,333	\$ (4,395)	\$ 415,000	\$ 272,272

Original Signed by
Chief Peter McIsaac

Original Signed by
Marie Walsh

Finney



CBRM Proclamation

National Teen Driver Safety Week

- Whereas:** Driving is an important and exciting right of passage for youth. It is also one of the riskiest activities for young people to engage in;
- And Whereas:** Teen driver safety is a significant issue in Canada. Young drivers are over represented in all road-related injuries and fatalities;
- And Whereas:** National Teen Driver Safety Week is a week dedicated to raising awareness and seeking solutions to preventable teen deaths on the roads across Canada. Everyone has a role to play in creating change amongst their peers, in classrooms and in their communities;
- Be It Therefore Resolved:** That the CBRM Mayor and Council proclaim the third full week of October as National Teen Driver Safety Week in the CBRM.

Original Signed by
Deputy Mayor George MacDonald - District #9 - CBRM

September 15th, 2015

PROCLAMATION

“Terry Fox Day”

- Whereas:** The Terry Fox Run is committed to fostering research in the fight against cancer;
- And Whereas:** The CBRM Council recognizes the importance of Cancer Research, as part of the aims and objectives of the Run on behalf of the people of Canada and of the Province of Nova Scotia;
- And Whereas:** The Nova Scotia Office of the Terry Fox Foundation is determined that the Province of Nova Scotia take its place among the Provinces of Canada in perpetuating **TERRY’S DREAM** of finding a cure for cancer;
- Be It Therefore Resolved:** That the CBRM Council proclaim Sunday, September 20th, 2015 as “Terry Fox Day” in the Cape Breton Regional Municipality and invite one and all to participate in the annual “Terry Fox Run”.

Councillor Claire Detheridge
CBRM District # 3

September 15th, 2015



CBRM Proclamation

International Overdose Awareness Day

- Whereas:** International Overdose Awareness Day is a global event that aims to raise awareness of overdose and reduce the stigma of drug-related death;
- And Whereas:** Cape Breton has the largest number of overdoses per capital in Nova Scotia and is the 3rd leading cause of accidental death in Nova Scotia.
- And Whereas:** Overdose Awareness Day spreads the message that the tragedy of overdose death is preventable;
- And Whereas:** Many people on our island have either been touched by overdose or they fear it, either for themselves or their loved ones;
- Be It Therefore Resolved:** That the CBRM Mayor and Council proclaim August 31st, 2015 as International Overdose Awareness Day in the CBRM.

Original Signed by

Councillor Ivan Doncaster – District #7 - CBRM

September 15th, 2015

PROCLAMATION

“International Day of Older Persons”

- Whereas:** The “International Day of Older Persons” on October 1 is meant to Raise awareness about and acknowledge the contributions of our Older persons to this community; and
- And Whereas:** This is a day to focus on the profound and positive influence Older persons have had in creating healthy, all-age friendly Communities; and
- And Whereas:** October 1st is a day to celebrate the diverse contributions made by Older persons in and for our community; and
- And Whereas:** The United Nations “International Day of Older Persons” will have Its greatest impact as a reminder and an invitation to take one small Respectful step to bridge generations within our community; and
- And Whereas:** We As our population ages, the prevalence of cognitive impairment increases, creating a greater need for compassion and new options in caring;
- Be It Therefore Resolved:** That the Cape Breton Regional Municipal Council proclaim the Day of October 1st, 2015 as “The International Day of Older Persons”.

Councillor Eldon MacDonald
CBRM District # 5

September 15th, 2015

CBRM PROCLAMATION

“Cape Breton University “CBU” Alumni Day”

Whereas:

The Cape Breton University (CBU) is the only post-secondary degree-granting institution on Cape Breton Island;

And Whereas:

CBU is an ordinary (full) member of the Association of Universities and Colleges of Canada, the Association of Canadian Community Colleges and Association of Atlantic Universities, as well as an Associate Member of the Association of Commonwealth Universities;

And Whereas:

In September of 2012 CBU initiated a campaign “Paint the Town Orange” with a goal to shorten Grand Lake Road and other roads leaving the university to draw everything closer;

And Whereas:

By engaging local businesses and services to display “Proud” orange signs, they were able to make CBU more visible in the community;

And Whereas:

In 2013 the CBU Alumni Association initiated a CBU Alumni Day where graduates of CBU would be encouraged to wear orange and CBU related gear to showcase their pride for CBU;

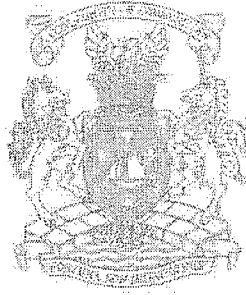
Be It Therefore Resolved:

That CBRM Mayor and Council go on record in supporting the Cape Breton University (CBU) Alumni Association by proclaiming September 17th, 2015 as “Cape Breton University Alumni Day” showcasing the pride that the students and alumni have for their university.

Councillor Jim MacLeod
CBRM District # 12

September 15th, 2015

A PROCLAMATION MARKING AN
INITIATIVE OF GREAT IMPORTANCE



CAPE BRETON REGIONAL MUNICIPALITY
A COMMUNITY OF COMMUNITIES

PROCLAMATION

WHEREAS every life is a special gift and it is heartbreaking to see a life cut short by suicide; and

WHEREAS families experience a whole range of emotions and may not always feel they can share these overwhelming emotions with others; and

WHEREAS we must all take action to do better and do more to ensure mental health support services are available; and

WHEREAS we affirm our support for families and friends who have lost a loved one to suicide and commit to improving intervention and prevention initiatives as a community that cares; and

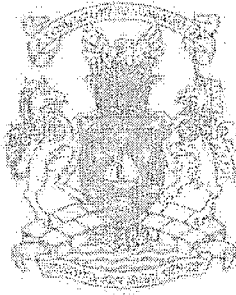
WHEREAS within the city, the Cape Breton Regional Police Service is moving forward with a program called "Road to Mental Readiness" which will assist officers and their families in dealing with the stress associated with the challenges of their profession; therefore

BE IT RESOLVED THAT the Mayor and Council of Cape Breton Regional Municipality proclaim September 10, 2015 as "Suicide Prevention Day" and support those in our community engaged in suicide prevention and mental health initiatives.

Hon. Cecil P. Clarke
Mayor, Cape Breton Regional Municipality

Dated this 10th day of September, 2015

A PROCLAMATION MARKING AN
ACHIEVEMENT OF GREAT SIGNIFICANCE



CAPE BRETON REGIONAL MUNICIPALITY
A COMMUNITY OF COMMUNITIES

PROCLAMATION

WHEREAS for 63 years, 7 months and 2 days, Her Majesty Queen Elizabeth has reigned as our Monarch; and

WHEREAS on September 9, 2015, at 1:30 in the afternoon, Her Majesty Queen Elizabeth becomes the longest-reigning Sovereign of Canada; and

WHEREAS as our Monarch, the Queen, is our head of state, ensuring that we are a nation governed by law; and

WHEREAS during more than 63 years as our Monarch, Her Majesty Queen Elizabeth has united Canada by her example of dedication and service, for which we are very grateful;

THEREFORE BE IT RESOLVED THAT the Mayor and Council of Cape Breton Regional Municipality proclaim September 9, 2015 as "Her Majesty Queen Elizabeth Appreciation Day" to celebrate the reign of the Queen and to extend our best wishes that she continue to reign in good health and happiness for many years to come.

Hon. Cecil P. Clarke
Mayor, Cape Breton Regional Municipality

Charlie Keagan
Councillor, Cape Breton Regional Municipality

Dated this 9th day of September, 2015

