

**Cape Breton Regional Municipality**

**General Committee Meeting**

**AGENDA**

**TUESDAY, JUNE 4<sup>TH</sup>, 2019**

**1:30 P.M.**

Council Chambers  
2<sup>nd</sup> Floor, City Hall  
320 Esplanade, Sydney, NS

# Cape Breton Regional Municipality

## General Committee Meeting

Tuesday, June 4<sup>th</sup>, 2019

1:30 p.m.

### **AGENDA ITEMS**

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#### Roll Call

1. **APPROVAL OF AGENDA: (Motion Required)**
  
2. **PROCLAMATION:**
  - 2.1 **St. John Ambulance Month:** Councillor Darren Bruckschwaiger (See page 4 )
  
3. **DELEGATION:**
  - 3.1 **Savoy Theatre Update:** Pam Leader, Executive Director; and Jenn Sheppard, Marketing (See page 5 )
  
4. **BUSINESS ARISING:**
  - 4.1 **General Committee – May 7, 2019:**
    - a) **Public Property Bylaw Amendment:** Michael Ruus, Director of Planning & Development (See page 13 )
    - b) **CBRM Temporary & Permanent Signage Strategy:** Michael Ruus, Director of Planning & Development (See page 21 )
  
  - 4.2 **Council – May 21, 2019:**
    - a) **Mobile Food Bus – Transfer of Surplus Handi Trans Bus:** Kathy Donovan, Manager of Transit and Fleet (See page 26 )

Continued...

**General Committee Meeting Agenda  
June 4<sup>th</sup>, 2019 (Cont'd)**

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**5. REPORT:**

- 5.1 Scotties Tournament of Hearts Post Event Briefing Report: Paul MacDonald, Manager of Facilities (See page 32)**

**6. CORPORATE SERVICES ISSUES:**

- 6.1 Resolution for Pre-Approval of Debt Issuance: Jennifer Campbell, Chief Financial Officer (See page 57)**
- 6.2 Borrowing Resolution, Lease Facility: Jennifer Campbell, Chief Financial Officer (See page 59)**
- 6.3 Borrowing Resolution, Operating: Jennifer Campbell, Chief Financial Officer (See page 60)**
- 6.4 Fences Arbitration Committee: Deborah Campbell Ryan, Municipal Clerk (See page 61)**

**7. COUNCILLOR AGENDA REQUESTS:**

- 7.1 Cat Bylaw: Councillor Steve Gillespie (See page 70)**
- 7.2 CBRM March for the Earth Requests: Councillor Amanda McDougall (See page 71)**

**ADJOURNMENT**



## **CBRM Proclamation**

### **St. John Ambulance Month**

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**Whereas:** St. John Ambulance, a non-profit organization with a rich historical background, has provided first aid training and community services to Canadians for over 130 years;

**And Whereas:** St. John Ambulance has dedicated Volunteer Medical Responders who devote their time and energy to community service including over 8000 volunteer hours of emergency first aid coverage for the citizens of the Cape Breton Regional Municipality and beyond.

**And Whereas:** St. John Ambulance has developed continuing programs of first aid training, the dog therapy program, and courses in Mental First Aid and Babysitting to meet the changing needs of Canadians of all ages from all walks of life;

**Be It Therefore Resolved:** That the CBRM Mayor and Council proclaim the month of June 2019 as "St. John Ambulance Month" in the Cape Breton Regional Municipality.

***Councillor Darren Bruckschwaiger***  
**District #10 Cape Breton Regional Municipality**

**June 4, 2019**



**Deborah Campbell Ryan**  
**Municipal Clerk**  
**Cape Breton Regional Municipality**  
**320 Esplanade**  
**Sydney, NS B1P 7B9**

**April, 29<sup>th</sup>, 2019**

Hi Deborah,

As discussed, we would like to use a power point for The Savoy's 2019 presentation but we are not able have it ready for agenda production as Jenn Sheppard will be out of town. If you would prefer having this for agenda production then we will do our presentation without the power point.

It will be Jenn and myself doing the presentation on May 7<sup>th</sup>

The outline of our presentation will be as follows.

- History of Savoy
- Present year of Savoy and renovations update
- Financial picture
- Future of Savoy

**Pam Leader**

Pam Leader  
Executive Director  
Savoy Theatre  
Glace Bay, NS  
902-842-1577



...on the way to 100 years!

**In 2017**

**35,000** people visited the Savoy  
during **167** events

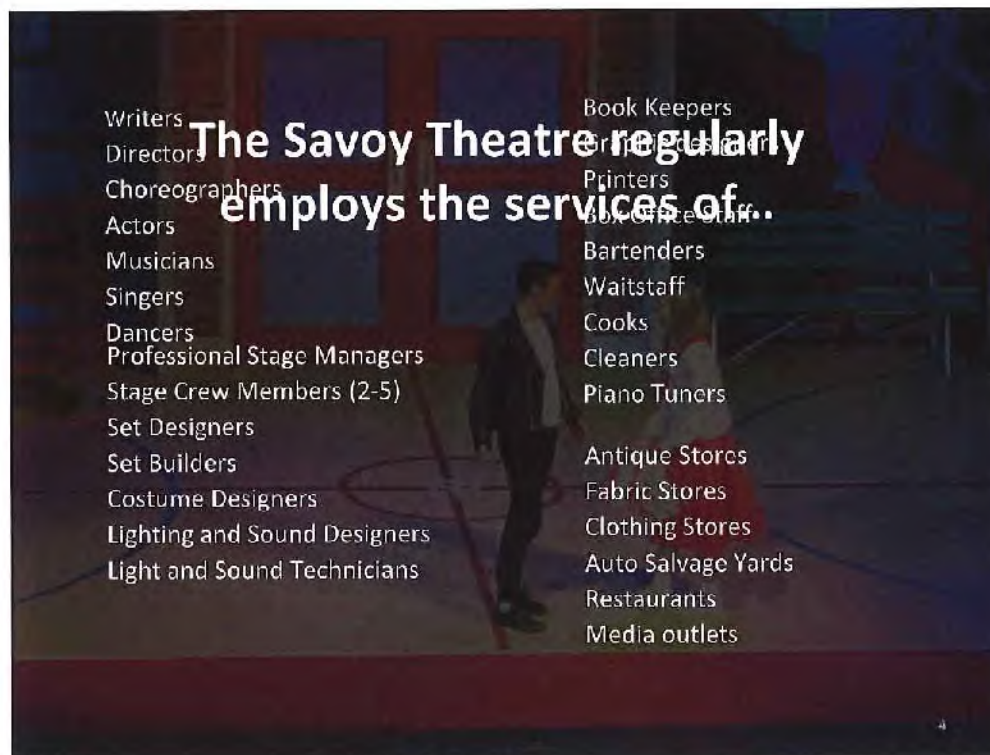
**In 2018**

**37,000** people visited the Savoy  
during **116** events

2



70% - Savoy Produced shows  
 \$75,000 paid out for Grease.  
 \$888,499.22  
 Employed 45 people  
 1% - Special Presentations

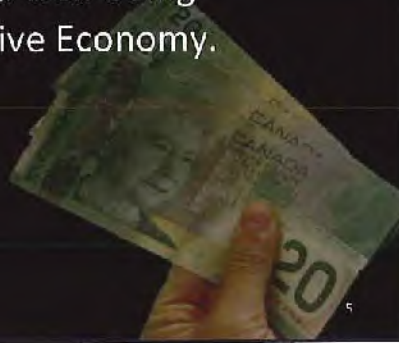


**The Savoy Theatre regularly employs the services of..**

- Writers
- Directors
- Choreographers
- Actors
- Musicians
- Singers
- Dancers
- Professional Stage Managers
- Stage Crew Members (2-5)
- Set Designers
- Set Builders
- Costume Designers
- Lighting and Sound Designers
- Light and Sound Technicians
- Book Keepers
- Printers
- Bartenders
- Waitstaff
- Cooks
- Cleaners
- Piano Tuners
- Antique Stores
- Fabric Stores
- Clothing Stores
- Auto Salvage Yards
- Restaurants
- Media outlets

# THEATRE *Savoy*

is a consistent, successful and valued contributor  
to the overall health and well-being  
of our Cape Breton Creative Economy.



6

## WHY THE SAVOY NEEDS OPERATIONAL SUPPORT

7

To avoid or alleviate Savoy management  
and employee burnout.



8

To allow for the continuation of stable partnerships between the Savoy and other theatres, artists and production companies.



To allow the Savoy to keep delivering good products (shows and events) at reasonable prices.



13

The Savoy needs the support from our  
Cape Breton Regional Municipality  
to continue to move forward.



12

SAVOY THEATRE  
FINANCIAL OVERVIEW  
YEAR ENDED DECEMBER 31, 2018

	2018 Actual		2019 Budget	
<b>REVENUE SOURCES</b>				
Box office revenue	\$ 1,151,500		\$ 992,500	
CBRM Funding	100,000	7.00%	100,000	7.72%
PNS Funding	75,000		75,000	
Donations	21,091		50,000	
Corporate sponsorship	80,838		78,000	
<b>TOTAL REVENUE</b>	<b>1,429,429</b>		<b>1,295,500</b>	
<b>EXPENDITURES</b>				
Show expenses	653,961		540,639	
Wages and benefits	488,514		531,000	
Utilities	52,036		50,000	
Advertising	24,835		30,500	
Overheads (insurance, office, interest, etc)	100,172		78,800	
<b>TOTAL EXPENDITURES</b>	<b>1,319,618</b>		<b>1,233,939</b>	
<b>CURRENT YEAR SURPLUS</b>	<b>109,811</b>		<b>61,561</b>	
<b>DEFICIT RECOVERY PLAN</b>	<b>\$ (109,811)</b>		<b>\$ (61,561)</b>	

Board is attempting to eliminate deficit over a 5 year period, projected deficit after 2019 would be 270,000



**Excerpt – DRAFT General Committee  
May 7, 2019**

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**Dogs on Leash**

**Motion:**

Moved by Councillor MacMullin, seconded by Councillor Prince, that staff be directed to prepare an Issue Paper regarding amendments to the Public Property Bylaw C1, to reflect dogs being permitted on leash in designated public areas in North, Central and East.

**Motion Carried.**



**CAPE BRETON**  
REGIONAL MUNICIPALITY

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## **ISSUE PAPER**

**TO:** General Committee

**DATE:** May 27, 2019

**FROM:** Director, Planning and Development

**RE:** PUBLIC PROPERTY BYLAW AMENDMENT

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### **BACKGROUND**

During the May 7<sup>th</sup>, 2019 meeting of Council's General Committee a Motion was passed directing staff to prepare an issue paper regarding amendments to the Public Property Bylaw C1, to reflect dogs being permitted on leash in designated public areas in North, Central and East.

### **DISCUSSION**

The Public Property Bylaw regulates whether or not leashed dogs are permitted in the public parks owned by the CBRM. Currently, the Bylaw bans dog walking unless the park is designed for such use and signs are posted with the allowance. A pilot project was undertaken in certain parks, creating an allowance for on-leash dog walking, to examine the possibility of allowing this in other areas of the municipality. This has generally been well received by the constituents of CBRM.

With the success of the pilot project and a review of the bylaw by Recreation, Parks & Grounds, Buildings & Facilities and the Planning and Development Department, administration now believes leashed dogs should be permitted in all CBRM parks except playgrounds and on playing fields.

The Public Property Bylaw would have to be amended to reflect that different directive. A copy of this amendment is attached. Prior to adopting an amendment to a Bylaw of the CBRM, Council is required to conduct a Public Hearing.

**Next Steps**

If Council is in agreement with scheduling a public hearing at their June meeting, the earliest date a public hearing could be held would be during the July meeting of Council. Upon a decision of Council to schedule a public hearing, the required notice will be published in the Cape Breton Post advising the public of Council's intent to consider an amendment to the Public Property Bylaw C1 and of their opportunity to attend the public hearing.

**RECOMMENDATION**

That a recommendation be made to Council for first reading of the amendments to the Public Property By-law as attached, and to schedule the public hearing at a future meeting of Council.

Respectfully submitted by:

**ORIGINAL SIGNED BY**

Michael Ruus  
Director, Planning and Development

# APPENDIX A: AMENDMENTS TO P-300 Public Property By-law

## CAPE BRETON REGIONAL MUNICIPALITY

### Bylaw C1

#### PUBLIC PROPERTY

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##### 1. Definitions

**Playing field** means a landscaped recreational site designed for playing outdoor team sports such as a baseball field, soccer field, running track, or a football field. The phrase "on the playing field" as used in this Bylaw is intended to mean the above referenced field and not the stands or sidelines where spectators congregate.

**Playground** means a well-defined outdoor recreational space comprised of equipment designed primarily for play by children younger than teenage.

2. No person shall throw or deposit any dirt, filth, or rubbish upon any park, playground, parking lot, or other property owned, leased or occupied by the Regional Municipality.
3.
  - (1) No person shall park or leave standing any vehicle upon any roadway in any park, playground, parking lot or other property owned, leased or occupied by the Regional Municipality except in a designated parking area.
  - (2) The Regional Municipality or any officer or employee thereof may remove any vehicle parked in a violation of this Section at the expense of the owner.
4.
  - (1) No person shall deface, injure or destroy, or damage in any way, any property of the Regional Municipality.
  - (2) No person shall remove any plants, soil, or other items from any property of or under control of the Regional Municipality without the consent of the Regional Municipality.
5. Any person who, on any property of the Regional Municipality, persists in loud or raucous noise, unruly or objectionable behaviour or other activities that would disturb others, after being requested to desist by an employee of the Regional Municipality, is guilty of an offence.
6. Any person who, on any property of the Regional Municipality, persists in unruly or unsafe behaviour, after being requested to desist by an employee of the Regional Municipality, is guilty of an offence.

7. No person or persons, within the boundaries of any public park, waterfront boardwalk or walking trail belonging to the Cape Breton Regional Municipality, shall walk any animal other than a dog, walk, drive or use any vehicle, skateboard, bicycle, motorcycle, or roller-blades, except in such areas as may be specifically designed and/or designated by sign for such usage. Any person(s) found acting contrary to this provision shall be guilty of an offence punishable in accordance with the provisions of the Penalties Bylaw. Such provisions do not apply to operational or maintenance vehicles and equipment of the Cape Breton Regional Municipality.

Without limiting the generality of the foregoing, this provision includes, and affects, but is not limited to, the following areas known as the:

1. Sydney Waterfront Boardwalk; and
2. North Sydney Waterfront Boardwalk; and
3. Renwick Brook Walking Trail (Glace Bay); and
4. John Bernard Croak Park (Glace Bay)

8. Dogs are permitted within the boundaries of any public park, waterfront boardwalk or walking trail owned belonging to the Cape Breton Regional Municipality, except playgrounds or on playing fields, provided:

- the dog is in the presence of the owner or some person in charge thereof; and
- the dog is under the effective physical restraint of a leash no more than 6 feet in length controlled by the owner or the person in charge.

9. Any person(s) found acting contrary to the provisions of this Bylaw shall be guilty of an offence punishable in accordance with the provisions of the Penalties Bylaw. Such provisions do not apply to operational or maintenance vehicles and equipment of the Cape Breton Regional Municipality.

10. Any Bylaw or any provision thereof passed and approved by any former Municipality within the boundaries of the County of Cape Breton prior to July 31, 1995 which conflicts with or acts contrary to the provisions of this Bylaw are hereby repealed with this Bylaw becoming law and any other provisions of such Bylaws hereby ratified and confirmed insofar as they are not in conflict with this Bylaw.

**By-law**  
of the Cape Breton Regional Municipality

amending the

**Cape Breton Regional Municipality's  
Public Property Bylaw**

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Pursuant to Section 168 of the Municipal Government Act of Nova Scotia, the Council of the Cape Breton Regional Municipality hereby amends the Cape Breton Regional Municipality's Public Property Bylaw in the following manner:

**THAT:** the following definitions be added to the Bylaw immediately before Provision 1.

**Definitions**

**Playing field** means a landscaped recreational site designed for playing outdoor team sports such as a baseball field, soccer field, running track, or a football field. The phrase "on the playing field" as used in this Bylaw is intended to mean the above referenced field and not the stands or sidelines where spectators congregate.

**Playground** means a well-defined outdoor recreational space comprised of equipment designed primarily for play by children younger than teenage.

**THAT:** Provision 6 is amended by adding the words in red and deleting the words crossed out in in strikethrough below.

6. No person or persons, within the boundaries of any public park, waterfront boardwalk or walking trail belonging to the Cape Breton Regional Municipality, shall walk any animal **other than a dog**, walk, drive or use any vehicle, skateboard, bicycle, motorcycle, or roller-blades, except in such areas as may be specifically designed and/or designated by sign for such usage. ~~Any person(s) found acting contrary to this provision shall be guilty of an offence punishable in accordance with the provisions of the Penalties Bylaw. Such provisions do not apply to operational or maintenance vehicles and equipment of the Cape Breton Regional Municipality.~~

~~Without limiting the generality of the foregoing, this provision includes, and affects, but is not limited to, the following areas known as the:~~

- ~~5. Sydney Waterfront Boardwalk; and~~
- ~~6. North Sydney Waterfront Boardwalk; and~~
- ~~7. Renwick Brook Walking Trail (Glace Bay); and~~
- 4. John Bernard Croak Park (Glace Bay)

**THAT:** a new Provision is added immediately after Provision 6 to read as shown below.

7. Dogs are permitted within the boundaries of any public park, waterfront boardwalk or walking trail owned belonging to the Cape Breton Regional Municipality, **except playgrounds or on playing fields**, provided:
- the dog is in the presence of the owner or some person in charge thereof; and
  - the dog is under the effective physical restraint of a leash no more than 6 feet in length controlled by the owner or the person in charge.

**THAT:** a new Provision is added immediately after Provision 7 to read as shown below.

8. Any person(s) found acting contrary to the provisions of this Bylaw shall be guilty of an offence punishable in accordance with the provisions of the **Penalties Bylaw**. Such provisions do not apply to operational or maintenance vehicles and equipment of the Cape Breton Regional Municipality.

**THAT:** All Provisions be renumbered as required throughout.

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**PASSED AND ADOPTED:** by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on 2019.

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**MAYOR**

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**CLERK**

***THIS IS TO CERTIFY*** that the above amendments are a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on 2019 to amend the Cape Breton Regional Municipality's Public Property By-law.

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Deborah Campbell Ryan, CLERK



City Hall  
 320 Esplanade  
 Sydney, NS B1P 7B9

Item No.

<b>Council Agenda Request Form</b>		
<input checked="" type="checkbox"/> <b>Included on Agenda</b> (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> <b>Late Item</b> (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	<input type="checkbox"/> <b>Request from the Floor: (New Business)</b> - <b>Announcement</b> - <b>Referral</b> - <b>Submit Petition</b> - <b>Notice of Motion</b>
<b>Date of Council Meeting: May 7, 2019</b>		
<b>Subject: Dogs on Leash</b>		
<b>Motion for Council to Consider:</b>  <i>Issue paper be provided regarding an amendment of the Public Property bylaw C1 to reflect dogs being permitted on leash in designated public areas in North, Central and East.</i>		
<b>Reason:</b> Our current Public Property bylaw is outdated. When it comes to allowing dogs, our current bylaw states that people are not permitted to have a dog on a leash within any public park, waterfront boardwalk or walking trail belonging to the CBRM. We are all aware that dogs on leash are now permitted, as there is current signage stating so, on the Sydney boardwalk, Open Hearth Park and Rotary Park. As a Councillor it is very difficult to explain to residents of North that dogs on leash are not permitted in any area of CBRM public property and refer to a bylaw that we are currently contradicting. If we are going to allow exceptions to the rule they should be offered in all zones of the CBRM and our policies should reflect that.  I have attempted to address this issue and in the fall of 2018 planning did have a draft issue paper and amending Bylaw critiqued by Parks and Grounds management ready for Council but it did not make it here. I am therefore officially bringing the issue forward in hopes to amend the bylaw so that it accurately represents our current process and permits residents in all 3 zones to have the same access within designated areas of North, Central and East divisions.		
<b>Outcome Sought:</b> <b>Public Property bylaw be amended to allow dogs on leash in designated areas of CBRM including areas in North, Central and East.</b>		
Councillor Eárlene MacMullin	District 2	
Date: April 29, 2019	Received by Clerk's Department (date):	

**Excerpt – DRAFT General Committee  
May 7, 2019**

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**Signage on Utility Poles**

**Motion:**

Moved by Councillor MacLeod, seconded by Councillor Coombes, that staff be directed to prepare an Issue Paper for signage and advertising on utility poles and mobile signs.

**Discussion:**

During discussion the Director of Engineering and Public Works noted that an Issue Paper is currently being finalized by the legal Department in regards to mobile signs and will also include signage on utility poles.

Councillors also discussed the following:

- Reinforcing earlier motion of Council
- Existing Bylaws
- Mobile signs on CBRM Property
- Placement and number of signs by businesses
- Signs obstructing view of drivers

**Motion Carried.**



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## **ISSUE PAPER**

**TO:** General Committee

**DATE:** May 27, 2019

**FROM:** Director, Planning and Development

**RE: CBRM TEMPORARY & PERMANENT SIGNAGE STRATEGY**

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### **BACKGROUND**

Council's General Committee passed a Motion directing staff to prepare an issue paper to evaluate scenarios to regulate the use and placement of signage within CBRM. Members of Council and their constituents identified on-going problems with visual clutter and potential safety hazards as a result of a lack of restrictions on signage in CBRM.

The *Municipal Government Act* (MGA) authorizes Council to adopt bylaws for the purpose of regulating or prohibiting any development, activity, industry, or business. It also restricts any person from placing any structure upon a public street.

Under the CBRM Streets Bylaw:

1. No person shall erect or place any sign or other structure, whether movable or not, within the limits of street right-of-way in the Regional Municipality.
2. Subsection (1) does not apply to a sign or awning that projects over a sidewalk or other part of the street allowance, excepting the travelled way, at a minimum height of not less than seven feet.
3. Subsection (1) does not apply to movable sign situate on the sidewalk in front of a place of business, that relates to the business carried on within, and that does not impede the movement of pedestrians.

CBRM does not have any jurisdiction on Federal or Provincial Land.

## **DISCUSSION**

### **Regulation of Signage on Private Property**

#### **Residential Property**

Currently, signage is regulated through CBRM's Municipal Planning Strategy (MPS) and Land Use Bylaw (LUB) which places restrictions within specific zone districts (residential). We do not currently have a by-law that requires permits or that regulates the placement of commercial signage on residential property.

#### **Commercial Property**

Regulating signs on Commercial property would require a change to the MPS. An option to address signage on private property would be to regulate and restrict the use of signage within CBRM private property by means of permitting or licensing.

### **Regulation of Signage on CBRM Owned Property**

There is no allowance for the placement of commercial signs on any CBRM properties or infrastructure. However, if placed illegally, there has been no on-going, active enforcement of this unless it becomes a traffic issue in which case we remove the sign.

There are two options:

1. Ban of all Temporary/Permanent Signage on CBRM Property – Examine options for enforcement of existing illegal signage within public property.
2. Regulate and Restrict Signage on CBRM Property – Examine options for the regulation and limit of signage on public property by means of permitting or licensing.

### **Financial Implications**

Strategies to regulate signage will require dedicated licensing and/or enforcement resources from CBRM staff. These activities will likely require additional resources which could be partially offset from licensing and enforcement fees. The costs for implementation of any strategy would be identified and estimated as part of the By-Law Development Process.

### **Enforcement & Administration**

Options to regulate signage within CBRM may include:

- Permits/licenses for new signs;
- Inspections of new signs; and
- Enforcement and education.

**Recommendation:**

That the following recommendation be made to Council:

1. CBRM proceed with enforcement measures for any unauthorized signage on utility poles on CBRM property within 30 days of a Council Motion and upon receiving permission from the Utility companies. These signs may be removed and disposed of by the respective utility pole owners, CBRM or any 3<sup>rd</sup> Party.
2. CBRM proceed with enforcement of our Streets Bylaw to remove any portable signs from all other CBRM property within 30 days of a Council Motion and notification to all the Sign companies.
3. Examine options for a new bylaw to regulate signage. Staff will initiate the By-Law Development Process (outlined in CBRM's By-Law Development Policy). This includes:
  1. Identify and consult with internal/external stakeholder groups;
  2. Review the Municipal Planning Strategy for required changes;
  3. Draft preliminary strategy for review with internal & external clients;
  4. Establish applicable licenses, permits, and fees;
  5. Identify associated internal costs for the strategy; and
  6. Administration and Council review final strategy.

Respectfully submitted by:

**ORIGINAL SIGNED BY**

Michael Ruus  
Director, Planning and Development



City Hall  
 320 Esplanade  
 Sydney, NS B1P 7B9

Item No.

<b>Council Agenda Request Form</b>	
<input checked="" type="checkbox"/> <b>Included on Agenda</b> (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> <b>Late Item</b> (Submitted to Municipal Clerk's Office by Noon the day before the meeting)
<input type="checkbox"/> <b>Request from the Floor: (New Business)</b> - <b>Announcement</b> - <b>Referral</b> - <b>Submit Petition</b> - <b>Notice of Motion</b>	
<b>Date of Council Meeting:</b>	
<b>Subject:</b>	
<p><b>Motion for Council to Consider:</b> this will serve notice that I will present a motion to Council At the next General Committee meeting May 7/2019, a request for an issue paper pertaining to signage posted of local business opportunities on utility poles, advertising their products, this in the opinion of many is littering, motorist have enough to consider without further distractions there are other means of advertising, if the utility who owns the poles permit this type of action then there should be a tax applied to the owners of the poles who should be responsible for removal of the signage if its not permitted. It's not very difficult to know who is the owners of the signs are their phone number and address are attached.</p> <p>Mobile signs are popping up like dandelions' , these signs are for the most part on Municipal Property 5x7 ft., I will supply photos as evidence in the very near future, mobile signs are not suppose to be a permanent structure, there should be rules and regulations that should apply</p> <p>Reason: over the past while I have been receiving several phone stopped in local stores and business, and calls asking if CBRM has a policy or bylaw governing the same, my answer there was prior to amalgamation in 1995, residents see no need for unnecessary signage attached to poles or a mobile sign that don't move, my son has a mobile sign business in Grimsby ONT. called Be Seen, I know the challenges and permits that he has to purchase from the different municipality to erect his mobile signs, and time frame for removal, I want to know one way or the other just what the policy's are so I have answers to the questions being asked I do realize that Malcolm will be retiring in May, but I also know that there CBRM will be hiring a replacement</p> <p><b>Councillor Jim MacLeod</b>  <b>District 12, CBRM</b></p> <p><b>Outcome Sought:</b></p>	
<i>Councillor</i>	<i>District</i>
<i>Date:</i>	<i>Received by Clerk's Department (date):</i>

**Cape Breton Mobile Food Market**

**Motion:**

Moved by Councillor Eldon MacDonald, seconded by Councillor Coombes, that staff be directed to provide an Issue Paper at the June meeting of General Committee regarding the following request in support of the Cape Breton Mobile Food Market:

- In-kind contribution of Handi-trans bus that has been decommissioned
- Continued collaboration with the CBRM Transit and Recreation Departments

**Discussion:**

Councillors expressed their support for the project and discussed the following:

- The budget for a retrofit of a vehicle
- Food suppliers and local producers
- Publicizing the Market schedule

**Motion Carried.**



*A Community of Communities*

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## Issue Paper

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**TO: CBRM Council**

**May 2019**

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**RE: Mobile Food Bus – Transfer of Surplus Handi Trans Bus**

### **Introduction**

As presented at the May 21<sup>st</sup> Council Meeting, a request was made by representatives from the “Cape Breton Good Food Bus” project team for an in-kind contribution of a Handi-Trans bus that has been decommissioned.

### **Background**

A non-profit partnership between United Way, New Dawn Enterprises and Ecology Action are piloting a project which will provide fresh produce to communities in the Cape Breton Regional Municipality. The goal of the mobile food bus is to provide residents of CBRM with access to fresh produce that they may otherwise not have access to.

### **What does CBRM Policy Say?**

Section 10.3 of CBRM’s Procurement Policy authorizes the CAO to award the disposal of surplus material without competition to any non-profit corporation for market or appraised value.

### **What does the Municipal Government Act Say?**

Section 51 of the MGA allows a municipality to sell property at less than market value to a nonprofit organization that is considered to be carrying on an activity that is beneficial to the municipality. The resolution to sell the property must

be passed by at least a two thirds majority vote. Furthermore, if the property is valued at more than ten thousand dollars, the council shall first hold a public hearing respecting the sale.

Upon receiving this request, Transit Cape Breton has identified a decommissioned unit, surplus to the needs of the Municipality but which can meet the needs of the Non-profit group. Staff have estimated the value of the surplus vehicle at \$3,000.

**Recommendation**

Due to the time-sensitive nature of this request, staff recommends that council pass a motion to approve the sale of the surplus unit for \$1 to the non-profit group and to authorize staff to execute any documents required to formalize the said sale.

Respectfully submitted,

***Original Signed by***

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Kathy Donovan

Manager CBRM Transit and Fleet Maintenance

# Cape Breton Good Food Bus

Healthy food market on wheels

## Food Access

- Access to affordable, healthy food is a barrier for many Cape Bretoners. Factors include:
  - Income
  - Transportation
  - Mobility issues
- There are many innovative, community-based models for improving food access, such as:
  - Cost-share Food Box Program
  - Meals on Wheels
  - Market Food Bucks Program (at Wolfville Farmer's Market)



# Why a Mobile Food Market?

- Utilizes our existing infrastructure - physical and social
- Collaborative process connects CBRM to community organizations, building relationships for future initiatives
- Instills pride and builds capacity in communities served by market
- Addresses transportation and food insecurity issues
- Fun model! It is so much more than a market
- The Cape Breton MFM pilot is based on the successful Mobile Food Market in HRM



## Cape Breton Project Team

Collaborative, highly motivated project team shares ownership of this initiative.

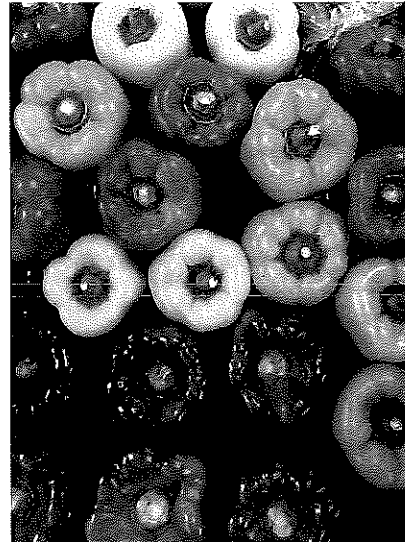
Partners include:

- CBRM Council (Eldon MacDonald)
- CBRM Transit (Kathy Donovan)
- CBRM Recreation (Kirk Durning)
- Ecology Action Centre (Jody Nelson)
- New Dawn (Eric Leviten-Reid, Claire Turpin, Kathleen Whelan and Erika Shea)
- NS Health Authority (Beth Gillis)
- United Way of Cape Breton (Lynne McCarron and Jill Gardiner)
- Island Food Network (Jody, Eric and Claire)



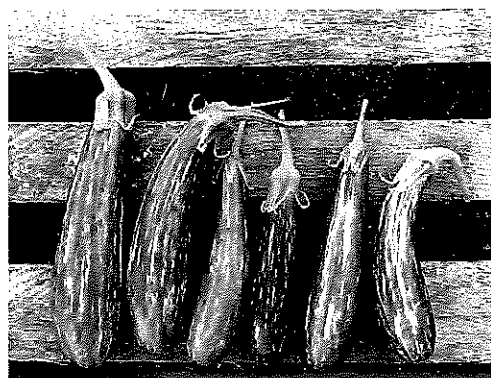
# Good Food Bus Pilot

- 16 weeks: August-November
- Retrofitted Handi-Bus
- Bi-weekly service in 3 communities
- Pop-up markets on alternate weeks in other communities
- Community selection:
  - Community organizations will host market sites
  - Community health data used to determine communities with the greatest need
  - Public information session to inform and invite participation: Wednesday, June 5th, 6-8pm (where? details?)



# What We Need

- In-kind contribution of Handi-trans bus that has been decommissioned (coming out of service)
- Continued collaboration with Transit and Recreation departments
- Attendance at upcoming Information Session: June 5th, 6-8pm, YMCA



## Scotties Tournament of Hearts Post Event Briefing Report

1. The Scotties Tournament of Hearts National Women's Curling Championship was held between February 15 and February 24 of 2019. Centre 200 and the Joan Harriss Cruise Pavilion were the primary venue sites for the event. Centre 200 was the main competition venue while the Joan Harriss Cruise Pavilion as the site of the Heartstop Lounge which is the main social and entertainment centre of "The Scotties".
2. According Curling Canada, the overall experience here in Cape Breton was a success. This is significant since this was the first time Cape Breton hosted a major national curling event. One of the keys to that success was the work of the Local Organizing Committee in engaging the community. It began from when the bid was awarded through until the end of the event. Both local Curling Clubs also were extremely supportive in the lead up to the event which was critical to the overall success.
3. Another key element was the volunteer group. We had 370 volunteers led by 3 vice-chairs and 12 directors. Most typically worked between 16 and 25 hours for the week although the ice crew probably worked closer to 40-60 hours for the week. The breakdown of the volunteers was 351 from Nova Scotia, 209 of those from the CBRM. Inside that number we had 71 from the Sydney Curling Club, 24 from the Schooner Club and 3 from Baddeck. Our volunteers were outstanding during the event and performed well beyond what was required. Feedback from athletes, officials and the host media partner was extremely positive about the work of this volunteer group.
4. Attendance for the week was just under 47,000 people which was 92% of budget, which according to Curling Canada they were pleased with. If we had better conversion rate on pre-event deposits and had a better performance from Team Nova Scotia we most likely would have made budget. Of those attending 85% came from Nova Scotia. Of that number just over 40% came from the CBRM. A more complete breakdown of the demographics is part of the C5TA 5team analysis (see attached).
5. TSN provided coverage of all of the draws which brought a great deal of exposure to the CBRM. They were impressed by the building and the area in general. The overall average per minute audience was 352,000. The playoffs and the finals had a 574,000 AMA. The gold medal final average was 762,00 compared to 620,000 the previous year. In fact, at some point during the final it was recorded that over 1,000,000 people were tuned in. One final comparison I overall cumulative numbers STOH this year 6,696,000. This was higher than Penticton in 2018 6,523,000 and St. Catherines in 2017 6,208,000. It is also noteworthy that the STOH also outdrew The Brier final in Brandon 671,000.
6. On the financial side, overall ticket sales generated \$660,000. Under the agreement with Curling Canada the local Curling Clubs receive 10% of the tickets sales (\$66,000). Curl N5 receives 1% of the ticket sales and will receive \$6500. The net proceeds of the even split were \$53,000 which is

to be used the local clubs to support a youth curling program. Advertising and sponsorship met 80% of the budget target. This was due mainly to the fact that Ford dropped its national sponsorship in the Fall which didn't provide enough lead time to ensure a new automobile sponsor and locally it was difficult for those automobile dealers who were targeted to meet the required demand for vehicles required in the sponsorship agreement. Another factor was Curling Canada was transitioning between third party marketing agencies and they didn't have any sponsorship packages ready when we went to market with ticket packages. That was a lost opportunity because once local businesses made a commitment on ticket packages it was difficult to convert that to a sponsorship or advertising package. In addition, it was disappointing that neither Atlantic Lotto, NSLC or Emera committed to supporting this event. The Heartstop Lounge did not meet expected sales targets according to Curling Canada. They had "one good night" on February 23. Even though we had a very efficient and timely shuttle service in place the distance between the venues was a factor in not having traffic at the Heartstop according to Curling Canada. I believe another factor and probably more significant than location was not having any input from the Local Organizing Committee about the type of entertainment that would bring traffic to the Heartstop.

7. The CBRM committed \$150,000 of the \$450,000 in government funding required for the event. Based on the Steam Analysis that was conducted by the Canadian Sport Tourism Alliance on behalf of Curling Canada; the Scotties generated nearly 7 million dollars (\$6,936,604) in economic activity in the CBRM.

With respect to Centre 200. It's operational expenses for the Scotties were \$130,000 while the operational revenue received from Curling Canada was \$94,000. A breakdown of the expenses and revenues shows that one of the largest was transporting people from Centre 200 to the Heartstop Lounge which as located at the Joan Harriss Cruise Pavilion. Originally the intent was to use our municipal transit buses, but with the larger that anticipated number of international students at CBU needing public transit that plan wasn't practical and we contracted Transoverland Ltd. to provide bussing as needed.

#### **Operational Expenses Centre 200**

**Transportation: \$53,000**  
**Wages Related to Scotties: \$24,000**  
**Security: \$12,500**  
**Pre-Event Promotion: \$9000**  
**CIMCO Refrigeration: \$15,000**  
**Audio/Video Support: \$12,000**  
**In-Kind Support: \$4500**

#### **Operational Revenue Centre 200**

**Rental Fee: \$94,000**

8. Hosting a successful event such as “The Scotties” has the potential to open doors to other Major Events. In fact, over the next 24 months the CBRM will host The Royal Canadian Legion National Track and Field Championships in 2019 and 2020. The U Sport Women’s National Soccer Championships in 2020 The Canadian Senior Little Baseball Championships in 2019 and 2020, the Canadian Senior Men’s Baseball Championships in 2020 and the National Men’s and Women’s Dart Championships in 2020. In addition, bids have been presented or are in the process of being presented for the 2020 and 2021 Canadian Boxing Championships, The 2021 Telus National Midget Hockey Championships, 2021 National Aboriginal Hockey Championships, 2021 East Coast Music Awards and the 2021 World Ball Hockey Championships. These events along with a number of local events such as Celtic Colours, The Vince Ryan Memorial Hockey Championship and the Caper Classic Basketball Tournament will make for a very busy event schedule here in the CBRM.



SYDNEY 2019



# Economic Impact Assessment

**FINAL REPORT** – 2019 SCOTTIES TOURNAMENT OF HEARTS | SYDNEY, NS  
**FEBRUARY 16-24, 2019**

Prepared by: Thomas McGuire, CSTA EI Consultant  
Date: April 20, 2019

# WHAT IS EI?

Economic Impact Assessment (EIA) studies measure the positive change in economic activity resulting from hosting an event in a specific city/town. There are three factors:

1. the spending of out-of-town visitors while they attend the event;
2. the expenditures of the event organizers in producing the event;
3. capital construction costs that are directly attributed to hosting the event.

An EI study calculates the amount of new money being spent in the host community as a direct result of hosting the event, and then the impact these new monies have on the regional, provincial and national economy as a whole.



steam pro<sup>2.0</sup> is powered by the Canadian Sport Tourism Alliance ©2017.

# CSTA'S TOOL

The Canadian Sport Tourism Alliance (CSTA) has developed a tool called **steam pro<sup>2.0</sup>** that collects, measures and analyzes data across the three primary channels.

Our economic impact services empower event organizers and host cities to accurately assess economic impact resulting from hosting a specific event in a specific location.



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# MODEL OUTPUTS

The elements (outputs of the model) used to measure the economic impacts are:

- Gross Domestic Product (GDP)
- Employment
- Taxes
- Industry Output
- Wages & Salaries

CSTA's **steam pro<sup>2.0</sup>** measures the direct, indirect & induced effects for each of these elements.

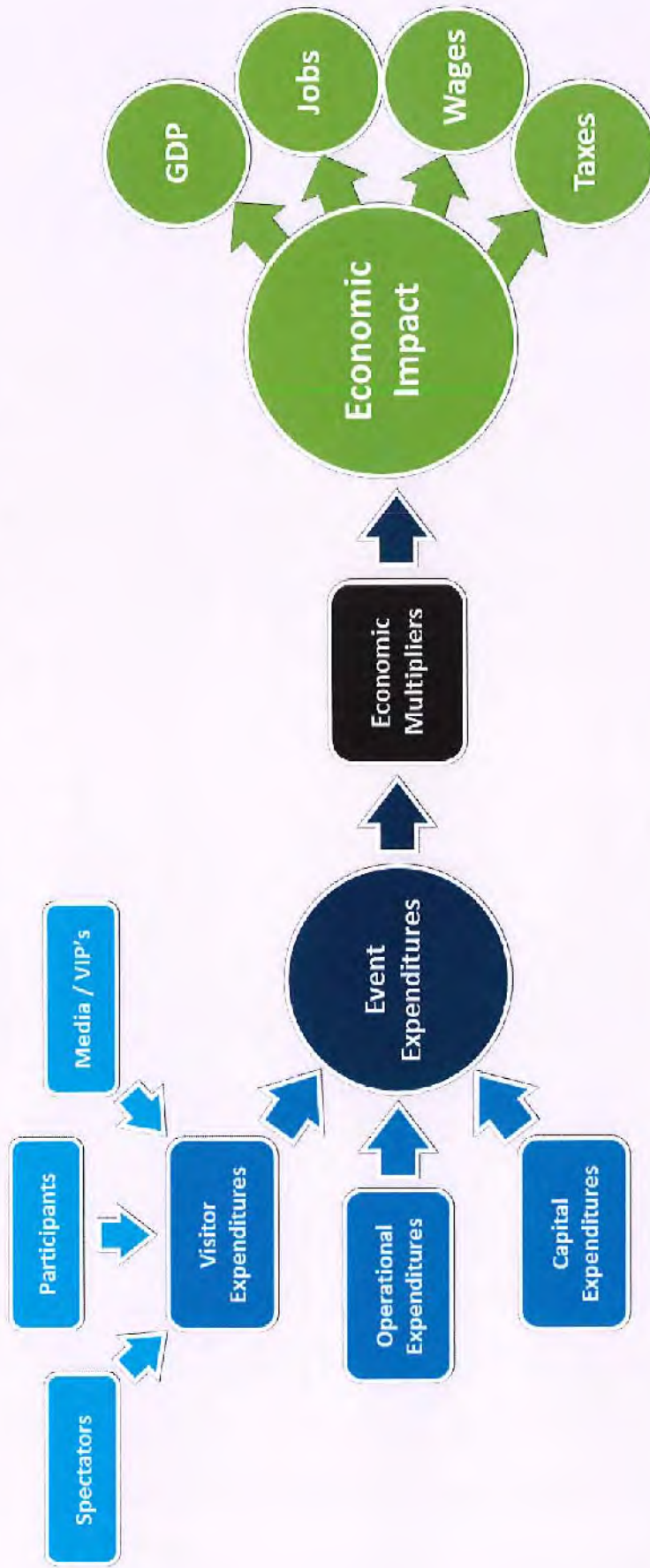
# RELIABILITY OF THE MODEL

In order to produce economic contribution assessments that are **robust and reliable**, the CSTA has partnered with the **Canadian Tourism Research Institute (CTRI)** at **The Conference Board of Canada**. The CTRI serves the travel and tourism industry in providing sound economic forecasts and models with timely and insightful interpretation of data specifically relevant to travel.

The findings in this report make use of the most current and most detailed input-output tables and multipliers available from Statistics Canada and leverages the credibility and robustness of sector specific tax data available from Statistics Canada's Government Revenues Attributable to Tourism (GRAT) report.



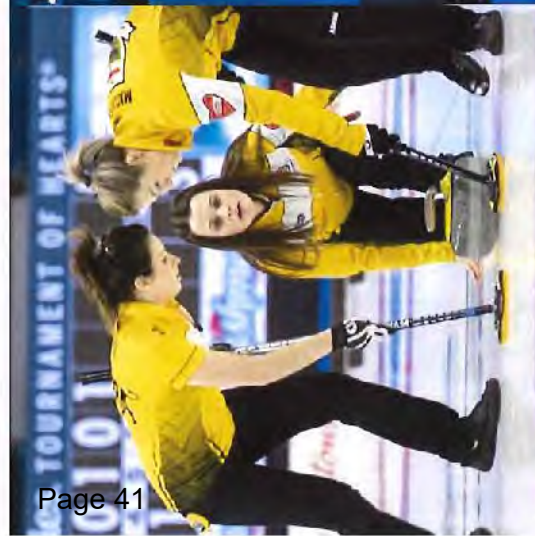
# HOW IT WORKS



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# CURLING CANADA'S 2019 SCOTTIES TOURNAMENT OF HEARTS

The 2019 Scotties Tournament Of Hearts took place in Sydney Nova Scotia from February 16 to the 24, 2019 at Centre 200. Over the 9 days of competition, Sydney hosted sixteen teams (14-member provinces and territories, Team Canada and Wild Card) in two pools of eight. The 9-day event attracted nearly 14,000 unique spectators.



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# THE METHODOLOGY

The visitor statistics cited in this report were derived from an on-site intercept survey that was conducted during the **2019 Scotties Tournament Of Hearts** held in Sydney, Nova Scotia from February 16-24.

The survey was developed for **Curling Canada** by the CSTA, specifically for the **2019 Scotties Tournament Of Hearts** and was administered by a team of paid surveyors at key locations throughout the venue during the event. The survey teams were supervised onsite by CSTA.

A total of **632** valid responses were collected during this event.

The survey included a variety of questions for the event attendees with regards to their place of residence, party size, and activities participated in while in town. Respondents from out-of-town were also asked about their length of stay in Sydney, the amount of money spent in various categories while in the city, as well as the importance of this event in their decision to travel to the area.

\* Based on the survey sample and estimated total attendance, the margin of error for results contained in this report are +/-3.8% at the 95% confidence level.

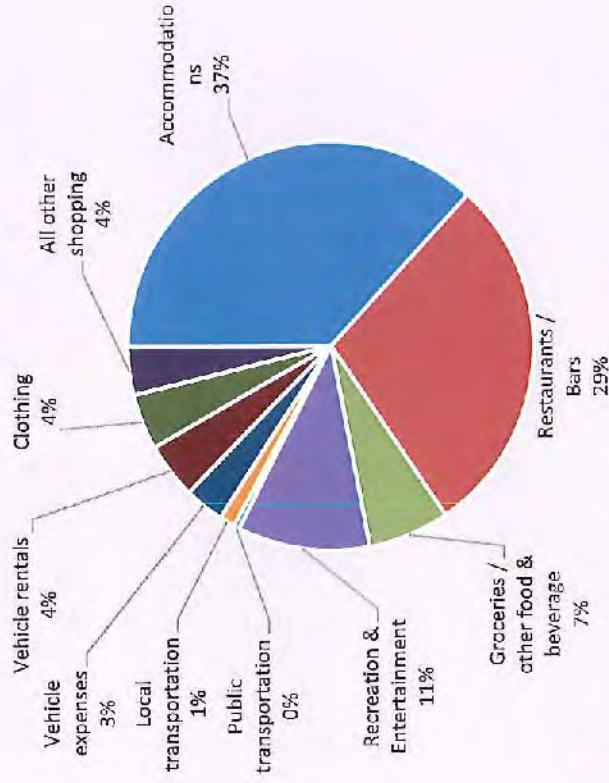


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# VISITOR SPENDING

	Per Party	Overall
Accommodations	\$612.47	\$1,418,801
Restaurants / Bars	\$478.08	\$1,107,482
Groceries / other food & beverage	\$108.05	\$250,300
Recreation & Entertainment	\$174.42	\$404,044
Public transportation	\$7.80	\$18,075
Local transportation	\$20.38	\$47,214
Vehicle expenses	\$52.60	\$121,852
Vehicle rentals	\$74.02	\$171,465
Clothing	\$72.86	\$168,775
All other shopping	\$64.14	\$148,580
<b>TOTAL</b>	<b>\$1,664.81</b>	<b>\$3,856,588</b>

Aggregate visitor spending was nearly **\$3.9 million**



\* Visitor spending was calculated based on the survey results from people staying overnight in For McMurray and extrapolated to the overall attendance figures provided by Sydney Sport Tourism.

# VISITOR SPENDING – SCALED BY IMPORTANCE

Visitor spending directly attributable to this event was just over **\$3.7 million**

**IMPORTANT**

Visitors were asked about the importance of the 2019 Scotties Tournament Of Hearts in their decision to travel to Sydney. The results show that this event was the main driver for 83% respondents and indicated an average importance of 9.6/10.

	Per Party	Overall
Accommodations	\$590.86	\$1,368,755
Restaurants / Bars	\$461.21	\$1,068,416
Groceries / other food & beverage	\$104.24	\$241,471
Recreation & Entertainment	\$168.26	\$389,791
Public transportation	\$7.53	\$17,438
Local transportation	\$19.66	\$45,548
Vehicle expenses	\$50.75	\$117,554
Vehicle rentals	\$71.41	\$165,417
Clothing	\$70.29	\$162,821
All other shopping	\$61.88	\$143,339
<b>Total</b>	<b>\$1,606.08</b>	<b>\$3,720,551</b>

MEETS PRO<sup>3.0</sup> est la propriété de l'Alliance canadienne du tourisme sportif. Tous droits réservés 2017.

# OPERATIONAL & CAPITAL EXPENDITURES

In hosting the 2019 Scotties Tournament Of Hearts, the event organizers spent approximately **\$1.2 million** on various **goods and services** to ensure the successful operation of the event.

Operational & Capital Expenditures	
Salaries, Fees and Commissions	\$331,000
Advertising Services	\$395,000
Professional Services	\$40,000
Insurance	\$8,800
Rent	\$90,000
Other Services	\$35,000
Communication	\$29,000
Other Supplies	\$15,000
Food and Beverages	\$69,000
Accommodation	\$130,000
Personal Travel	\$30,000
Transportation and Storage	\$25,000
<b>Total Operational Expense</b>	<b>\$1,197,800</b>

# THE EI RESULTS

The combined spending of out-of-town spectators, participants, media, sponsors, and other people who visited Sydney for the 2019 Scotties Tournament Of Hearts, in combination with the expenditures made by the organizers of the event, totaled \$5.2 million, supporting \$7.83 million in economic activity (industry output) in Nova Scotia, including \$6.94 million of economic activity in Sydney.

These expenditures supported \$2.6 million in wages and salaries in the province and \$2.3 million in wages and salaries were supported in Sydney. The total net economic activity (GDP) generated by the 2019 Scotties Tournament Of Hearts was:

- \$4.95 million for Canada as a whole
- \$4.1 million for the Province of Nova Scotia
- \$3.4 million for Sydney

The 2019 Scotties Tournament Of Hearts supported tax revenues totalling \$1.5 million across Canada.

	Sydney	Nova Scotia	Canada
Initial Expenditure	\$5,206,611	\$5,206,611	\$5,206,611
GDP	\$3,406,271	\$4,068,943	\$4,945,821
Wages & Salaries	\$2,259,602	\$2,586,176	\$3,073,009
Employment	54.5	59.7	66.6
Total Taxes	\$1,281,939	\$1,442,862	\$1,635,931
<i>Federal</i>	\$477,303	\$538,903	\$618,995
<i>Provincial</i>	\$718,359	\$797,548	\$887,148
<i>Municipal</i>	\$86,277	\$106,411	\$129,788
Industry Output	\$6,936,604	\$7,826,151	\$9,648,037



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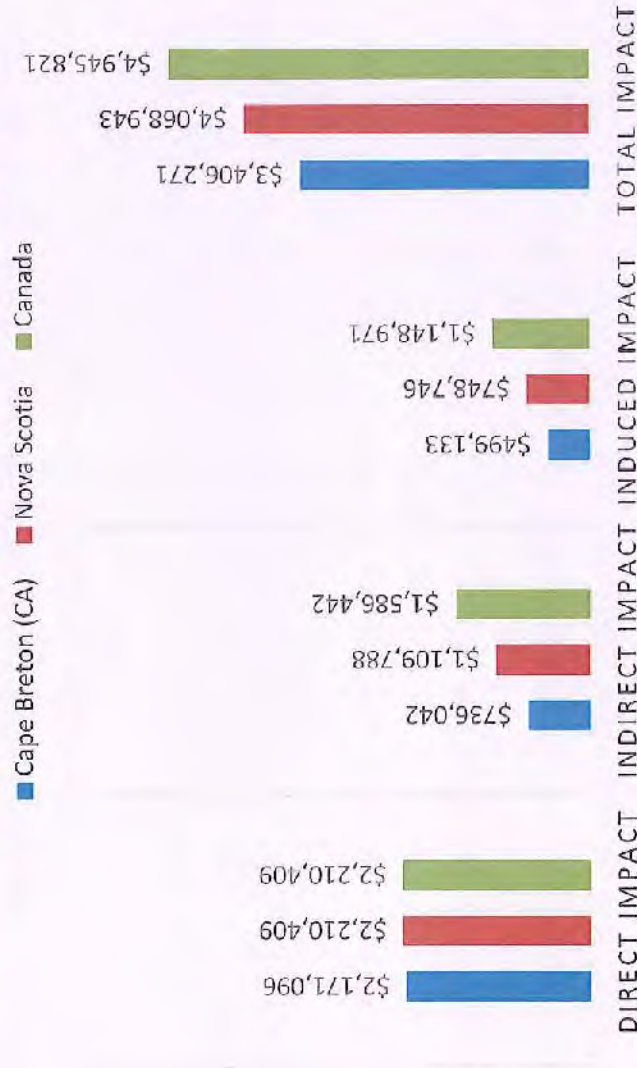
# GROSS DOMESTIC PRODUCT

## GDP (at basic prices)

The 2019 Scotties Tournament of Hearts contributed \$4.9 in GDP to the Canadian economy through direct and spin-off impacts.

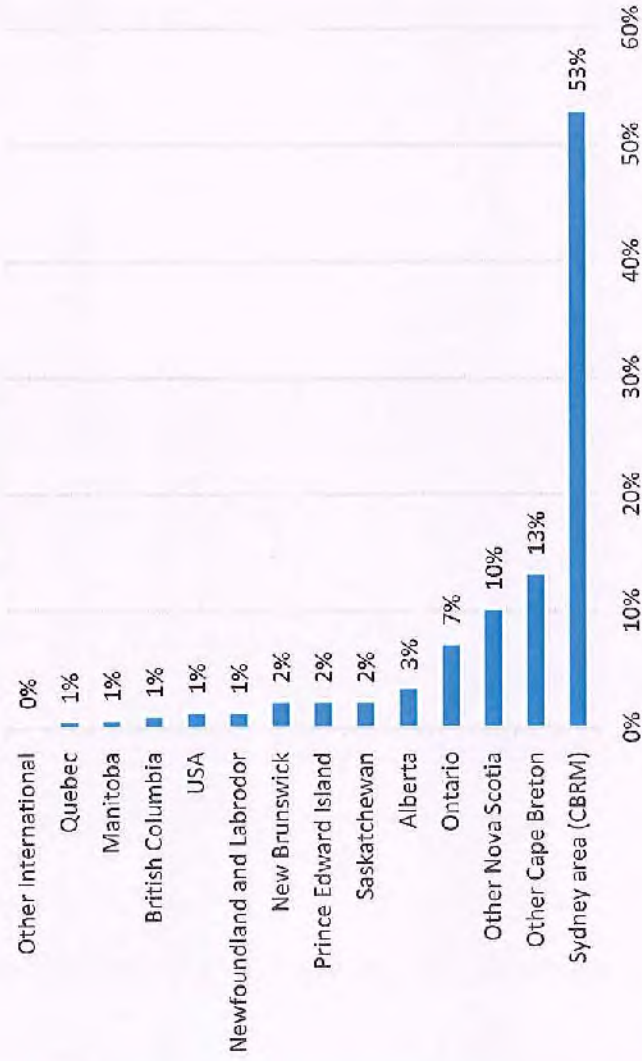
Of this, \$3.4 (96%) accrued in the Sydney area, while 82% of the total GDP impact remained in the province of Nova Scotia.

### GROSS DOMESTIC PRODUCT (AT BASIC PRICES)



# PLACE OF RESIDENCE

Where do you live?



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# TRAVEL CHARACTERISTICS

**98.7%** of out-of-town attendees stayed overnight during their visit to Sydney

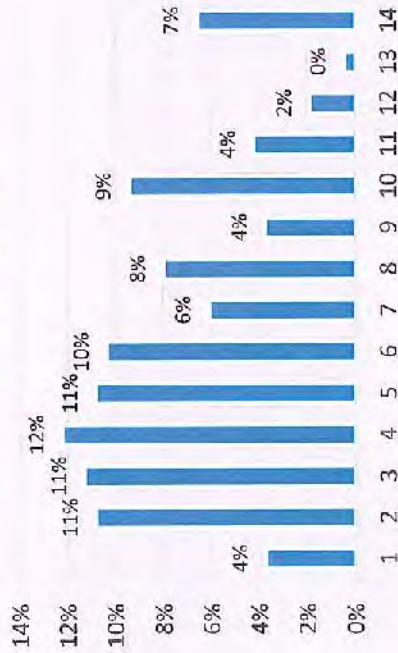


Of those staying overnight...

- 53% Said they live here / local
- 22% Stayed in Hotels / Motels
- 12% Stayed with friends / family
- 11% were making day trips / not staying overnight
- 3% Used short term rentals
- 0.2% Made Other accommodations

Average number of nights in Sydney = **6.2**

In total, how many nights will you be spending in the Sydney area?



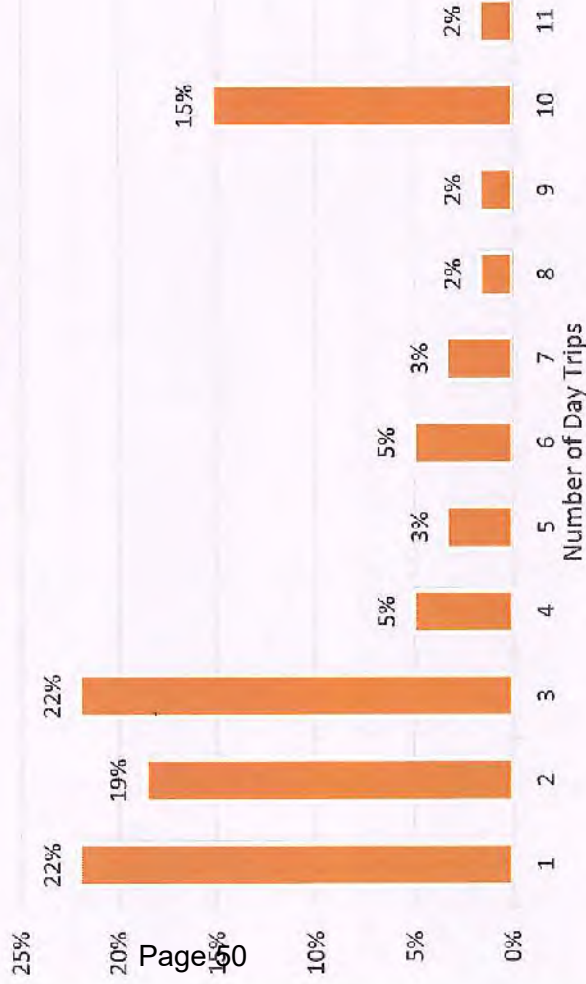
Average travel party (same household) size = **2.1** people



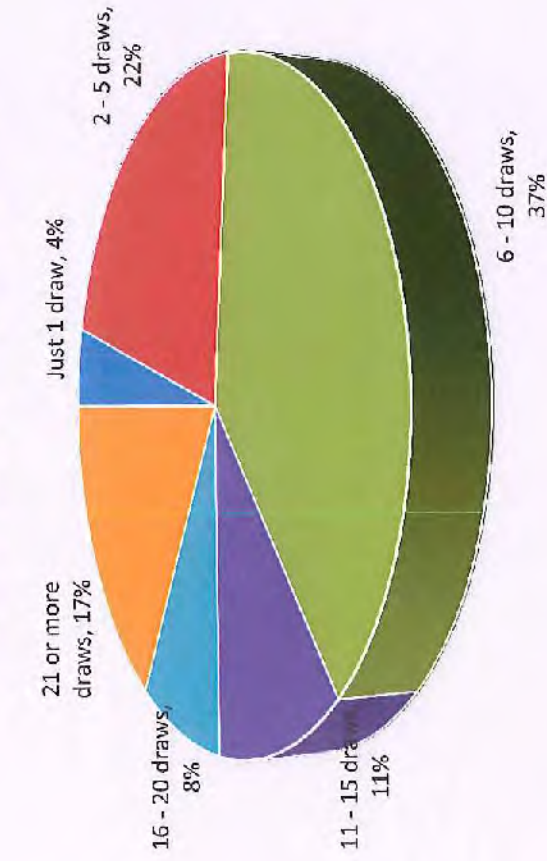
**86%** said their one-way daily commute to Sydney was less than 200km

# TRAVEL CHARACTERISTICS

In total, how many day trips will you be making to Sydney for this event?



How many draws are you planning on attending during this tournament?



# ADDITIONAL QUESTIONS

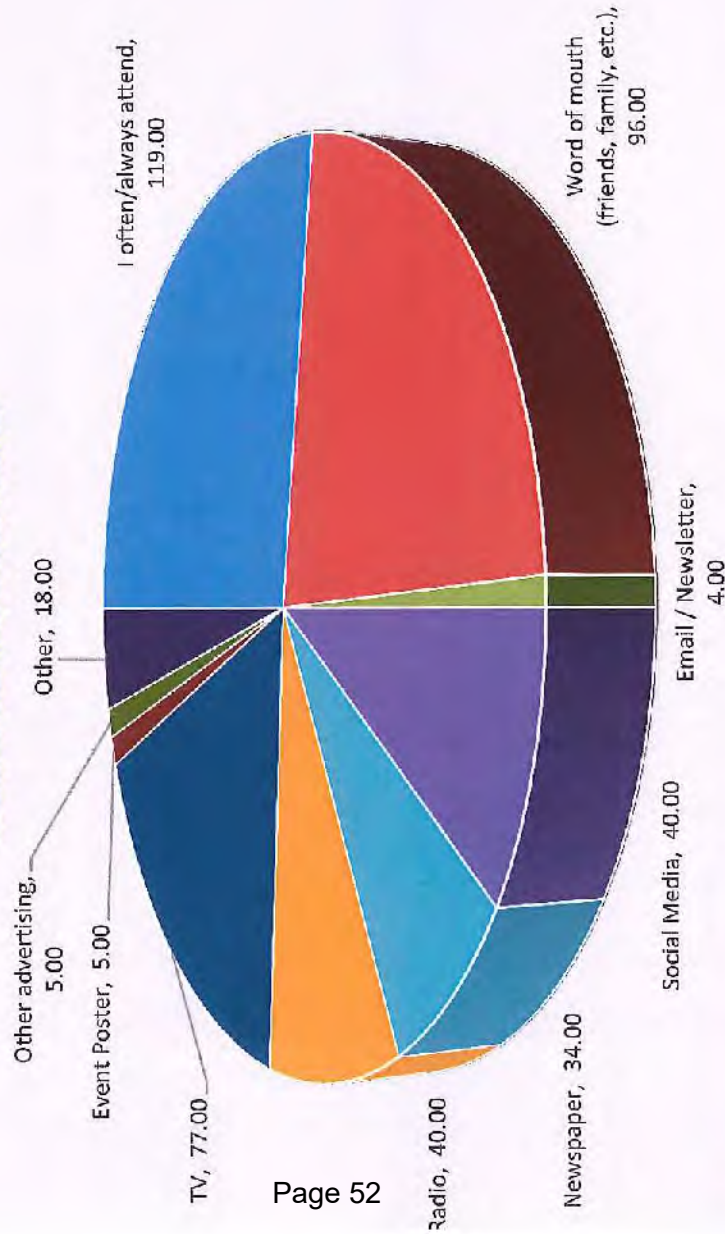
The following slides summarize the results from questions that were included as part of the survey, but were not all necessarily required for the economic impact analysis calculations.



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# AWARENESS & MOTIVATION

How did you find out about this year's Scotties Tournament of Hearts?



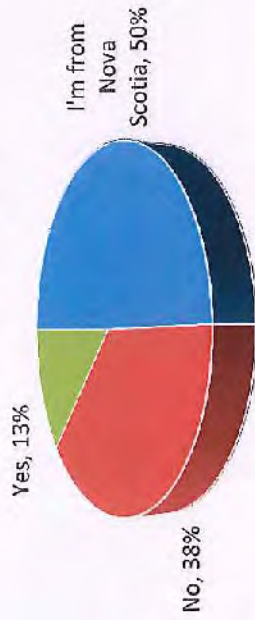
**IMPORTANT**

83% of attendees indicated that this event was the sole reason for their visit to Sydney.

Overall, the importance of this event in influencing visitation to Sydney was **9.6/10**.

# VISITOR EXPERIENCE

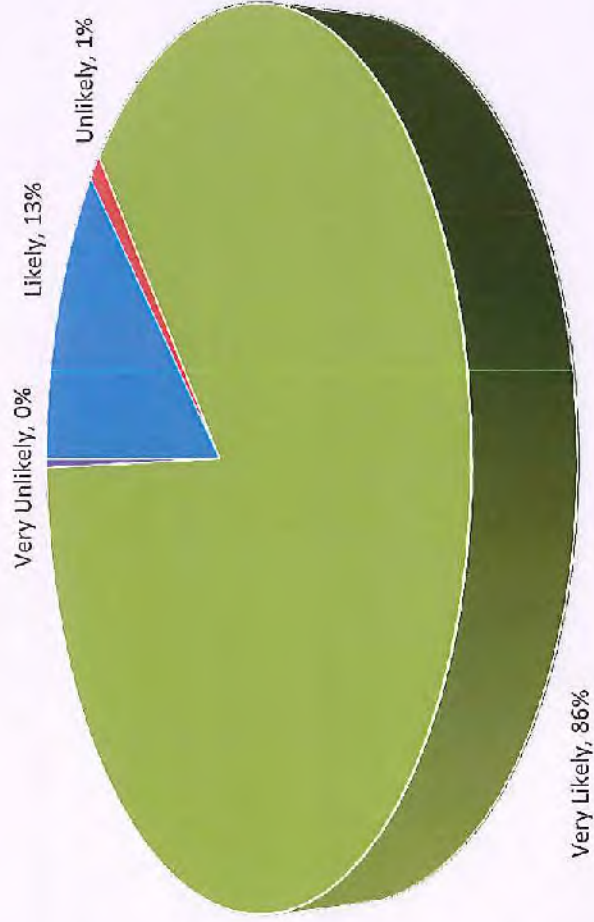
Is this your first visit to NS?



Is this your first visit to Sydney?



Based on your experience here in Sydney, how likely are you to return to Sydney again in the future?



# SUMMARY | BY THE NUMBERS

2019 Scotties Tournament of Hearts - Sydney – Key Facts & Figures				
<b>\$5,206,611</b>	<b>\$4,008,813</b>	<b>\$6,936,604</b>	<b>\$7,826,151</b>	<b>\$9,648,037</b>
Of initial expenditures	Of visitor spending attributed to event	Overall economic activity in Sydney & Area	Overall economic activity in Nova Scotia	Overall economic activity in Canada
<b>5,042</b>	<b>\$2,259,602</b>	<b>\$4,068,943</b>	<b>\$1,635,931</b>	<b>55</b>
Out of town visitors	Of wages and salaries supported locally	Total boost to provincial GDP	In taxes supported across Canada	Local jobs supported



# QUESTIONS?

If you have any questions concerning the findings in this report, please contact:

Thomas McGuire, CSTA EI Consultant  
[mcguire@groupatn.ca](mailto:mcguire@groupatn.ca) | 902.482.1221

If you would like to conduct another EI study using **steam pro<sup>2.0</sup>** on a future event, please contact [research@canadiansporttourism.com](mailto:research@canadiansporttourism.com)



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# Economic Impact Assessment Report | Key Findings

Prepared by Thomas McGuire, E Consultant, CSTA | April 20, 2019

## 2019 SCOTTIES TOURNAMENT OF HEARTS | SYDNEY, NS | FEBRUARY 16-24

The **2019 Scotties Tournament Of Hearts** took place in Sydney Nova Scotia from February 16 to the 24, 2019 at Centre 200. Over the 9 days of competition, Sydney hosted sixteen teams (14-member provinces and territories, Team Canada and a wild card team) in two pools of eight. The 9-day event attracted nearly 14,000 unique spectators.

Visitors were asked about the importance of the **2019 Scotties Tournament Of Hearts** in their decision to travel to Sydney. The results show that this event was the main driver for 83% of respondents, with an average importance of 9.6/10.

In hosting the **2019 Scotties Tournament Of Hearts**, the event organizers spent approximately \$1.2 million on various goods and services to ensure the successful operation of the event. A total of 632 valid responses were collected during this event.

The combined spending of out-of-town spectators, participants, media, sponsors, and other people who visited Sydney for the **2019 Scotties Tournament Of Hearts**, in combination with the expenditures made by the organizers of the event, totaled \$5.2 million, supporting \$7.83 million in economic activity (industry output) in Nova Scotia, including \$6.94 million of economic activity in Sydney.

These expenditures supported \$2.6 million in wages and salaries in the province and \$2.3 million in wages and salaries were supported in Sydney. The total net economic activity (GDP) generated by the **2019 Scotties Tournament Of Hearts** was:

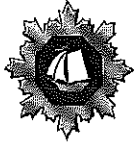
- \$4.95 million for Canada as a whole
- \$4.1 million for the Province of Nova Scotia
- \$3.4 million for Sydney

The **2019 Scotties Tournament Of Hearts** supported tax revenues totaling \$1.5 million across Canada.

### By the Numbers

2019 Scotties Tournament of Hearts - Sydney – Key Facts & Figures				
\$5,206,611	\$4,008,813	\$6,936,604	\$7,826,151	\$9,648,037
Of initial expenditures	Of visitor spending attributed to event	Overall economic activity in Sydney & Area	Overall economic activity in Nova Scotia	Overall economic activity in Canada
5,042	\$2,259,602	\$4,068,943	\$1,635,931	55
Out of town visitors	Of wages and salaries supported locally	Total boost to provincial GDP	In taxes supported across Canada	Local jobs supported





# **CBRM**

*A Community of Communities*

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**Cape Breton Regional Municipality**

## **MEMO**

**Date:** June 4, 2019  
**To:** Mayor and Council  
**From:** Jennifer Campbell, CPA, CA Chief Financial Officer  
**Re:** Resolution for Pre-Approval of Debt Issuance

---

CBRM requires a pre-approval for Debenture Issuance for the MFC Fall Debenture. The amount of borrowing required is \$10,250,000. This borrowing is for capital projects approved and completed in the fiscal year 2017-2018.

Due to the fact that longer than 12 months have elapsed since the original approval, a current resolution must be passed. The original motion of Council from the February 16, 2017 Special Council meeting is attached for reference.

Sincerely,

**ORIGINAL SIGNED BY**

---

Jennifer Campbell, CPA, CA Chief Financial Officer

Capital Budget 2017 - 2018

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**Motion:**

Moved by Councillor MacLeod, seconded by Councillor George MacDonald, approval of the 2017-2018 Capital Budget as recommended by staff, including:

- 2017-18 Capital Budget totaling \$31,343,000;
- Associated required Borrowing Resolutions for \$13,659,145;
- \$842,189 withdrawal from Capital Reserve.

**Motion to Amend:**

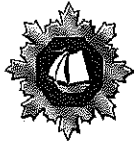
Moved by Councillor Coombes, seconded by Councillor Paruch, to remove the \$625,000 allotted for the Police Building (East Division) Phase 1 of 2 from the Capital Budget and to vote on this item separately.

**Motion to Amend Defeated.**

*\*it was noted that Councillor Marshall and Councillor Doncaster meant to vote against this motion.*

**Main Motion Carried.**

*\* It was noted that Councillor Coombes intended to vote against the main motion.*



# **CBRM**

*A Community of Communities*

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**Cape Breton Regional Municipality**

## **MEMO**

**Date:** June 4, 2019  
**To:** Mayor and Council  
**From:** Jennifer Campbell, CPA, CA Chief Financial Officer  
**Re:** Borrowing Resolution, Lease Facility

---

CBRM has in place a lease facility that carries a limit of \$2,000,000. Our financial institution, the Bank of Montreal, requires CBRM to renew this lease facility annually. CBRM will from time to time, opt to finance equipment purchases through a capital lease agreement that carries a shorter term than borrowing through the traditional debenture process. Lease payments are included in the respective departments' operating budgets and does not affect borrowing capacity.

The Bank of Montreal requires a motion from Council to renew this lease facility for the 2019/2020 fiscal year.

Sincerely,

**ORIGINAL SIGNED BY**

---

Jennifer Campbell, CPA, CA Chief Financial Officer



**CBRM**

*A Community of Communities*

---

**Cape Breton Regional Municipality**

## **MEMO**

**Date:** June 4, 2019  
**To:** Mayor and Council  
**From:** Jennifer Campbell, CPA, CA Chief Financial Officer  
**Re:** Borrowing Resolution, Operating

---

CBRM has in place a borrowing resolution for a \$44,000,000 line of credit. Our financial institution, the Bank of Montreal, requires CBRM to renew this operating line of credit annually. This represents the overdraft that is used to finance short term operations and bridge financing for capital projects.

The Bank of Montreal requires a motion from Council to renew this borrowing resolution for the 2019/2020 fiscal year.

Sincerely,

**ORIGINAL SIGNED BY**

---

Jennifer Campbell, CPA, CA Chief Financial Officer



# M·E·M·O

**To:** General Committee  
**From:** Deborah Campbell Ryan, Municipal Clerk  
**Date:** May 27, 2019  
**Subject:** Fences Arbitration Committee

The Manager of Building, Planning & Licensing Laws has referred a complaint from a resident to the Clerk's Department regarding livestock (i.e. cattle) roaming at large on Spruce Meadow Drive, off Point Aconi Road, due to an inadequate fence. It has been determined by the CBRM Police that this type of livestock does not fall under the new CBRM Responsible Animal Husbandry By-Law. In discussions with the Department of Agriculture officials, I have been advised that CBRM is required to establish a Fences Arbitration Committee pursuant to the *Fences and Detention of Stray Livestock Act* to deal with such complaints (copy of the Act attached).

I would point out that in 2011, a similar issue had arisen where a resident requested that the CBRM act pursuant to the *Fences and Detention of Stray Livestock Act* to assist with a neighbour whose livestock was roaming onto neighbouring properties because of an inadequate fence. A report from the Legal Department was presented to the Committee of the Whole on December 6, 2011, which stated that although the former Municipality of the County of Cape Breton was a registered municipality under that Act, it was the Legal Department's opinion that due to amalgamation, the Municipality was no longer a registered municipality under the Act. In order for CBRM to become a designated municipality, it would have to make a request to the Province. It was agreed by the Committee of the Whole that CBRM not pursue the designation under the Act as property owners can avail themselves of various civil remedies.

However, we have now learned that the legislation was amended in 2016 to state that a "municipality" means a municipality as defined in the *Municipal Government Act* [Section 2(d)], which includes CBRM. In accordance with Section 4 of the *Fences and Detention of Stray Livestock Act*, a fences arbitration committee shall be established for each municipality, consisting of one member from the municipality appointed by the Nova Scotia Federation of Agriculture, and one member appointed by the council of the municipality. The council appointment may be an employee of the municipality and shall be the chair of the committee. The members hold office for a term of not more than four years. An alternate member may also be appointed.

Continued...

The duties and responsibilities of the Fences Arbitration Committee are outlined in the attached Act, which include ordering a property owner to repair a fence. If the owner does not comply with the order, the Committee can have the work done to repair the fence and charge the cost to the tax account of the owner.

Prior to receiving the legal opinion in 2011, the CBRM Nominating Committee did appoint one Councillor to the Fences Arbitration Committee each year, however I cannot find any record of that the CBRM Fences Arbitration Committee held a meeting.

**RECOMMENDATION:**

That a recommendation be made to Council to appoint one council member to the Fences Arbitration Committee for a term of not more than four years, and to appoint one alternate. Given that this matter is somewhat time-sensitive, I would recommend that Council take nominations from the floor rather than referring it to the Nominating Committee.

Yours truly,

*Original signed by:*

---

**Deborah Campbell Ryan,  
Municipal Clerk**

Attachment

# **Fences and Detention of Stray Livestock Act**

CHAPTER 166 OF THE REVISED STATUTES, 1989

*as amended by*

2002, c. 1, ss. 9-18; 2016, c. 20, ss. 1-5



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Halifax

CHAPTER 166 OF THE REVISED STATUTES, 1989  
 amended 2002, c. 1, ss. 9-18; 2016, c. 20, ss. 1-5

**An Act to Provide for Fences and  
 Detention of Stray Livestock**

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(The table of contents is not part of the statute)

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**Short title**

**1** This Act may be cited as the *Fences and Detention of Stray Livestock Act*. R.S., c. 166, s. 1.

**Interpretation**

**2** In this Act,

- (a) “committee” means a fences arbitration committee;
- (b) “livestock” means cattle, sheep, swine, goats, horses, ponies, mules, ratites, farmed deer and game farm animals and any other livestock designated by the Minister;
- (c) “livestock farm” means that portion of land used for livestock, including land used for grazing purposes;
- (ca) “Minister” means the Minister of Agriculture;

NOVEMBER 10, 2016

(d) “municipality” means a municipality as defined in the *Municipal Government Act*;

(e) “non-livestock farm” means land upon which no livestock is maintained;

(f) “owner” includes

(i) with respect to livestock, any person who has lawful custody of the livestock,

(ii) with respect to a farm, the person occupying or operating a farm. R.S., c. 166, s. 2; 2002, c. 1, s. 9; 2016, c. 20, s. 1.

3 *repealed 2016, c. 20, s. 2.*

#### **Fences arbitration committee**

4 (1) There shall be established for each municipality a committee to be known as the fences arbitration committee consisting of one member from the municipality appointed by the Nova Scotia Federation of Agriculture and one member appointed by the council of the municipality.

(2) The member appointed by the council of a municipality pursuant to subsection (1) may be an employee of the municipality and shall be the chair of the committee.

(3) The Nova Scotia Federation of Agriculture and the council of the municipality shall each appoint an alternate member to serve on the committee when requested to do so by the member appointed by the council of the municipality or the Nova Scotia Federation of Agriculture, as the case may be.

(4) Two members of the committee constitute a quorum.

(5) The members of a committee hold office for a term of not more than four years.

(6) The members of a committee and the alternate members of the committee appointed pursuant to this Section may be paid remuneration, including reasonable expenses, by the municipality at such rates as the municipality may determine.

(7) Members of the committee and alternate members of the committee appointed pursuant to this Section shall be residents of the municipality for which the committee is established. 2002, c. 1, s. 11; 2016, c. 20, s. 3.

#### **Fences**

5 (1) The owner of a livestock farm shall build and maintain fences adequate to prevent his livestock from escaping from his farm.

(2) The owner of a non-livestock farm adjoining a livestock farm shall not plant or cultivate any crop other than hay or pasture that would constitute an enticement to livestock closer than eight feet to a fence built or maintained pursuant to subsection (1).

(3) When a livestock farm adjoins another livestock farm, the owners of those farms shall share in the costs of building and maintaining common fences in such proportions as may be agreed upon between them and, failing such agreement, in such proportions as the committee for the municipality in which the lands are situated shall determine pursuant to this Act.

(4) Subsection (3) shall not apply when one of the farms has been operated continuously as a non-livestock farm for a period of one year. R.S., c. 166, s. 5.

#### Disputes referred to committee

6 (1) A person who believes that an owner of a livestock farm has not complied with or is not complying with subsection 5(1), and where the person has complied with subsection 5(2), where applicable, or any owner of a livestock farm who is unable to reach an agreement with an owner of an adjoining livestock farm pursuant to subsection 5(3) may notify, in writing, the clerk of the municipality in which the land is located and the notification shall be accompanied by the fee determined by the municipality.

(2) When a clerk of a municipality receives a notification in writing pursuant to subsection (1), the clerk shall immediately refer the matter to the chair of the committee for that municipality who shall, within seven days, convene the committee and provide an opportunity for any of the parties to make representations to the committee, unless, before the expiry of seven days, the chair is satisfied that in respect of the matter referred to the committee this Act has been or is being complied with or an agreement has been reached between the parties.

(3) With respect to a matter referred to a committee under this Section, the committee may, by order,

(a) determine the location, height and materials of construction of any fence;

(b) determine the manner of maintenance of a fence;

(c) direct the owner of a farm to construct or maintain any fence in accordance with this Act;

(d) determine the proportion of costs of building and maintaining any fences and common boundaries to be borne by each of the adjoining livestock farm owners pursuant to this Act;

(e) take any immediate action necessary including, but not limited to, the removal and boarding of livestock if it is determined there is a risk to the public, the livestock or property.

(4) Livestock removed pursuant to clause (3)(e) shall be returned only after the proper fences are constructed or maintained to the standard determined by the committee.

(5) Where any person fails to construct or maintain a fence or contribute to the costs of a fence after having been directed to do so by an order of the committee pursuant to this Section, the committee may cause the work so ordered to be done and, for that purpose, its agents and workers may enter upon any land and the costs shall be paid by the municipality in which the lands in respect of which the order was made are located and, where the person is the person assessed for the property on which the work is done, the costs paid by the municipality are a first lien on the property and may be collected in the same manner as municipal taxes.

(6) The costs incurred by a municipality with respect to any action taken pursuant to clause (3)(e) or subsections (4) or (5), including, but not limited to, the costs of constructing or maintaining fences performed by the municipality or its agents, the removal, boarding, sale of or returning of any livestock, may be recovered from the owner of the livestock by action initiated by the municipality in a court of law. 2002, c. 1, s. 12.

#### **Title not affected**

7 Subject to the lien referred to in subsection 6(5), nothing in this Act shall be construed to affect the title to the lands on which fences are erected. R.S., c. 166, s. 7; 2002, c. 1, s. 13.

#### **Appeal from committee**

8 Every person aggrieved by a decision of the committee made pursuant to subsections 6(3), (4) or (5) or any order or direction made by the committee may appeal to the Supreme Court of Nova Scotia and the decision of the court is final. 2002, c. 1, s. 14.

### **STRAY LIVESTOCK**

#### **Detention and sale of stray livestock**

9 (1) Whenever any livestock strays onto the lands of a person and the ownership of the livestock is unknown, such person may detain the livestock.

(2) If not claimed by the owner within forty-eight hours, a person detaining stray livestock shall forthwith transmit to the municipal clerk an adequate description of the livestock that will enable the owner to recognize it together with an indication of the time and place of finding and the place where the livestock is detained.

(3) A municipal clerk who receives the information referred to in subsection (2) shall file a notice with a description of the livestock and post a copy thereof in his office and shall place the notice and description in two advertisements

at least seven days apart from each other in a newspaper of general circulation in the municipality in which the livestock is detained.

(4) The last advertisement referred to in subsection (3) shall state that unless the livestock is previously claimed it shall be sold at a sale to be held after the expiration of a further seven days at the time and place indicated in the advertisement. R.S., c. 166, s. 9.

#### Claim, sale or disposal of stray livestock

10 (1) If the owner claims the livestock before the sale, he shall

(a) notify the clerk of the municipality and pay to him the cost of advertising; and

(b) pay to the person detaining the livestock reasonable expenses for keeping the livestock.

(2) The provisions of subsections (2), (3) and (4) of Section 9 having been complied with, the committee, by written order, shall direct a sale or other disposition of the stray livestock at the time and place stated under the provisions of subsection (4) of Section 9.

(3) If no offers are made at the sale, or if the amount offered is not reasonable in the view of the committee, the committee shall dispose of the stray livestock in such manner as it deems fit.

(4) The proceeds of the sale or disposal of the stray livestock shall be distributed by the committee having regard to the reasonable expenses incurred by the person detaining the livestock and the cost of advertising and the balance, if any, shall be retained by the municipality unless claimed by the owner of the livestock within twelve months of the date of sale or other disposition, in which case it shall be paid to the owner.

(4A) Where livestock is sold or otherwise disposed of pursuant to this Act, the person to whom the livestock is sold or disposed of owns the livestock free of any encumbrances.

(5) If any question arises between the owner of the livestock, the person detaining it or the municipality respecting ownership or expenses of keeping the livestock, any of the parties may apply to the committee who shall determine the matter.

(6) Every person, who has detained stray livestock and who does not, within a reasonable time, transmit the information required under subsection (2) of Section 9 to the clerk of the municipality, is guilty of an offence and is liable on summary conviction to a penalty of not more than one hundred dollars for the stray livestock. R.S., c. 166, s. 10; 2002, c. 1, s. 15; 2016, c. 20, s. 4.

## DAMAGES

**Compensation for damage**

11 If any damage is done by livestock breaking into and destroying the product of any enclosure the same being enclosed at the time by a sufficient fence in the judgement of the committee, the owner of the livestock trespassing shall pay to the person injured compensation for such damage. R.S., c. 166, s. 11.

**Payment by owner**

12 In any municipality or portion of any municipality in which, by any by-law, order or regulation of such municipality, livestock are not allowed to run at large on any public street, square or common, or other public ground in such municipality or portion thereof compensation for any damage caused or done by any livestock straying from any such public street, square, common or other public ground, while running at large, into any field or on any other improved land, being private property, whether the same is enclosed by a fence or not, shall be paid by the owner of such livestock so trespassing to the person injured. R.S., c. 166, s. 12.

**Appraisal of damage**

13 The amount of the damage to be paid under Sections 11 and 12 shall be appraised by the committee. R.S., c. 166, s. 13.

**Action for damage**

14 If the owner refuses to pay the amount appraised upon notice thereof, the person injured may maintain an action therefor as for a private debt. R.S., c. 166, s. 14.

**Common law preserved**

15 Nothing in this Act shall be construed to impair the right of action under the common law for damages occasioned by livestock breaking into lands. R.S., c. 166, s. 15.

16 to 18 *repealed 2002, c. 1, s. 16.*

~~GOVERNOR IN COUNCIL~~

19 and 20 *repealed 2016, c. 20, s. 5.*



City Hall  
 320 Esplanade  
 Sydney, NS B1P 7B9

Item No.

<b>Council Agenda Request Form</b>		
<input checked="" type="checkbox"/> <b>Included on Agenda</b> (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> <b>Late Item</b> (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	<input type="checkbox"/> <b>Request from the Floor: (New Business)</b> - <b>Announcement</b> - <b>Referral</b> - <b>Submit Petition</b> - <b>Notice of Motion</b>
<b>Date of Council Meeting:</b> June meeting of General Council		
<b>Subject:</b> Cat bylaw		
<b>Motion for Council to Consider:</b> Request for Issue Paper on a Cat bylaw for CBRM		
<b>Reason:</b> When speaking with the SPCA regarding a problem with feral cats it was explained to me the SPCA has no bylaw regarding cats. The SPCA can deal with other animals but not cats. The Feral Cat Society, although very involved, posses no authority to deal with feral cats other than have them fixed, feed them and check on them. In situations where 5-20 feral cats are destroying neighbour's gardens, garbage cans and fighting with domesticated animals the CBRM should look into a bylaw.		
<b>Outcome Sought:</b> Bylaw		
<i>Councillor Steve Gillespie</i>	<i>District 4</i>	
<i>Date: May 20, 2019</i>	<i>Received by Clerk's Department (date):</i> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 5px;"> <b>Cape Breton Regional Municipality</b>  <b>Received</b>  <b>MAY 21 2019</b>  <b>CLERK'S OFFICE</b> </div>	



City Hall  
320 Esplanade  
Sydney, NS B1P 7B9

Item No.

<b>Council Agenda Request Form</b>	
<input checked="" type="checkbox"/> <b>Included on Agenda</b> (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> <b>Late Item</b> (Submitted to Municipal Clerk's Office by Noon the day before the meeting)
<input type="checkbox"/> <b>Request from the Floor: (New Business)</b> <ul style="list-style-type: none"> <li>- Announcement</li> <li>- Referral</li> <li>- Submit Petition</li> <li>- Notice of Motion</li> </ul>	
<p><b>Date of Council Meeting:</b> June 4<sup>th</sup>, 2019</p> <p><b>Subject:</b> CBRM March for the Earth requests</p>	
<p><b>Motion for Council to Consider:</b></p> <p>That an Issue Paper to be brought back to Council answering requests brought forward at the CBRM March for the Earth noted below, and to provide the Issue Paper/information to march organizers to disperse to public.</p> <p><b>Reason:</b></p> <p>At the May 24<sup>th</sup>, 2019 CBRM March for the Earth I was presented with the following requests from representatives of a group of CBRM residents who would like to see the CBRM take immediately action on the issue of Climate Change.</p> <ol style="list-style-type: none"> <li>1.) Publish a progress report on CBRM's climate action, referring to the 2014 CBRM Climate Action Plan as an indication of what steps have already been taken towards environmental mitigation and adaptation.</li> <li>2.) Strike an advocacy panel of public advisors who will meet to review CBRM's progress reports and recommend subsequent courses of action.</li> <li>3.) Commit to publishing monthly public reports that list any/all ongoing or completed climate actions taken by CBRM:             <ul style="list-style-type: none"> <li>• To reduce the city's fossil fuel emissions;</li> <li>• To mitigate the costly and hazardous effects of global warming for citizens;</li> <li>• To educate and prepare citizens for the effects of climate collapse.</li> </ul> </li> </ol>	
<p><b>Outcome Sought:</b></p> <p>To accept the list of requests/information provided on behalf of the residents of CBRM who attended the May 24<sup>th</sup> March for the Earth and provide feedback to the group organizers.</p>	
<i>Councillor Amanda McDaugall</i>	<i>District 8</i>
<i>May 27<sup>th</sup>, 2019</i>	<i>Received by Clerk's Department (date): May 30, 2019</i>

