



Cape Breton Regional Municipality

Council Meeting Agenda

Tuesday, May 12, 2026

2:00 p.m.

VIA VIDEOCONFERENCE

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Land Acknowledgement**Roll Call****O' Canada**

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

2. **Proclamations and Resolutions**
 - 2.1 **Environmental Sensitivities/Multiple Chemical Sensitivity (ES/MCS) Awareness Day**
Councillor Steven MacNeil (See page 6)
 - 2.2 **National Cancer Research Month**
Councillor Eldon MacDonald (See page 7)
 - 2.3 **National Police Week**
Deputy Mayor Glenn Paruch (See page 8)
 - 2.4 **International Day Against Homophobia, Transphobia, and Biphobia (IDAHAT)**
Councillor Darren O'Quinn (See page 9)
 - 2.5 **Victorian Order of Nurses (VON) Week**
Councillor Steve Parsons (See page 10)
 - 2.6 **Menstrual Health Day**
Councillor Earlene MacMullin (See page 11)
 - 2.7 **Access Awareness Week**
Councillor Steve Gillespie (See page 12)
 - 2.8 **ParticipACTION Community Challenge**
Deputy Mayor Glenn Paruch (See page 13)
 - 2.9 **Bike Month**
Councillor Gordon MacDonald (See page 14)
 - 2.10 **BCG Canada Club Day**
Councillor Kim Sheppard-Campbell (See page 15)

5.2 Filling of Swimming Pools by Fire Departments:

Demetri Kachafanas, KC, Chief Administrative Officer

Verbal Update

6. Correspondence

6.1 Twelve Months' Notice Letter to NSFM 2027-2028: John A. MacDonald, Minister of Municipal Affairs (See page 113)

6.2 Invitation to International Day Against Homophobia, Transphobia, and Biphobia (IDAHAT): Winter Cullen, Director of Education & Advocacy, Pride Cape Breton Society (See page 119)

6.3 Invitation to National Campaign for a Canadian Chinese Heritage Month: Marvin Rotrand, Director General, United Against Hate Canada (See page 120)

Adjournment



PROCLAMATION

Environmental Sensitivities/Multiple Chemical Sensitivity (ES/MCS) Awareness Month

WHEREAS: multiple chemical sensitivity (MCS) is a recognized disability in Canada that can substantially limit major life activities, including breathing, mobility, access to housing, employment, healthcare, education, and public services and affects more than 1.13 million Canadians; and

WHEREAS: the Canadian Human Rights Commission recognizes environmental sensitivities, including MCS, as a disability requiring accommodation, including scent-free environments and the use of lowest-VOC-emission, least-toxic products, to ensure equality and non-discrimination; and

WHEREAS: Canada, as a State Party to the United Nations Convention on the Rights of Persons with Disabilities and pursuant to the Accessible Canada Act (2019), has a duty to eliminate discrimination, identify and remove barriers, and ensure full equality, inclusion, and accessibility for persons with multiple chemical sensitivity across all levels of government, and May is recognized internationally as Multiple Chemical Sensitivity Awareness Month, with May 12 observed as Multiple Chemical Sensitivity Awareness Day.

BE IT THEREFORE RESOLVED: that CBRM Mayor Cecil P. Clarke and Council do hereby proclaim May 2026, as “**Environmental Sensitivities/Multiple Chemical Sensitivity (ES/MCS) Awareness Month**” in the Cape Breton Regional Municipality.

Councillor Steven MacNeil - CBRM District #8
May 12, 2026



PROCLAMATION

National Cancer Research Month

- WHEREAS:** cancer continues to affect the lives of thousands of Cape Bretoner's each year, touching families, friends, and communities with its profound impact; and
- WHEREAS:** May is recognized nationally as Cancer Research Month, a time to honour the dedicated researchers, healthcare professionals, and organizations whose tireless work advances our understanding of cancer and brings hope through innovative treatments and improved care; and
- WHEREAS:** continued investment in cancer research has led to earlier detection, better treatment options, and improved survival rates, offering renewed hope to those facing a cancer diagnosis; and
- WHEREAS:** we commend and support the contributions of local and national institutions, medical researchers, and volunteers who work to accelerate progress in cancer prevention, treatment, and cures.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim the month of May 2026, as “**National Cancer Research Month**” in the Cape Breton Regional Municipality.

Councillor Eldon MacDonald - CBRM District #5
May 12th, 2026



PROCLAMATION

National Police Week

WHEREAS: National Police Week began in 1970 as a way for police to connect with their communities and to increase awareness about the services they provide; and

WHEREAS: Police agencies across the country, through the Canadian Association of Chiefs of Police, unite annually in a campaign to raise awareness and understanding between police and the communities they serve; and

WHEREAS: the theme “Committed to Serve Together” acknowledges the partnerships and collaboration that form the cornerstone of effective crime prevention and public safety initiatives, working together towards a stronger, safer, brighter future for all; and

WHEREAS: the Cape Breton Regional Police is committed to serve and protect the CBRM, as a full-service agency with the resources and skills to ensure public safety, and to build safe and healthy communities through leadership, partnership and engagement, Serving with You – For you.

**BE IT THEREFORE
RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim May 10th to 16th, 2026, as “**National Police Week**” in the Cape Breton Regional Municipality.

Deputy Mayor Glenn Paruch - CBRM District #6
May 12th, 2026



PROCLAMATION

International Day Against Homophobia, Transphobia, and Biphobia (IDAHAT)

WHEREAS: the International Day Against Homophobia, Transphobia, and Biphobia (IDAHAT), observed annually on May 17, affirms the dignity, equality, and human rights of lesbian, gay, bisexual, transgender, and queer (2SLGBTQ+) people, and calls attention to the harm caused by discrimination, violence, and exclusion based on sexual orientation, gender identity, or gender expression; and

WHEREAS: this year's global theme, "At the Heart of Democracy," reminds us that strong and healthy democracies depend on the full inclusion of all people, and that local governments play a vital role in ensuring every resident feels safe, respected, and valued within their community, especially at a time when misinformation and harmful rhetoric increasingly target transgender and broader queer communities; and

WHEREAS: Pride Cape Breton continues to provide leadership, advocacy, and essential support for 2SLGBTQ+ youth and community members, fostering belonging, resilience, and civic participation across Cape Breton.

**BE IT THEREFORE
RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim May 17th, 2026, as "**International Day Against Homophobia, Transphobia, and Biphobia**" in the Cape Breton Regional Municipality.

Councillor Darren O'Quinn - CBRM District #11
May 12th, 2026



PROCLAMATION

Victorian Order of Nurses (VON) Week

- WHEREAS:** the Victorian Order of Nurses for Canada is a charitable community-based health care organization that has addressed community health and social needs for over 125 years; and
- WHEREAS:** every day, volunteers from all walks of life work with VON staff to help make Canadian communities healthier; and
- WHEREAS:** VON's home nursing, health promotion and support services make an invaluable contribution to the Health Care System in Nova Scotia; and
- WHEREAS:** the Cape Breton VON Branch has provided immeasurable support for individuals and families throughout the Island, providing compassion and care for those in need; and
- WHEREAS:** the 2026 VON Week theme, "Powered by Compassion," recognizes that for generations VON has supported individuals to live safely at home and in their communities, driven by dedication, strength, and compassion.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim May 17th to 23rd, 2026, as "**VON Week**" in the Cape Breton Regional Municipality.

Councillor Steve Parsons - CBRM District#7
May 12th, 2026



PROCLAMATION

Menstrual Health Day

- WHEREAS:** on May 28th, we recognize that 1 in 6 Canadians menstruators are affected by period poverty, a reality experienced in our community, in every corner of the province, and across Canada; and
- WHEREAS:** Menstrual Health Day (MH Day) is a Global Day of Action that was initiated by German non-profit WASH United in 2014 to raise awareness and change how the world perceives menstruation; and
- WHEREAS:** the Period Purse, a federally registered charity, works nationally to achieve menstrual equity by removing stigma and breaking down barriers to education and access to period supplies in communities across Canada; and
- WHEREAS:** a period-friendly Canada is a Canada where everyone can access the products, education and infrastructure they need to achieve menstrual health and working together we can end the root causes of period poverty in our community; and
- WHEREAS:** we encourage residents to recognize the importance of menstrual health, dignity, and equity in our community.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim May 28th, 2026, as “**Menstrual Health Day**” in the Cape Breton Regional Municipality.

Councillor Earlene MacMullin - CBRM District #2
May 12th, 2026



PROCLAMATION

Access Awareness Week

WHEREAS: the week of May 31st to June 6th, 2026, is recognized as Access Awareness week; and

WHEREAS: Access Awareness Week aims to celebrate achievements made both by and for people with disabilities in the areas of accessibility, transportation, housing, employment, recreation, education, and communication; and

WHEREAS: the theme for Access Awareness Week is "Disability Justice: Stronger Together, First Voice Leading Change for Collective Action" emphasizes centering lived experience and collaborative action to remove barriers and increase accessibility; and

WHEREAS: Access Awareness Week promotes the inclusion of all Nova Scotians with disabilities as full citizens within our communities and through public awareness, community partnerships and education, this campaign aims to foster an environment of equal participation for people with disabilities within the Cape Breton Regional Municipality

**BE IT THEREFORE
RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim May 31st to June 6th, 2026, as “**Access Awareness Week**” in the Cape Breton Regional Municipality.

Councillor Steve Gillespie - District #4
May 12th, 2026



PROCLAMATION

ParticipACTION Community Challenge

- WHEREAS:** Participaction's Community Challenge as Presented by Novo Nordisk is a national physical activity and sport initiative that encourages everyone in Canada to get active in the month of June; and
- WHEREAS:** by registering as an individual or as an organization and getting active across June, you can help your community take the steps towards being crowned the most active community in Canada; and
- WHEREAS:** the Community Challenge is open to everyone; As every Canadian should have equal access to quality sport and physical activity opportunities which helps every Canadian to thrive physically, emotionally, and socially; and
- WHEREAS:** the Community Challenge is an opportunity the Cape Breton Regional Municipality to build a sense of community pride while keeping connected with others, increase access to recreation facilities and boost current attendance of ongoing recreation opportunities across the municipality; and
- WHEREAS:** should you choose to take a walk, spend some time gardening, play some pickleball, jump some rope or participate in whatever activity that gets you moving the way you wish to help your community.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim June 1st to 30th, 2026 as the time to get moving so Cape Breton Regional Municipality can be ParticipACTION's Community Challenge Most Active Community in Canada.

Deputy Mayor Glenn Paruch - CBRM District #6
May 12th, 2026



PROCLAMATION

Bike Month

WHEREAS:

Bike Week, which was extended to Bike Month in 2024, continues in 2026 as a month-long celebration of bicycling in the Cape Breton Regional Municipality; and

WHEREAS:

CBRM's Active Transportation Plan recognizes that having the choice to walk or ride a bicycle provides our residents with mobility options and improves the quality of life in our Region; and

WHEREAS:

CBRM's Bike Month includes events hosted by local community groups and activities geared to cycling, promoting bicycle safety and motivating residents to ride their bicycles; and

WHEREAS:

Bike Month is made possible through partnerships with Velo Cape Breton and other businesses in the CBRM offering bicycle and active transportation services.

**BE IT THEREFORE
RESOLVED:**

that CBRM Mayor Cecil P. Clarke and Council proclaim June 1st to June 30th, 2026, as “**Bike Month**” in the Cape Breton Regional Municipality.

Councillor Gordon MacDonald - CBRM District #1
May 12th, 2026



PROCLAMATION

BCG Canada Club Day

WHEREAS:

BGC Canada Clubs (formerly known as Boys and Girls Clubs) are the largest youth serving organization in Canada and these clubs across Canada have been a cornerstone of support for children and youth, providing safe, inclusive spaces where they can learn, grow, and reach their full potential; and

WHEREAS:

these Clubs serve thousands of young people and families every year, offering critical programs that promote healthy living, education, leadership, and community engagement; and 2026 marks the 126th anniversary of BGC Canada Clubs, celebrating more than a century of positive impact on the lives of children and youth nationwide; and

WHEREAS:

BGC Cape Breton has proudly served the community of Whitney Pier and beyond for over 30 years, continuing to grow and thrive through the support of dedicated staff, a committed board of directors, and the ongoing engagement of the broader community.

WHEREAS:

the Cape Breton Regional Municipality recognizes the outstanding contributions BCG Canada Clubs make in building resilient, confident, and successful young people.

**BE IT THEREFORE
RESOLVED:**

that CBRM Mayor Cecil P. Clarke and Council hereby proclaim June 6th, 2026, as “**BGC Canada Club Day**” in the Cape Breton Regional Municipality.

Councillor Kim Sheppard-Campbell - CBRM District #12
May 12th, 2026



PROCLAMATION

Motorcycle and Scooter Ride to Work Day

- WHEREAS:** the Motorcycle and Scooter Ride to Work Day will be observed on Tuesday, June 10th, encouraging workers to commute by motorcycle and scooter as part of its 34th annual event; and
- WHEREAS:** motorcycle and scooter commuting provides significant public benefits, including reduced traffic congestion, lower fuel consumption, and more efficient use of parking spaces, allowing more room for other vehicles; and
- WHEREAS:** communities across North America and around the world have recognized this initiative, promoting a form of transportation that is both practical and environmentally responsible.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaims June 10th 2026, as “**Motorcycle and Scooter Ride to Work Day**” in the Cape Breton Regional Municipality.

C Deputy Mayor Glenn Paruch - CBRM District #6
May 12th, 2026



RESOLUTION

Canadian Chinese Heritage Month

- WHEREAS:** Canada is strengthened by its cultural diversity, and the contributions of Chinese Canadians have been integral to the social, economic, and cultural fabric of the nation; and
- WHEREAS:** Chinese Canadians have played a significant role in the development of Canada, Nova Scotia and Cape Breton including contributions to the building of the Canadian Pacific Railway, entrepreneurship, public service, and community leadership; and
- WHEREAS:** Chinese Canadians have faced historical injustices, including the Chinese Head Tax and the Chinese Exclusion Act, and continue to demonstrate resilience and commitment to building an inclusive Canada; and
- WHEREAS:** recognizing and celebrating the heritage, culture, and contributions of Chinese Canadians promotes greater understanding, inclusion, and unity across all communities in Canada; and
- WHEREAS:** 68 cultural heritage days and months have been established by Parliament to recognize and celebrate the contributions of diverse communities across Canada; and
- WHEREAS:** organizations representing Chinese Canadians across Canada have asked municipal Councils to urge Parliament to enact a Canadian Chinese Heritage Month;
- BE IT THEREFORE RECOMMENDED:** Council recognize the contributions of the Chinese community to the success and growth of Cape Breton, Nova Scotia and Canada; and Council urge Parliament to enact a Canadian Chinese Heritage Month; and The Regional Clerk forward a copy of this resolution to the Members of Parliament for Sydney - Glace Bay and Cape Breton Canso - Antigonish.

Deputy Mayor Glenn Paruch - CBRM District #6
May 12th, 2026

Municipal Heritage Registration – The Gatehouse (532 Kings Road, Sydney)

Motion

Moved by Councillor MacMullin, seconded by Citizen Trifos, to recommend to Council to initiate the process for registering the Gatehouse located at 532 Kings Road, Sydney (PID 15818875) as a municipal heritage property.

Motion Carried

**Municipal Heritage Registration – The Gatehouse (532 Kings
Road, Sydney)**

Motion

Moved by Councillor MacMullin, seconded by Councillor Eldon MacDonald, to initiate the process for registering the Gatehouse located at 532 Kings Road, Sydney (PID 15818875) as a municipal heritage property.

Motion Carried



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: May 4, 2026

Subject: Municipal Heritage Registration – The Gatehouse (532 Kings Road, Sydney)

Origin

Initiated by Hugh Lynch, property owner

Legislation and Related Policies

Heritage Property Act

Policy Respecting Criteria for Heritage Property Registration

Heritage Property By-law

Recommendation

It is recommended Council register the Gatehouse located at 532 Kings Road, Sydney (PID 15818875) as a Municipal Heritage Property.

Background

A request has been received from Hugh Lynch (property owner), to register 532 Kings Road, Sydney (PID 15818875) as a Municipal Heritage Property (Attachment A). The property owner is also seeking Provincial Heritage status. The documentation submitted to support their Provincial Registration request is also being used to support the Municipal Heritage Request (Attachment B). The unique architectural features including an asymmetrical design, decorative fieldstone chimney with round arch window, wooden detailing including gingerbread bargeboard trim at the eaves, and decorative half-timbering applied to each façade to define second storey are being cited for reasons for its registration. It is also recommended because of its historical connection with the steel industry in Cape Breton.

In 1899 Arthur Moxham, Vice President of the Dominion Iron and Steel Company and general manager of the Sydney Steel Plant, constructed Moxham Castle. This thirty room, three-storey castle which consisted of two tower, seven chimneys and fourteen fireplaces was originally constructed in Ohio. To entice his wife to move to Cape Breton, the castle was dismantled and rebuilt in Sydney. In addition to reconstructing Moxham Castle, Moxham also build a

groundskeeper's cottage, a dome-shaped greenhouse, a carriage house, stables, several outbuildings and the Gatehouse. Property grounds were also enclosed by a stone fence and iron gate. The gatekeeper was employed to let people in and out of the iron gates. Regardless of the hour, the keeper had to be dressed in a turn of the century costume to welcome people. That Gatehouse was the home of the gatekeeper (Attachment C).

Moxham Castle and other buildings deteriorated due to neglect and vandalism and were ultimately lost to fire in 1966. The Gatehouse is the only remainder of the estate along with a portion of the stone wall. The Gatehouse contains architectural elements common to the late 19th and early 20th. This two-storey wooden home has a gabled roof with overhanging eaves and decorative details common in Craftsman-style architecture.

As indicated, the applicant is requesting Municipal Heritage Registration based on the unique architectural and historical significance. The scoring criteria for this property can be found in Attachment D.

Heritage Advisory Committee

During the March 19th, 2026 Heritage Advisory Committee Meeting, the Heritage Advisory Committee passed a motion advising Council to initiate the process for registering this property as a Municipal Heritage Property. On March 26th, Council passed a motion to initiate the process for registration.

Heritage Property Act

In accordance with the *Heritage Property Act*, no registration shall take place until Council has given the owner of the property an opportunity to be heard. Notice of the recommendation to register this property was sent to the Land Registration Office on April 10th, and notice was also sent directly to the property owner. No written comments were received by the Planning and Development Department at the time this report was prepared.

Financial Implications

There are no financial implications associated with the preparation of this report. Staff time related to the preparation of this report has been allocated under the approved 2026/27 operations budget.

Municipal Heritage Properties are eligible for funding under the Heritage Incentive Program. Funding for this program is included in operations budget.

Attachments

Attachment A – Property Map

Attachment B – Applicants Submission

Attachment C – Documentation Provided by the Beaton Institute (source not given)

Attachment D – Property Registration Scoring Criteria

Attachment E – Exterior Photos

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

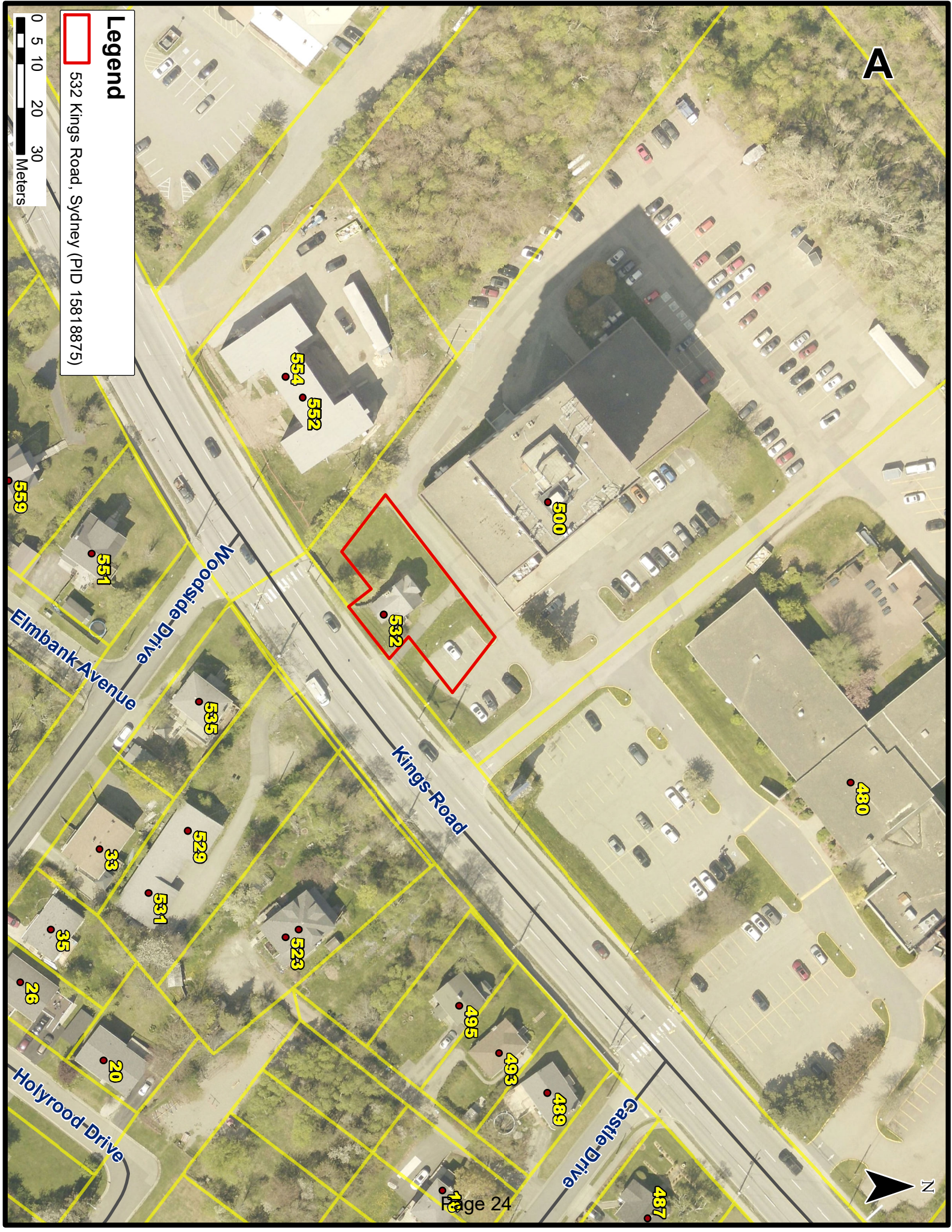
Report Prepared by: Karen Neville, Senior Planner/Heritage Officer

A



Legend

532 Kings Road, Sydney (PID 15818875)





Communities, Culture and Heritage

HERITAGE PROPERTY PROGRAM

APPLICATION TO REGISTER
A
PROVINCIAL HERITAGE PROPERTY

Nova Scotia's *Heritage Property Act* provides for the registration of properties that have significance to Nova Scotia. Properties can include individual buildings or provincially owned public-building interiors. The registration process begins with an application that is submitted by the property owner to the office of the Heritage Property Program, Culture and Heritage Development, Department of Communities, Culture and Heritage. Once verified that all materials required to process the application have been submitted, staff will arrange for a site visit to view and document the property, and discuss with the owner the process for registration, as well as the implications of provincial registration. Staff will then prepare a heritage case study that will be presented to the Advisory Council on Heritage Property, who may recommend to the Minister charged with the administration of the *Heritage Property Act* that the property be registered as a provincial heritage property.

If the property is recommended, the Minister will issue a Notice of Recommendation to the property owner, which identifies the reasons for the proposed heritage registration, the implications of such registration, and property boundaries. This documentation also outlines the owner's right to make a representation to the Minister, within a thirty-day period, should the owner support the recommendation or if the owner has an objection to the proposed registration. A copy of the Notice is also deposited at the Registry of Deeds.

At the end of the thirty-day period, the Minister has a further ninety days within which to decide whether to add the proposed property to the Provincial Registry. When a property is added, the Minister issues a Notice of Registration to the owner, indicating that the property is now a provincially registered heritage property. This document is also deposited at the Registry of Deeds. For more information on this process, please contact the Heritage Property Program at (902) 424-5647.

A. Property Information

Name of property: The "Gatehouse" to Moxham Castle

If not known, what name would you recommend for the property? Gatehouse

Location of property: 532 King's Road, Sydney, N.S.

Civic address: _____

Present owner[s]: Hugh Lynch and Ann Lynch

Is the property a registered municipal heritage property? Yes ___ No

The Beaton Institute at Cape Breton University
Are there other information sources that we should consider when evaluating the heritage significance of this property? (provide attachments if necessary)

Blue Prints for Castle and surrounding buildings, historical facts and stories re Morham family activities in community, many letters back & forth with the Clappell family and others, castle becoming temporary hospital World War I,

C. Submission: a great service to the community, Gatehouse housed workers over the years.

Application submitted by: _____
(if organization, please also note a contact person)

Mailing Address: _____

Phone (daytime): _____

Fax: _____ E-mail: _____

Signature of the property owner: _____ Date: July 7, 2023

Have you included these attachments?

- Attachment A Example of a legal description (commonly known as Schedule A)
- Supplementary documentation to be considered when evaluating your property.

Once you have completed this application, please return to:

Heritage Property Program
Department of Communities, Culture and Heritage
Culture and Heritage Development
1741 Brunswick Street, 3rd Floor
P.O. Box 456
Halifax, NS B3J 2R5

Phone: 902-424-6396 Fax: 902-424-0710



Communities, Culture and Heritage

If yes, by what municipality? _____ year registered _____
Because the *Heritage Property Act* requires that both the Notice of Recommendation and Notice of Registration of the property be filed with the Registry of Deeds, a copy of the legal description (commonly known as Schedule A) of the property is required before staff can proceed with the application. This description defines the meets and bounds of the property, and an example is provided as Attachment A. Please note while in most cases the entire property is registered, there are occasions where only the building's footprint or a small portion of the property is registered. Please contact the Coordinator, Heritage Property Program for more information.

A copy of the legal description (Schedule A) has been included with the application? Yes ___ No ___

Please attach photographs showing the exterior elevations of the property.

B. Evaluation Information:

What type of property is being nominated? Building Cemetery ___ Landscape ___
Engineering work ___ Public-building interior ___

When is the approximate age of the property? 125 years

Estimated or based on what reference? The Beaton Institute at CBU

What is the physical condition of the property? Very good

Is the property associated with an individual of provincial historical note? A. J. Moxham
helped build, manage and operate the Sydney Steel Plant ^{mid to late} 1890's

Is the property associated with events or themes of provincial historic note? no

Is the architectural or landscape style or technique used in the construction of this property considered rare or unique within the province? Please describe.

There are several recent photos + a booklet included
which might better answer these questions

Please note any sources of historical information regarding this property. [e.g. books, articles, or local individuals]

Booklet included and historical information available online
re Mr. Moxham, etc.

SCHEDULE "A"

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LOT 04-1

LANDS OF H. B. LYNCH INVESTMENTS INC. (CABOT HOUSE) KINGS ROAD, SYDNEY, NOVA SCOTIA.

ALL AND SINGULAR THAT CERTAIN LOT, PIECE, PARCEL OR TRACT OF LAND, situate, lying and being on the north western side of Kings Road, at Sydney, in the Cape Breton Regional Municipality, Province of Nova Scotia, and being known and distinguished as Lot 04-1, as shown on a subdivision plan of lands of H. B. Lynch Investments Inc. (Lot 96-2C), to create Lot 04-1 and Lot 04-2, Kings Road, Sydney, NS; made by **JOHN S. POPE & ASSOC. LTD.**, signed by **JOHN S. POPE, CLS, NSLS**, and dated July 22, 2004, said Lot 04-1 being more particularly bounded and described as follows:

BEGINNING: at the point of intersection formed by the north western boundary of Kings Road, with the south western boundary of lands of Fortis Properties Corporation, as recorded in the Registry of Deeds Office, Sydney, NS, in Book 1957, Page 654, said survey marker being S 55° 13' 28" W, a distance of one hundred and fifty-five point forty-two (155.42') feet from Nova Scotia Control Monument 1234;

THENCE: S 51° 28' 07" W, along the north western boundary of Kings Road, a distance of nineteen point ninety-four (19.94') feet to a survey marker at a beginning of curve;

THENCE: south westerly, along the north western boundary of Kings Road, along a curve having a deflection angle to the right a radius of thirty-nine hundred and forty-seven point zero one (3947.01') feet, a curve distance of eighty point zero six (80.06') feet to a survey marker in the most eastern end of Lot 04-2 on the aforesaid plan;

THENCE: N 37° 01' 36" W, a distance of twenty point sixty-four (20.64') feet to a survey marker;

THENCE: N 52° 58' 29" E, a distance of fifty-one point thirty (51.30) feet to a survey marker.

THENCE: N 51° 17' 40" W, a distance of fifty point fifty-three (50.53') feet to a survey marker;

THENCE: S 53° 28' 08" W, along the north western boundary of Lot 04-2, a distance of one hundred and twenty-nine point sixty-five (129.65') feet to a survey marker;

THENCE: S 51° 17' 40" E, a distance of fifty-one point sixty-eight (51.68') feet to a survey marker;

THENCE: N 52° 58' 29" E, a distance of thirty-four point forty-five (34.45') feet to a survey marker;

THENCE: S 37° 01' 36" E, a distance of twenty point sixty-three (20.63') feet to a survey marker on the north western boundary of Kings Road;

..../2

...../2

- THENCE:** south westerly, along the north western boundary of Kings Road, a distance of fifty point zero (50.0') feet to a survey marker in the north eastern boundary of lands of Brian & Susan Martin, as recorded in the Registry of Deeds Office, Sydney, NS in Book 2057, Page 130, (see Plan S 364);
- THENCE:** N 51° 17' 40" W, along the north eastern boundary of lands of the aforesaid Brian & Susan Martin, to and along the north eastern boundary of lands of H. B. Lynch Investments Inc., a distance of five hundred and fifty-four point forty-three (554.43') feet to a survey marker on the south eastern boundary of the Cape Breton & Central Nova Scotia Railway;
- THENCE:** north easterly, along the south eastern boundary of the Cape Breton & Central Nova Scotia Railway, along a curve having a deflection angle to the right, a radius of forty-two hundred and forty-three point ninety-three (4243.93') feet, a curve distance of four point seventy-seven (4.77') feet to the end of curve;
- THENCE:** N 52° 23' 41" E, along the south eastern boundary of the Cape Breton & Central Nova Scotia Railway, a distance of three hundred and seventeen point zero two (317.02') feet to a survey marker in the centerline of a thirty foot wide right-of-way;
- THENCE:** S 38° 27' 55" E, along the centerline of the aforesaid thirty foot wide right-of-way, a distance of five hundred and thirty-nine point sixty-one (539.61') feet to the point to BEGINNING.

ALL BEARINGS are based on 3° Modified Transverse Mercator Projection, Central Meridian at 61° 30' West Longitude

A TRACT OF LAND containing 3.054 acres by calculation.

SAVING AND EXEMPTING thereout and therefrom the above described lands, a fifteen foot wide portion of the above mentioned thirty-foot wide right-of-way.

SAVING AND EXEMPTING thereout and therefrom the above described lot, the widening of Kings Road.

TOGETHER in common use with others having a similar right, the use of a fifteen foot wide portion of the above mentioned right-of-way located on the north eastern side of the above described lot, and also as shown on the aforesaid plan.

DATED: July 22, 2004

**JOHN S. POPE & ASSOC. LTD.,
P. O. BOX 185
SYDNEY, N.S.
B1P 6H1**

The Gatehouse

Sydney



In 1899 Arthur J. Moxham, Vice-President of the Dominion Iron & Steel Company and general-manager of the Sydney Steel Plant, built a thirty room castle on ten to twelve acres of waterfront in Sydney on property formerly owned by Newton MacKay, M. P. The grounds were located between the C.N.R. tracks and King's Road. The castle, which was probably the most distinctive and ostentatious residence in Atlantic Canada, created an aura of medieval Europe amid the hustle and bustle of Sydney harbour. According to local lore Moxham, a Welsh immigrant to the united States, who had achieved success and wealth in the design, organization and management of iron and steel plants in Kentucky, Tennessee and Ohio, built the three-storeycastle with two towers, seven chimneys and fourteen fireplaces to entice his wife to come to Cape Breton. Tired of moving and fond of her home (the original Moxham's Castle) in Lorain, Ohio she was distressed at the idea of moving into a new residence in yet another locale. Moxham

overcame his wife's objections by dismantling the castle and removing it to Cape Breton. The dismantling and shipment to Sydney by rail cost \$350,000.¹ While there is some doubt as to whether or not the exterior stone walls were shipped to Sydney, records indicate that the entire interior (including mahogany wall panels, stone fireplaces, mantels and stained glass windows) was shipped.

In addition to reconstructing their home, Moxham also built a groundskeeper's cottage, a magnificent dome-shaped greenhouse, a carriage house, stables, several other outbuildings and the Gatehouse. All were set in lush grounds surrounded by landscaped gardens which featured imported trees and exotic plants, tiny brooks, shrubbery and walkways. The grounds were enclosed by a huge stone "fence", joined at the front of the property by iron gates. A gatekeeper or keeper was employed to let people in and out of the huge iron gates. Regardless of the hour the keeper had to be dressed in a plumed, turn-of-the century costume to welcome people. The Gatehouse was home to the gatekeeper.

In 1902 the Moxhams abandoned this magnificent property and left Sydney after tragedy struck their family. In 1901 their eldest son Thomas was killed while working on the construction phase of the steel plant and Mrs. Moxham never recovered from his death.

After Moxham left, the castle and its grounds were vacant until the First World War when the Canadian Government used it as a hospital. Its grounds were an idyllic setting for soldiers recovering from their war wounds. After the war the castle was again vacant until 1922 when purchased from Moxham by the construction entrepreneur, M. R. Chappell. Soon afterwards, Mr. Chappell sold it to shipping magnate W. N. MacDonald. MacDonald repaired and refurbished it and moved in around 1945. Upon his death in 1960 the castle again became vacant. Some concerned citizens wished to have the property designated and converted to a historic site but their efforts were unsuccessful. The castle and other buildings and the beautiful

grounds deteriorated because of neglect and vandalism, and finally succumbed to fire in 1966. Badly damaged by the fire, the historic castle was demolished and the property was later sold to H. B. Lynch Investment Incorporated. Today only one building - The Gatehouse - remains as a reminder and testament to the sad history of the castle.

The Gatehouse, presently owned by H. B. Lynch Investment Incorporated, resembles a delicate gingerbread cottage. The white, pale-blue trimmed, two storey wooden structure with its gabled gingerbread is a fine example of turn-of-the-century architecture and craftsmanship. Little if any of the house has been altered over the years save for a new roof and changes to accommodate modern electrical and plumbing facilities. Both the interior and the exterior are in excellent physical shape - a tribute to the care which was taken of the Gatehouse over the years and to the sturdiness of the structure which is situated only a bare thirty feet away from one of Sydney's busiest thoroughfares, King's Road. In the Gatehouse's one hundred year history the foundation has never moved and there is neither rot nor deterioration, even in the ornate, exterior gingerbread which adorns its gables. The original shingles which still shelter the Gatehouse from Sydney's Atlantic weather are a tribute to Moxham's wealth, for every second row is triple shingled. ²

Inside, the tiny house is a jewel of craftsmanship. The downstairs consists of a large kitchen and family room while the upstairs has two bedrooms. The house contains hardwood floors, two fireplaces and an array of cubbyholes and closets. ³ A surprisingly wide wooden staircase adjoins the two floors. The windows are the original, made of lead glass and diamond shaped, individually cut and then set in. Many of the windows are concave and others are convex.

The Gatehouse which once stood as a gingerbread usher greeting visitors to the magnificent grounds and castle now stands as the only reminder of a by-gone era of extreme wealth, power and beautiful architecture. Although dwarfed by an office tower and apartment

complex it has found a purpose for itself by serving as the home of Sydney's only permanent art gallery - the **Gatehouse Gallery**. Ann Lynk, its owner, has crammed "every corner of the neat little house" with paintings. ⁴

The Gatehouse with its bright, natural light is the perfect venue for displaying works of art. Year round visitors can find a display of work by many Cape Breton artists as well as other artists from Atlantic Canada.

Sources:

1. Mary Ellen MacIntyre, "Relic of a Castle," *The Chronicle-Herald* 15 January 1993.
2. Ken MacLeod, "Art Breeds Life Into Old Gatehouse," *Cape Breton Post* 7 October 1992.
3. MacIntyre.
4. MacLeod.

D

Property Requesting Registration: The Gatehouse (532 Kings Road, Sydney) (PID 15066780)

Historic Significance		
Age of Property Approximately 1901	30 points	25 points
Association of the property with the community's economic, social, political, athletic or cultural history	20 points	15 points
Association of the property with a well-known person locally, provincially or nationally	10 points	8 points
Association of the property with a significant event in a community's history (such as incorporation of a former municipal unit, a famous labour dispute, a famous court case)	10 points	5 points
Architectural Significance		
Presence of rare or unique architectural features on the exterior (such as stained glass windows, Scottish dormers, turrets, unique pre-fabricated features on modern buildings, etc.)	20 points	15 points
Exceptional example of a particular architectural style; in order to score high in this category a structure need not be old or elaborately designed [(a modern building that is unique or is a particularly good example of a particular style could score high in this category, as could a modest, relatively unornamented structure if it is a very good example of a particular style (such as a semi-detached coal company house)]	50 points	40 points
Exterior is wood, clay brick or natural stone	10 points	10 points
Has been very substantially altered in recent years; most or all original features (dormers, windows, doors, verandahs, etc.) have been changed in size and/or style or have been removed	-25 points	0 points
Property is in a deteriorated state, requiring major repairs	-15 point	0 points
Presence of unique interior features (such as a Casavant Freres organ, exceptional interior wood work, unique light fixtures) - <i>points to be awarded only in cases where the building is open to the public on a regular basis (places of faith, theatres, public buildings)</i>	5 points	0 points
Cultural Significance		
Association of the property with the history of a particular religious or ethnic group in the CBRM	25 points	0 points
Association of the property with social or sports events within a community over a long period of time	25 points	0 points
*Total	165 points	118 points

*** It is intended that this scoring criteria will be used as a guide; it is not recommended that a specific score in each category would be required in order for registration to proceed. However, it is assumed that in order to be registered a property should score at least 50 points overall.**









Text Amendments to CBRM's Land Use By-law

Motion

Moved by Councillor MacMullin, seconded by Councillor MacNeil, that Committee of the Whole recommend to Council to give first reading to consider approval of the proposed amendments to the CBRM Forward Land Use By-law, as set out in Attachment A, which is included in agenda package, and schedule a public hearing.

Discussion:

- Zoning changes
- Clarification on accessory buildings and solar power farms

Motion Carried



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: May 05th, 2026

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

Origin

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

Legislation and Related Policies

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

Recommendation

It is recommended that Council:

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

Background

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

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

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

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

Discussion of Proposed Amendments

Chapter 2: Administration

Existing Developments

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

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

Chapter 3: Definitions

Contractor

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

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

Dwelling, Two Unit

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

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

Dwelling Unit

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

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

Existing

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

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

Motor Vehicle Related

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

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

Commercial Parking

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

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

Definitions to be Added

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

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

Chapter 4: General Provisions

Accessory Buildings

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

It is recommended that;

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

And;

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

Parking and Loading

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

Subsection 4.18.1 General Provisions

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

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

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

Subsection 4.18.2 Driveway Access

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

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

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

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

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

And;

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

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

Shared Driveways

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

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

Signs

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

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

Solar Collectors (Main Use) and Solar Farms

The existing provisions with Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms did not make reference to zone standards such as maximum lot coverage applying to Main Use Solar Collectors/Farms. To improve clarity, this subsection should

be amended to confirm these uses must conform to the applicable zone standards for a main use.

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

Chapter 6: Commercial Zones

Clarification of Downtown Cores

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

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

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

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

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

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

Chapter 7: Industrial Zones

UT Zone

The UT, Utility and Transportation Zone is another new zone implemented during the adoption of the CBRM Forward Land Use By-law. This Zone falls within the Industrial category and is

intended for the working industrial harbors, rail lines, the airport, and other lands dedicated to utility uses. The permitted uses of the UT zone are very limited and apply mainly to utility and manufacturing uses, with only select services uses permitted.

During its adoption, the UT zone was sweepingly applied in areas surrounding port and industrial lands. This application of the UT zone replaced several zones from the previous LUBs that permitted all sales uses and a wide range of service uses. This has limited the development opportunity within the UT zone compared to what had been permitted. To continue to provide opportunities for sales and service development within the UT zone, it is recommended that Subsection 7.3.1 of the LUB be amended to permit all uses permitted with the BP zone with the UT Zone.

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

General Amendments

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

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

Financial Implications

None.

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

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

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

Report Prepared by: Peter Vandermeulen, Planner

ATTACHMENT A

By-law

of the Cape Breton Regional Municipality

amending the

Cape Breton Regional Municipality's Land Use Bylaw

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

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

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

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

required by this Bylaw, the building may be:

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

provided that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Motor Vehicle Service

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

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

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

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

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

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

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

And;

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

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

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

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

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

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

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

a) Residential Uses in Residential and Commercial Zones

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

b) Residential Uses in Rural Zone

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

c) All other Uses in All Zones

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Motor Vehicle Service

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

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

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

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

Sales

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

Fishery Use

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

Recreational

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

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

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

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

THAT: Chapter 6 Commercial Zones, Subsection 6.1 Downtown Regional Centre Zone of the Land Use By-law is hereby amended by deleting and replacing it with the following;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Contractor, Office
- Parking, Surface Lot

- Parking, Structure

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

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

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

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

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

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

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

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

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

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

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

MAYOR

CLERK

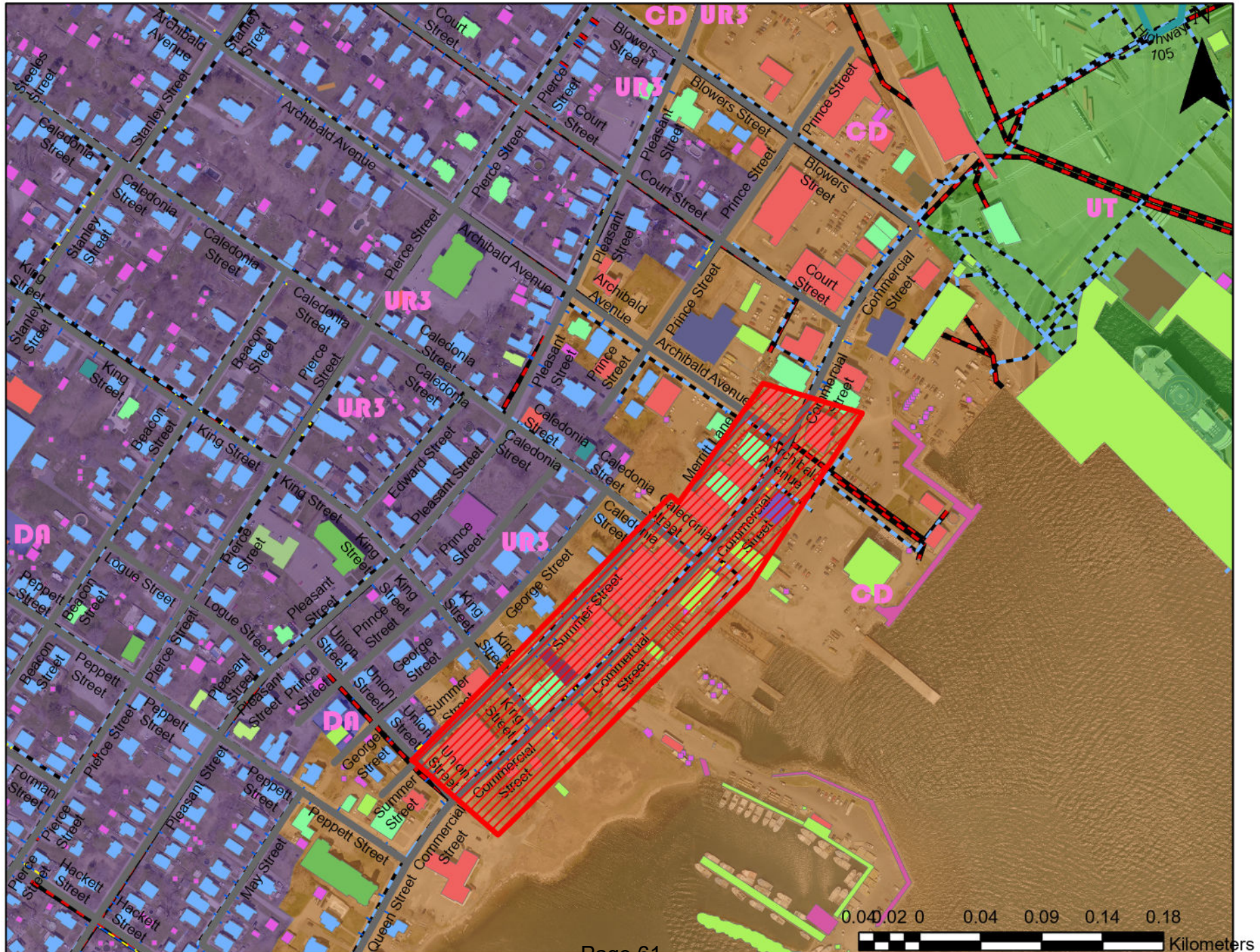
THIS IS TO CERTIFY that the above text amendments and Land Use Bylaw map amendments on the next page referencing this amending Bylaw are a true and correct copy of the Amending By-law of the Cape Breton Regional Municipality adopted by Regional Council during a meeting held on _____ to amend the Cape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

Christa Dicks, CLERK

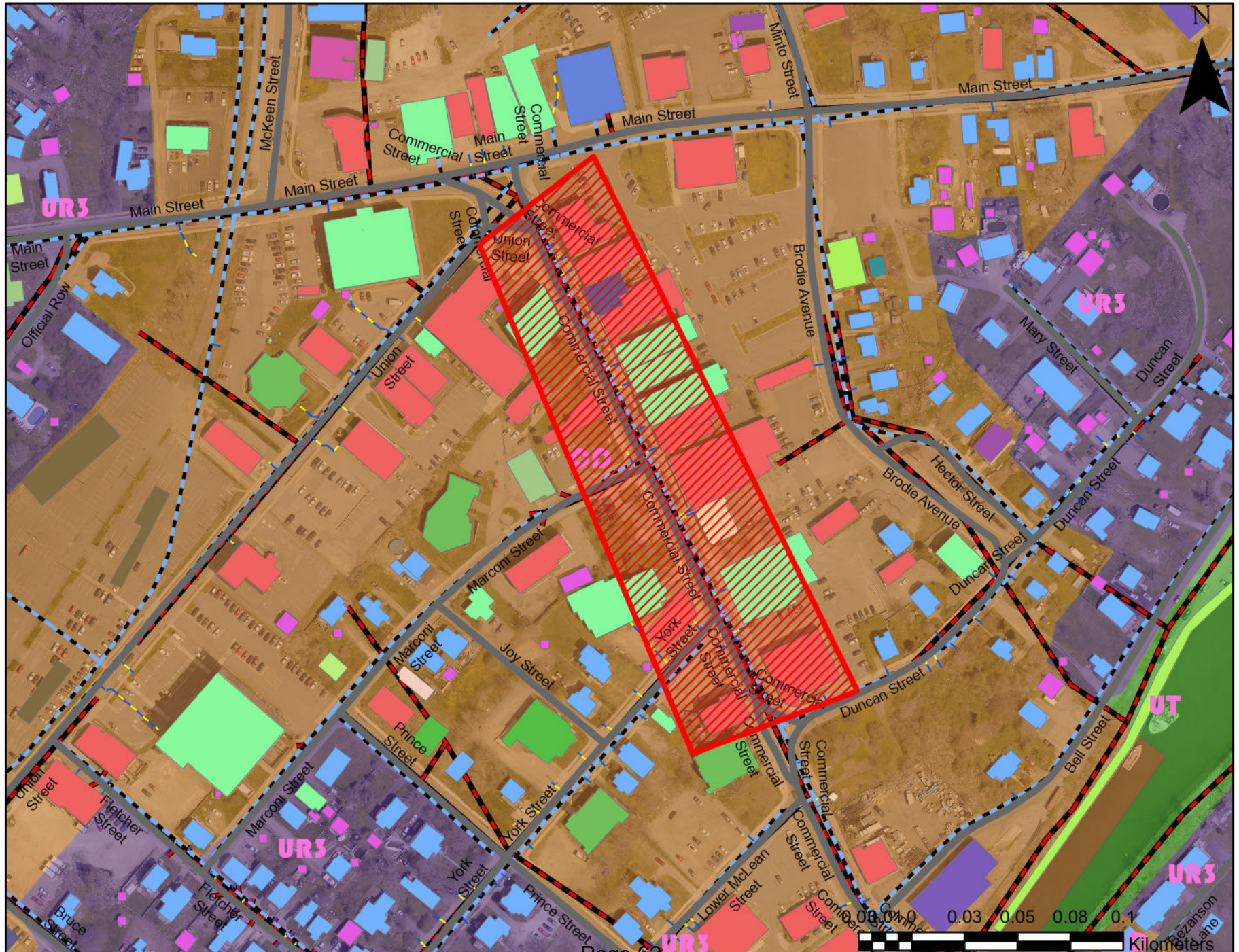
SCHEDULE A - CORE ILLUSTRATION, SYDNEY



SCHEDULE B - CORE ILLUSTRATION, NORTH SYDNEY



SCHEDULE C - CORE ILLUSTRATION, GLACE BAY





Cape Breton
Regional
Municipality

2026 Land Use By-law Review





Municipal Government Act:

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



Cape Breton
Regional
Municipality

It is recommended that;
That the Council of Cape Breton Regional Municipality give First Reading to the proposed Amending By-law as found in Attachment A of the Text Amendments to CBRM's Land Use By-law Report.



Cape Breton Regional Municipality

Shared Micromobility Use of Municipal Property

Motion

Moved by Councillor Gordon MacDonald, seconded by Councillor Eldon MacDonald, that Committee of the Whole recommend to Council to authorize the Chief Administrative Officer to negotiate and execute a one-year agreement with shared micromobility operator(s) for the placement and operation of devices on municipal property; and direct staff to develop a communication strategy to promote rider responsibilities, rules, and safety.

Discussion:

- Time threshold before a device is considered a sidewalk obstruction
- Communication strategy
- Clarification this is not a sole agreement
- Devices without a licence would be removed from municipal property
- Licencing Fee – base fee and per device fee
- Request to invite operators to present to Council

Amendment

Moved by Councillor Sheppard-Campbell, seconded by Councillor Gillespie, that the agreement be presented to the operator and be brought back to Council before the signing of agreement.

Amended Motion

That the Committee of the Whole recommend to Council to authorize the Chief Administrative Officer to negotiate and execute a one-year agreement with shared micromobility Operator(s) for the placement and operation of devices on Municipal Property; and direct staff to develop a communication strategy to promote rider responsibilities, rules, and safety, and the agreement be presented to the operator be brought back to council before the signing of agreement.

Discussion:

Excerpt: DRAFT Committee of the Whole Minutes, - May 5, 2026

- Clarification on meeting procedures related to returning the motion to Council
- Municipal Government Act and staff authority

Amended Motion Defeated

Main Motion Carried



STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: May 5, 2026

Subject: Shared Micromobility Use of Municipal Property

Origin

On August 19, 2025 Council passed the following motion:

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

MOTION CARRIED

Legislation and Related Policies

Municipal Government Act

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

Motor Vehicle Act enforce rider operations (Attachment A)

Recommendation

It is recommended that Council:

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

Background

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

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

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

Discussion

Motor Vehicle Act

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

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

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

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

Regulatory Approaches in Other Jurisdictions

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

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

Agreement-Based Model (Recommended) Approach

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

The agreement can be structured to:

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

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

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

Communication Strategy

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

The Communication Strategy could:

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

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

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

Committee of the Whole Discussion

During the May 5th Committee of the Whole Meeting, there was some discussion around the Service Level Requirements found in the draft agreement found in Attachment B. The 12 hour timeline suggested for Priority 2 is considered moderate and could be reduced. Comparable timelines from other jurisdictions are in the range of 4 to 8 hours. Based on this, the draft agreement has been updated to amend Priority 2 from 12 hours to 6 hours. Please note, the agreement found in Attachment B is draft and will be finalized by the Legal Department.

Financial Implications

Administrative costs will be managed through existing staff resources.

Options

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

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

Report Prepared by: Karen Neville, Senior Planner

Excerpts from the *Motor Vehicle Act*

Interpretation

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

Age limits for certain vehicles

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

Bicycle, animal, push-cart or wheelbarrow

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

Operation of electric kick-scooter

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

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

Cellular telephones

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

Maximum speed limit

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

Safety zone

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

Bicycle lanes

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

Railway crossing

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

Stop sign

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

Yield sign

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

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

Rotary or roundabout

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

Driveway

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

Application of Sections 131 to 136

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

Helmet for bicycle, electric kick-scooter and personal transporter

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

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

Restriction on operation

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

Operation of electric kick-scooter

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

Operation of electric kick-scooter

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

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

Restriction on operation

172E No person shall operate an electric kick-scooter

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

Lights or reflector

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

Horn, siren or bell

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

Electric kick-scooter damaged or modified

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

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

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

Regulations respecting electric kick-scooters

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

By-laws respecting electric kick-scooters

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

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

SAMPLE SHARED MICROMOBILITY AGREEMENT

This Agreement made this ___ day of _____, 20.

BETWEEN:

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

AND:

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

1. DEFINITIONS

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

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

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

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

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

“Municipality” means the Cape Breton Regional Municipality

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

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

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

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

2. AUTHORIZATION

2.1 Grant of Authorization

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

2.2 Conditions of Authorization

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

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

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

3. TERM

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

4. OPERATING CONDITIONS

The Operator shall:

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

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

4.3 Ensure that all devices are:

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

5. FLEET SIZE

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

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

6. MAINTENANCE AND REDISTRIBUTION

6.1 The Operator shall:

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

7. DATA SHARING

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

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

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

8. FEES

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

8.2 Fees shall be payable prior to commencement of operations.

8.3 Additional fees or cost recovery charges may apply for:

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

(c) Enforcement actions.

9. INSURANCE AND INDEMNITY

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

9.2 The Municipality shall be named as an additional insured.

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

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

10. PERFORMANCE SECURITY

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

10.2 The Municipality may draw upon such security to cover:

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

11. SEASONAL OPERATIONS

11.1 The operating season shall be from _____ to _____.

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

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

12. PROHIBITED AREAS

12.1 Prohibited Areas are identified in Schedule B.

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

13. RIDER REQUIREMENTS

13.1 The Operator shall require all Riders to:

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

13.2 The Operator shall maintain verifiable records of Rider acceptance.

14. MUNICIPAL RIGHTS AND RESPONSIBILITIES

14.1 Municipal Rights

The Municipality may, at its sole discretion:

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

14.2 Limitation of Liability

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

14.3 Department of Public Works

The Department of Public Works shall:

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

14.4 Police Enforcement

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

15. COMPLIANCE AND ENFORCEMENT

15.1 Failure to comply with this Agreement constitutes default.

15.2 Upon default, the Municipality may:

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

16. TERMINATION

16.1 This Agreement may be terminated:

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

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

17. GENERAL PROVISIONS

17.1 No Assignment

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

17.2 Compliance with Legislation

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

17.3 Relationship

Nothing in this Agreement creates a partnership or agency relationship.

17.4 Entire Agreement

This Agreement, including Schedules, constitutes the entire agreement.

17.5 Amendments

This Agreement may only be amended in writing.

17.6 Governing Law

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

18. SCHEDULES

Schedule A – Approved Operating Areas

Schedule B – Prohibited Areas

Schedule C – Performance Standards, Response Times, and Enforcement

IN WITNESS WHEREOF

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

CAPE BRETON REGIONAL MUNICIPALITY

Per: _____

Name:

Title:

OPERATOR

Per: _____

Name:

Title:

SCHEDULE C – PERFORMANCE STANDARDS, RESPONSE TIMES, AND ENFORCEMENT

1. SERVICE LEVEL REQUIREMENTS

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

Category	Description	Required Response Time
Priority 1 – Safety Hazard	Device blocking accessible route, curb ramp, roadway, emergency access, or posing immediate safety risk	≤ 2 hours
Priority 2 – Improper Parking/Obstruction	Device obstructing sidewalk, trail, driveway, or entrance	≤ 6 hours
Priority 3 – General Complaint	Non-urgent issues (e.g., clustering, minor misplacement)	≤ 24 hours
Priority 4 – Municipal Direction	Direct request from Municipality (e.g., event, construction, emergency)	Immediate or as directed

2. NON-COMPLIANCE AND COST RECOVERY

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

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

3. ADMINISTRATIVE PENALTIES (OPTIONAL BUT RECOMMENDED)

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

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

3. ESCALATION MEASURES

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

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

4. REPORTING REQUIREMENTS

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

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

Shared Micromobility Use of Municipal Property

Micromobility Device

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

Shared Micromobility Services

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

Motor Vehicle Act

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

Regulatory Approaches in Other Jurisdictions

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

Agreement-Based Model Approach

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

The agreement can be structured to:

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

Communication Strategy

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

Recommendation

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

Options

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

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

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

Request for Staff Report: Tiered Commercial Property Tax System

Motion

Moved by Councillor MacNeil, seconded by Councillor Sheppard-Campbell, that Committee of Whole recommend to Council to request staff prepare a report outlining the policy, financial, administrative, and legislative implications of implementing a tiered commercial property tax system. The report should include consideration of potential impacts on small businesses, large commercial properties, municipal revenues, and administrative capacity, as well as an overview of current legislative limitations under the *Municipal Government Act*.

Discussion:

- Impact of commercial tax rates on small businesses
- Request for staff report clarification on property tax system
- Limitations on the municipality's legislative authority

Motion Carried



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

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

Date of Council Meeting: Tuesday May 5, 2026

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

Motion for Council to Consider:

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

Rationale:

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

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

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

Outcome Sought:

Receipt of a staff report before December 2026 outlining:

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

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

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

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

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

Motion

Moved by Councillor MacNeil, seconded by Councillor O’Quinn, that Committee of Whole recommend to Council to direct Chief Administrative Officer to have staff review the feasibility of hosting a Curbside Giveaway Weekend in CBRM at the end of August 2026, with staff to report back to Council no later than middle of June 2026 on operational requirements, communications planning, resource implications, and any associated costs.

Discussion:

- Transition from heavy garbage to call to hall
- Supports diverting waste and cost savings
- Community practices and responsibility
- Request staff report to cover benefits, drawbacks, timing, and 311 call impact

Motion Carried



Councillor Agenda Request Form

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

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

Motion for Council to Consider:

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

Rationale:

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

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

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

Outcome Sought:

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

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

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

Flyer Distribution By-Law

Motion

Moved by Councillor MacMullin, seconded by Councillor Coombes, that staff be directed to draft a Flyer Distribution By-Law for Council consideration.

Motion Carried

Distribution of Sales Flyers in CBRM

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacNeil, that Committee of Whole recommend to Council to request staff to draft a Flyer Distribution By-Law, with consideration for door delivery, maintaining a do not deliver list and penalties for violation of the By-Law, for council consideration.

Discussion:

- Flyer distribution and litter mitigation
- Job protection
- Enhanced distribution of flyers to improve accessibility
- Enforcement challenges and flyer placement concerns

Motion Carried



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Councillor Agenda Request Form

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

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

**Request from the Floor:
 (New Business)**

- **Announcement**
- **Referral**
- **Submit Petition**
- **Notice of Motion**

Date of Council Meeting: May 5, 2026

Subject: Distribution of Sales Flyers in CBRM

Motion for Council to Consider:

Staff to draft a flyer distribution By-Law, with consideration for door delivery, maintaining a Do Not Deliver list and penalties for violation of the By-Law, for council consideration

Rationale:

Currently, CBRM is in a major crisis with litter, and the growing concern of flyer distribution is contributing to the problem. Residents are increasingly frustrated seeing flyer materials scattered in yards, drains and green spaces throughout our community. The current practice of flyer distribution is irresponsible and undermines the intent of local advertising, often not reaching the intended residents. The practice of tossing from a vehicle directly contributes to litter in our community.

I introduce this motion, mindful; of those employed to distribute flyers and sensitive to the impact to residents, especially seniors, who rely on flyers to access weekly shopping sales, notably given today's rising cost of groceries. Also, that local businesses rely on flyers to market and promote their products and services.

Outcome Sought:

To create a Flyer Distribution By-Law that regulates and addresses a more responsible and accountable distribution practice.

Councillor Dave Mackeigan District 9
Date May 1, 2026

Received by Clerk's Department (date):
Date May 1, 2026

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER F-400
RESPECTING THE DISTRIBUTION OF FLYERS**

BE IT ENACTED by the Council of the Halifax Regional Municipality as follows:

Short Title

1. This By-law shall be known as By-law F-400 and may be cited as the *Flyer Distribution By-law*.

Interpretation

2. In this By-law,

(a) “distributor” means any person, which distributes, permits to be distributed or causes to be distributed any flyer which promotes activities outlined in Section 3 of this By-law;

(b) “flyer” means any non-subscription based printed or written matter, and includes a circular, leaflet, pamphlet, paper, booklet, postcard, coupon, or any other printed or otherwise reproduced matter;

(c) “municipality” means Halifax Regional Municipality;

(d) “newspaper” means any newspaper or magazine of general circulation for which the occupant has paid or requested delivery;

(e) “person” includes a business, company, organization or corporation and the heirs, executors, administrators or other legal representatives of a person;

(f) “residential property” means property or part thereof used or intended to be used for residential purposes, but does not include the portion of a hotel or motel used for the purpose of lodging for the public or an apartment hotel;

Application of By-law

3. This By-law applies to any flyer distributed within the municipality that:

(a) advertises or otherwise promotes any merchandise, product, commodity or thing;

(b) directs attention to any business or mercantile or commercial establishment or other activity, for the purpose of either directly or indirectly promoting the interests thereof; or

(c) directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission is charged for the purpose of commercial gain or profit.

General

4. (1) Any owner or occupier of a residential property may post a sign or notice stating they do not wish to receive flyers.

(2) Subject to subsection (1), an owner or occupier may:

(a) post a sign or notice provided by the municipality, or

(b) create a sign or notice to post, provided the sign or notice meets the following specifications:

(i) is a minimum 11 cm (4.5 in) wide by 12.5 cm (5 in) high,

(ii) consists of lettering that is black font on a white background, and

(iii) contains the phrase 'NO FLYERS' in a font size of at least 38 pt in a sans-serif (plain) font type such as Arial.

5. A sign or notice stating the owner or occupier does not want to receive flyers shall be posted at the entrance to the dwelling unit in a manner such that the sign or notice is visible at the applicable locations as outlined in Section 8(1).

6. No distributor shall deliver or cause to be delivered a flyer at or on a residential property if a sign or notice has been posted pursuant to section 5.

7. Section 6 of this By-law shall not apply to the following:

(a) any election advertising material which is permitted to be transmitted or delivered pursuant to any applicable federal, provincial or municipal legislation or regulation;

(b) newspapers delivered to paid subscribers;

(c) community association newsletters or newspapers that do not contain flyers;

(d) information circulars produced by a federal, provincial or municipal government or an agency of such government;

(e) information circulars produced by a member of Halifax Regional Council, a member of the Nova Scotia Legislative Assembly or a member of the federal Parliament; or

(f) an apartment building containing six or more dwelling units.

8. (1) No distributor shall distribute or cause to be distributed any flyers on residential property other than:

(a) in a mail box;

(b) in a mail slot;

(c) in a tube or other receptacle designated for this purpose; or

(d) on a doorstep.

(2) No distributor shall distribute or cause to be distributed any flyers to a residential property where the flyers have not been taken in for two consecutive weeks.

Offences and Penalties

9. (1) A person who violates a provision of this By-law is guilty of an offence.

(2) A distributor that is an individual who contravenes any section of this By-law is liable, upon summary conviction, to a penalty of not less than twenty-five dollars and not more than one thousand dollars.

(3) A distributor other than an individual who contravenes any section of this By-law is liable, on summary conviction, to a penalty of not less than two hundred and fifty dollars and not more than ten thousand dollars.

10. This By-law shall come in force on July 31, 2019

Done and passed by Council this 4th day of June, 2019

MAYOR

MUNICIPAL CLERK

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of the Halifax Regional Council held on June 4, 2019

Kevin Arjoon
Municipal Clerk

Notice of Motion:	April 16, 2019
First Reading:	May 14, 2019
Notice of Public Hearing – Publication:	May 18, 2019
Second Reading:	June 4, 2019
Approval by Minister of Municipal Affairs:	N/A
Effective Date:	July 31, 2019

Cape Breton Regional Municipality Burning Bylaw B400

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacMullin, to direct staff to conduct a comprehensive review of the current Burning Bylaw B400, and prepare a proposed new bylaw that aligns with and is consistent across all communities within the Cape Breton Regional Municipality. That the enforcement of the Burning Bylaw also be reviewed and addressed to ensure the safety of our firefighters and first responders.

Motion Carried

The Status of the Burning By-Law

Motion

Moved by Councillor MacKeigan, seconded by Councillor MacMullin, that Committee of Whole recommend to Council to direct staff to provide a status update on the Burning Bylaw B400 review, including progress on a new consistent bylaw, enforcement and firefighter safety measures, and present this update to Council as soon as possible due to the upcoming backyard fire season and resident requests.

Discussion:

- Fire services layout
- Filling of swimming pool for future discussion

Motion Carried



City Hall
320 Esplanade
Sydney, NS B1P 7B9

Council Agenda Request Form

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

Date of Council Meeting: May 5, 2026

Subject: The Status of the Burning By-Law

Motion for Council to Consider: That staff be directed to provide a status update on the Burning Bylaw B400 review, including progress on a new consistent bylaw, enforcement and firefighter safety measures, and present this update to Council as soon as possible due to the upcoming backyard fire season and resident requests.

Reason:

The existing Burning Bylaw B400 no longer adequately addresses the evolving needs, safety standards, and environmental considerations of all communities within the Cape Breton Regional Municipality. Variations in enforcement, interpretation, and local conditions across the region have led to inconsistencies and confusion among residents. A comprehensive review and update of the bylaw will ensure clarity, fairness, and alignment with current best practices in fire safety and environmental protection. Fire departments are often dispatched to backyard fire pit calls that are non-emergency in nature and where no enforcement action can be taken under the current bylaw. This results in inefficient use of critical emergency resources and exposes firefighters to unnecessary risk. An updated and clearly enforceable bylaw will not only promote consistency across communities but will also help ensure that fire department resources are focused on high-priority responses, improving overall public safety and operational efficiency.

Outcome Sought:

A fair and consistent Burning Bylaw throughout the Cape Breton Regional Municipality, ensuring that all residents enjoy the same protections, responsibilities, and benefits regardless of where they live.

Dave MacKeigan

Date: May 4, 2026

Received by Clerk's Department (date):

May 4, 2026



MEMO

To: CBRM Mayor and Council

Submitted by: Nancy Dove, Chief Financial Officer

Date: May 12, 2026

Subject: Resolution for Pre-Approval of Debt Issuance/Temporary Borrowing Resolution

The Cape Breton Regional Municipality requires a new pre-approval for Debenture Issuance and Temporary Borrowing Resolution for the Province of Nova Scotia's 2026 Spring Debenture Issue for Municipalities. This pre-approval covers completed capital projects for fiscal year 2024-2025. The amount of required borrowing is \$9,280,118. Provided below is a summary of the projects and related borrowing for reference.

CBRM Capital Program 2024-25	Acquisitions	Funding	Required Borrowing	Budget Borrowing
Land	508,517	(508,517)	-	-
Streets & Sidewalks	15,062,932	(8,565,268)	6,497,664	3,061,250
Fleet-PW & Transit	8,750,168	(6,406,098)	2,344,070	2,820,000
Fire Fleet-Apparatus/Equip	297,492	(128,630)	168,862	1,800,000
Waste Water/Storm Sewer	6,291,686	(6,291,686)	-	-
Parks/Grounds/Arenas/General Bldg Upgrades	7,386,289	(7,116,767)	269,522	1,350,000
Tech Upgrades	-	-	-	150,000
	38,297,083	(29,016,964)	9,280,118	9,181,250

The original borrowing resolution was approved upon the adoption of the 2024-25 Budget in the amount of \$9,211,250 on March 6, 2024. Due to the fact that longer than 12 months have elapsed since the original borrowing resolution approval, a current resolution must be passed to meet MFC's debenture participation requirements.

Requested Motion:

Council approve the attached resolution for the pre-approval of debt issuance and temporary borrowing resolution in the amount of \$9,280,118 for capital projects completed up to March 31, 2025.

Sincerely,

Nancy Dove, CPA, CGA
Chief Financial Officer



**Municipal Affairs
Office of the Minister**

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

May 4, 2026

David Mitchell
President, Nova Scotia Federation of Municipalities (NSFM)
Suite 1304, 1809 Barrington Street
Halifax, NS B3J 3K8
Via email: david.mitchell@bridgewater.ca

Dear David Mitchell:

Under the provisions of the *Municipal Government Act*, the Minister of Municipal Affairs must provide to the Nova Scotia Federation of Municipalities 12-months' notice of any provincial legislation, regulation, or administrative actions that could have the effect of decreasing revenues or increasing the required expenditures of municipalities. This letter is intended to provide notice of such changes for fiscal year 2027-2028 and beyond.

The Department of Municipal Affairs (DMA) canvassed all provincial departments to seek information on plans for legislative, regulatory, and policy changes in the coming fiscal year. Below you will find a summary of the results of that process.

Department of Cybersecurity and Digital Solutions

- 1) Starting in 2026-27, the Department of Cyber Security and Digital Solutions (CSDS) will begin working with affected municipalities to offboard from the following SAP-related services:
 - Customer Care and Service (CCS) Utilities (e.g., property tax and revenue): Amherst, Annapolis, CBR, Cumberland, East Hants, Queens
 - Materials Management: Amherst, Annapolis, CBRM, Cumberland, East Hants, Queens, HRM
 - HR Pay: CBRM, HRM
 - Environment Health and Safety Management: HRM
 - Success Factors HR: HRM

CSDS is issuing notice and will be communicating with municipalities directly.

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Department of Emergency Management

- 1) The Department acknowledges that elements of ongoing work to strengthen fire services in Nova Scotia may have a financial impact on some municipal units.

With the introduction of the *Act to Provide Support for Fire Protection Services*, the Department is providing one-year notice that all municipalities – whether they oversee fire services or not – will be required to:

- conduct a fire protection service review in order to ensure municipalities and fire service providers make evidence-based decisions about the services they provide to their community,
- ensure that local firefighter competencies, training, and personal protective equipment meet the service standard required by the fire protection service review, and
- participate in a common records management system.

The possible impacts of these new requirements, which will be further detailed through regulations and standards, may vary significantly based on local context, including existing governance and collaboration models, levels of municipal readiness, and voluntary fire service provider capacity.

This legislation is part of an ongoing commitment to strengthening the fire service sector through:

- access to specialized firefighter training and the certification process,
- education/training for municipal elected officials,
- procurement support,
- mutual aid and service agreement templates,
- the new Fire Records Management System, and
- a risk-based assessment tool to facilitate council decision-making around fire protection service levels.

Department of Growth and Development

- 1) A review of the *Peggy's Cove Commission Act* is seeking to modernize planning for the Peggy's Cove area. Given the location of Peggy's Cove within the boundaries of HRM, any proposed changes to the Act or its administration could have an impact on the municipality, for example, shifting responsibility for planning approvals.

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- 2) The Department is undertaking a review of the Regional Enterprise Networks (RENS) program. Key areas of focus include improving consistency in service delivery across the province, improving how businesses access and navigate existing programs and services and aligning delivery with provincial economic development priorities. Addressing these areas may involve adjustments to the current REN model, which would have implications for municipal partners.

Department of Intergovernmental Affairs

- 1) Under our trade policy responsibilities, Intergovernmental Affairs advises that there are procurement thresholds under several free trade agreements that could impact municipalities. Every two years, Global Affairs Canada updates its thresholds for covered procurements under the Canada-Europe Trade Agreement (CETA), the Canada-UK Trade Continuity Agreement (TCA), and the Canada Free Trade Agreement (CFTA). Municipal procurements are covered under these obligations. All procurements above the thresholds must be publicly tendered unless subject to an exemption.

The threshold values in Canadian dollars for the period of January 1, 2026, to December 31, 2027, are as follows:

FTA	Goods	Services	Construction
CFTA	Province		
	\$34,700	\$139,000	\$139,000
	Municipalities and MASH		
	\$139,000	\$139,000	\$347,400
CETA/TCA	Crowns, Utilities, etc.		
	\$694,700	\$694,700	\$6,943,900
	Province, Municipalities and MASH		
	\$368,000	\$368,000	\$9,200,000
CFTA	Crowns		
	\$653,200	\$653,200	\$9,200,000
	Utilities, etc.		
	\$736,000	\$736,000	\$9,200,000

Department of Justice

- 1) The Nova Scotia Comprehensive Policing Review was released in June 2025. Since that time, the Department of Justice has met with all municipalities to discuss implementation of the six foundational changes and the expanded role of the provincial police service. These foundational changes are designed to strengthen public safety across the province and support more effective, consistent, and sustainable outcomes. As part of implementation:
 - Municipalities are required to meet established provincial policing standards. Municipalities that are unable to meet these standards independently will be required to contract with the provincial police service for the delivery of those services and, effective April 1, 2027, will be required to purchase those services on a fee basis. While these changes are intended to enhance public safety and ensure greater consistency across jurisdictions, they may result in increased costs for some municipalities. At this time, the specific nature and extent of any financial impacts cannot be determined for any individual municipality.
 - The Province will continue to enhance and modernize its policing standards over time. The creation or expansion of standards may result in additional costs for municipalities.
 - The Province will procure a province-wide records management system (RMS) in fiscal year 2026–27. The Province will fund the acquisition and associated start-up costs. It is anticipated that beginning in 2027–28, as part of implementation, municipalities with their own police agencies will be required to contribute annual licensing fees associated with the RMS. For municipalities policed by the RCMP under the provincial policing model, RMS-related costs will be incorporated into the provincial billing model.
 - The Province will continue to work toward the development of a new municipal billing model for provincial police services during fiscal year 2026–27. Municipalities will continue to be engaged throughout this process. The specific structure of the model and the extent of any financial impacts cannot be determined at this time for any individual municipality; however, changes to the billing model could result in increased costs for some municipalities beginning in 2027–28.
- 2) The National Police Federation is the certified union representing regular members and reservists of the Royal Canadian Mounted Police (RCMP) below the rank of Inspector. The current Collective Agreement expires on March 31, 2025, and labour negotiations between the National Police Federation and Treasury Board Secretariat Canada are ongoing. The cost implications cannot be determined at this time.

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- 3) The 'H' Division (Nova Scotia) Royal Canadian Mounted Police (RCMP) have provided the Department of Justice with the annual Multi-Year Financial Plan (MYFP), that reflects the organization's budget requests for the next fiscal year, and strategic planning for subsequent years. The cost implications cannot be determined at this time.
- 4) Biological Casework Analysis Agreement provides municipalities with DNA analysis arising from criminal investigations. Costs will be determined upon the release of the "Total Uniform Assessment" by Municipal Affairs.
- 5) Municipalities in Nova Scotia are prescribed under the *Accessibility Act* which means they must have an accessibility advisory committee, prepare and make publicly available accessibility plans, and comply with accessibility standards (regulations) once they are enacted.
 - The Built Environment Accessibility Standard Regulations under the *Accessibility Act* were approved on March 7, 2025. Compliance with the standard is required beginning April 1, 2026. These regulations apply to newly constructed and newly installed elements of the built environment such as pedestrian facilities, recreational spaces, and outdoor infrastructure. These regulations include technical design requirements for infrastructure. The regulations also introduce requirements for accessibility planning for both new and existing infrastructure, including municipal infrastructure. These infrastructure plans are due April 1, 2026. There is no requirement to retrofit existing infrastructure, and as a result the cost implications are minimal.
 - The Department of Justice is expected to share the proposed accessibility standard for employment, and goods and services for public review in 2026-27. This would be an opportunity for municipalities to review the proposed standard to provide input into the feasibility and cost implications of the proposed standards on municipalities.

Department of Public Works

- 1) The recoverable cost to municipalities for adjustments to catch basins, manholes, and water valves during construction work will increase June 1st, 2027. Manhole and catch basin adjustments will increase from \$600 to \$1200, and water valve adjustments will increase from \$300 to \$600.

.../6

David Mitchell
Page 6

Department of Service Nova Scotia

- 1) Nova Scotia's new FOIPOP Act will come into effect on April 1, 2027 and regulations are currently under development to support the new Act. The legislation requires municipalities to adopt new privacy policies and practices, requires mandatory reporting of significant privacy breaches to affected individuals and the Information and Privacy Commissioner, and gives the Information and Privacy Commissioner oversight over municipal privacy programs for the first time. It is anticipated that these changes will require municipal resources in the form of personnel to undertake privacy assessments for any new projects or programs where personal information is being collected, for mandatory privacy breach notifications when there are significant privacy breaches, and for responding to privacy complaints filed with the Office of the Information and Privacy Commissioner (OIPC). The Province will support municipalities through creation of templates, training materials, and education campaigns to help mitigate some of these impacts.

Yours truly,

Honourable John A. MacDonald
Minister of Municipal Affairs

c: Juanita Spencer, Chief Executive Officer, NSFM

Dear Mayor Clarke,

I am writing to you today as a Board Member and the Director of Education and Advocacy for the Pride Cape Breton Society. As our municipality continues to grow, we are working hard to ensure that Cape Breton remains a safe and inclusive home for the 2SLGBTQIA+ community.

On **Sunday, May 17th, 2026**, we will be hosting a community event at **Anchor Youth Space** (1:00 PM – 4:00 PM) to observe the **International Day Against Homophobia, Transphobia, and Biphobia (IDAHAT)**. This event is being lead by Pride Cape Breton, in partnership with Anchor Youth Space Sydney & The Cape Breton Youth Project.

This year's global theme is "**At the Heart of Democracy.**" In a time where we see rising misinformation and rhetoric targeting the transgender and broader queer community, municipal leadership is more important than ever. We believe that a healthy democracy starts at the local level, where every resident feels valued by their civic leaders.

Our Request: We would be honored if you would consider the following:

1. **A Proclamation:** We would like to formally request that the Cape Breton Regional Municipality proclaim May 17th, 2026, as IDAHAT.
2. **Attendance:** We would love for you to attend the event to bring greetings from the Mayor's Office and engage with the community members who will be in attendance.

Our event will feature local drag performances, a story time, arts activities from community artists in addition to The Youth Project, a cooking class, food and cake, a reptile show, and more! We hope to see you there to celebrate the vibrancy and resilience of our community.

I've included our poster as an attachment to the email. For more info about IDAHAT & May 17th internationally see here: <https://may17.org/>

If a proclamation is possible, I would be thrilled to welcome your participation during opening remarks to make a proclamation and say a few words if you wish.

Thank you for your time and your continued dedication to the people of CBRM.

Sincerely & Queerly,

Winter Cullen (they/them/theirs)
Director of Education & Advocacy
Pride Cape Breton Society

You're invited: MAY 5- STRATEGY CALL - National Campaign for a Canadian Chinese Heritage Month

The national campaign for a Canadian Chinese Heritage Month has grown to 25 sponsoring organizations including the Chinese Society of Nova Scotia (CSNS).

We have also won the support of many municipalities. I've attached sample motions that have been adopted or will be this week.

York Region's motion can be consulted through this link:

<https://yorkpublishing.escribemeetings.com/Meeting.aspx?Id=775b769b-de1a-4030-b245-ccb4f30c3d78&Agenda=Agenda&lang=English>

Chinese people have been in Cape Breton since the 1880s and ran small businesses in Sydney and North Sydney. Today about 700 residents are of Chinese descent.

I can have someone from the CSNS call you.

Incidentally, I am a former Montreal City Councillor (1982-2021). Perhaps we may have met at FCM.

Best regards,

Marvin Rotrand

Director General

United Against Hate Canada

National Campaign for a Canadian Chinese Heritage Month

I am taking the liberty of sending some additional information for the Mayor and Councillor's attention.

Here is the motion adopted by Guelph, Ontario (page 9 of minutes)

<https://pub-guelph.escribemeetings.com/FileStream.ashx?DocumentId=72969>

Attached is York's Region's motion adopted at Committee of the Whole on April 14 and by Council April 23. A similar worded motion was adopted by the City of Vaughan on April 28.

Also attached is a motion adopted by Markham Council on April 28.

I have also added Clarington's motion adopted by its General Committee this morning and which I believe will be also inscribed at a future Durham Region Council.

Richmond Hill has confirmed its intention to also adopt a motion.

Councillors from Toronto and Brampton will attend our ZOOM call tomorrow and we expect similarly worded motions to be adopted by these instances by the end of the month.

In Nova Scotia, the Chinese Society of Nova Scotia which is spearheading the campaign, will meet with Halifax Mayor Andy Filmore soon and we trust the results will be encouraging.

Thank you for your very clear information.

Best regards,

Marvin Rotrand

Director General

United Against Hate Canada

