

**Cape Breton Regional Municipality**

**Special Council Meeting**

**AGENDA**

**TUESDAY, JULY 4<sup>TH</sup>, 2023**

**9:30 A.M.**

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

# Cape Breton Regional Municipal Council

## Special Council Meeting

Council Chambers  
Second Floor, City Hall

Tuesday, July 4<sup>th</sup>, 2023  
9:30 a.m.

### **AGENDA ITEMS**

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#### Land Acknowledgement

#### Roll Call

1. Approval of the Agenda (Motion required)
2. CBRM Forward: Michael Ruus, Director of Planning and Development (See page 3)

**Note:** Documents can be viewed on the CBRM Forward project website ([www.cbrmforward.ca](http://www.cbrmforward.ca)) under the Project Document Tab.

#### **Adjournment**



**CAPE BRETON**  
REGIONAL MUNICIPALITY

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## **ISSUE PAPER**

**TO:** CBRM Council

**DATE:** June 27, 2023

**FROM:** Director, Planning and Development

**RE: CBRM FORWARD**

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### **BACKGROUND**

The CBRM's current Regional Municipal Planning Strategies was adopted in 2004. The 2004 Municipal Planning Strategy was the first to encompass the CBRM as a single jurisdiction after the 1995 amalgamation that created a new local government entity. The intention of the 2004 Municipal Planning Strategy was to replace the 15 Municipal Planning Strategies and 16 Land Use By-laws left over from the former municipalities with a unified document applying a regional perspective. Following the adoption of the Regional Municipal Planning Strategy, a Secondary Municipal Planning Strategy for the North End of Sydney was adopted in 2006.

As part of CBRM's participation in the Provincial Regulatory Modernization Pilot, CBRM initiated the comprehensive review and development of a new Municipal Planning Strategy, Economic Development Strategy, and associated Land Use By-law and Subdivision By-law in March of 2021. Supported by the Province of Nova Scotia, and in partnership with the Eastern District Planning Commission and CBRM Regional Enterprise Network, the goal of this initiative was to:

- Modernize rules and language;
- Align policy and regulations with economic opportunities;
- Facilitate a more streamlined development process;
- Establish a land use framework that can adapt into the future; and
- Redesign regulations to promote clarity.

The new modernized Land Use By-law has less than 150 pages with fewer than 25 zones, this is compared to the more than 300 pages and more than 100 zones in the previous Land Use By-laws.

## DISCUSSION

CBRM Forward was developed collaboratively with the community through robust public engagement. A multi-faceted community engagement process took place between April 2021 and May 2023, including four concentrated rounds to educate on the process and seek targeted feedback on the future development framework in the community. The engagement was supplemented by a branding strategy, which saw the creation of the CBRM Forward project brand and associated communications materials.

### What We Heard Round 1

Due to the COVID-19 pandemic and public health restrictions, round 1 of engagement took place completely virtually given public health restrictions in March and April 2021. This included:

- Council meeting and project kick-off;
- Online Town Hall;
- Virtual Focus Groups; and
- Launch of CBRM Forward engagement platform
  - Idea wall
  - Discussion Forum
  - Interactive community map.

This initial round of engagement focused on building public awareness of the planning process, including the importance of the Municipal Planning Strategy and Land Use By-law. This round challenged residents and stakeholders to consider opportunities for the future of CBRM, including seeking options for a refreshed community vision. The initial engagement resulted in hundreds of responses, ultimately refined into an issues and opportunities report and the community vision presented in Chapter 2 of the Municipal Planning Strategy.

### What We Heard Round 2

Round 2 of engagement took place in August 2021 and used a hybrid format for engagement. This included:

- In-person council workshop;
- Workshop with senior staff;
- Focus groups with community interest groups;
- Pop-up engagements at the Sydney Waterfront, Mayflower Mall, Wentworth Park, Sydney Farmer's Market, New Waterford, Florence, North Sydney and Louisbourg;
- Three public open houses (Sydney, Glace Bay and North Sydney); and
- CBRM Forward engagement platform
  - Idea wall
  - Discussion Forum
  - Community Survey
  - Interactive community map.

This round of engagement began to drill down on particular issues facing the community and sought to gather input on a variety of issues, including:

- Housing choice and affordability;
- Urban development;
- Population growth;
- Suburban and rural development;
- Cost and implications of development typologies;
- Integrated Mobility;
- Climate Resiliency;
- Community Infrastructure;
- Municipal services and operations; and
- Indigenous Reconciliation

Through this round, the project team and staff planners were able to receive hundreds of in-person and online comments and responses about CBRM Forward, allowing for refined approaches toward a renewed Municipal Planning Strategy and its associated chapters.

### What We Heard Round 3

The third round of engagement took place in Spring 2022 (April) and once again took a hybrid format. This round presented the draft approach to Future Land Use and policy directions for the Municipal Planning Strategy, confirming what we heard in subsequent rounds. This engagement included:

- Council workshop;
- Three public open houses (Sydney, Glace Bay, and North Sydney);
- Focus groups and meetings with senior staff, operators and community interest groups; and
- CBRM Forward engagement platform
  - Discussion Forum
  - Community Survey
  - Interactive community map

This round of engagement with the communities affirmed the following priorities:

- More housing choice and increased housing affordability;
- Better access to amenities and services;
- More dense and intensified commercial and residential developments in CBRM's urban areas;
- Increased employment opportunities;
- Commitment to grow the population through retaining newcomers and youth; and
- Becoming a more resilient community in the face of a changing climate.

### What We Heard Round 4

The fourth and final round of engagement took place in Spring 2023 (May) and once again took a hybrid format. This round presented the final draft approach to both the Municipal Planning Strategy and zoning through the Land Use By-law. This included:

- Council zoning workshop;
- Three public open houses (Sydney, Glace Bay, and North Sydney);
- Focus groups and meetings with senior staff, operators and community interest groups; and
- CBRM Forward engagement platform
  - Discussion Forum
  - Email submissions from reviews of the draft mapping and documents.

Through this round we were able to confirm the final general approach to zoning and development:

- Increase density in serviced, urban areas;
- Broadly permit more development in Rural Areas by easing development restrictions (such as expanding areas where private roads are permitted), while limiting density in unserviced area;
- Facilitate development through de-regulation (less zones, streamlined regulations, no minimum parking requirements); and
- Increase housing choice by permitting more as-of-right housing developments and introducing site plan approval processes for more dense developments.

Overall, CBRM Forward employed a comprehensive and robust communications and engagement strategy that was successful in obtaining community input and broad public support of the new approach to responsively facilitate development within the CBRM. This included radio ads, media releases, interviews in local media, paid advertising on social media, and post in all of the local libraries.

Throughout the two-year period of development, CBRM Forward engaged thousands of residents through dozens of opportunities for in-person and online engagement. This is in addition to the countless phones and emails addressed by CBRM staff and Dillion Consulting. The CBRM Forward engagement platform experienced over 30,000 website views from 8,000 unique visitors. CBRM is pleased with the outcome of this engagement strategy and is confident that the approach presenting in this Municipal Planning Strategy was informed by fulsome input from residents, business owners, and other stakeholders, creating a generational document that is adaptable to the needs of CBRM for years to come.

## **MAJOR THEMES**

### Housing

When it comes to housing, what we heard that people want a greater choice of housing type, more housing, affordable options, and better access to amenities in residential neighbourhoods. In response, the proposed residential zones permit a range of housing types and densities, along with opportunities for some sales and service uses.

While the demand for shared dwellings (rooming houses) is increasing within the CBRM, the current Land Use By-laws restrict the areas where they are permitted. To ensure this type of land use is occurring in a safe manner, the proposed Land Use By-law permits this type of land use in many of the Residential zones subject to obtaining a Building Development Permit. Issuing permits for these structures will ensure they are inspected for compliance with the Building Code and improve public safety. Council can also examine the possibility of licensing this type of land use through an annual inspection.

To facilitate infill development, the proposed Land Use By-law will permit accessory dwelling units (granny suites) in all Residential zones. A lot containing a one or two-unit dwelling may also contain accessory dwelling unit as a secondary use in a separate building. The Land Use By-law is proposing a limit the location, size, and height of accessory dwelling units. Accessory dwelling units will also need to comply with all necessary Building Code Requirements.

### Parking

In response to the barriers to development created through parking minimums, the proposed Land Use By-law is moving away from regulating minimum parking requirements (i.e. number of parking spaces). Parking standards within the Land Use By-law when parking is being provided (i.e. size of the parking space, location, and surfacing) is defined, but the market will drive the number of spaces provided.

### Rural Development

While the proposed Land Use By-law encourages development with the Serviced Areas of the municipality, it still facilitates development within the rural areas of CBRM. There is an increase in the sales and service uses permitted in rural areas as well as permitting two one-unit dwellings on an unserviced lot parcel. The proposed Land Use By-law allows for private roads outside the serviced areas of the CBRM.

### Environmentally Sensitive and Hazardous Lands

The Land Use By-law aims to protect identified flood prone areas by including regulations for development within the known floodplains depicting the 1 in 20-year flood events and the 1 in 100-year flood events.

## **PUBLIC ENGAGEMENT PROGRAM**

In accordance with CBRM's Public Participation and Engagement Programs Policy, Council is required to solicit comments from abutting municipalities, Membertou, and Eskasoni when adopting or replacing a Municipal Planning Strategy. Notice was sent to the CAOs in all these communities on June 9<sup>th</sup>. No comments were received at the time this issue paper was prepared.

## **NEXT STEPS**

If Council wishes to proceed, the next step is to schedule a Public Hearing to receive final feedback during an upcoming meeting of Council. The Public Hearing is advertised in accordance with the *Municipal Government Act*. In addition, notice of the hearing would be posted CBRM's Facebook page and CBRM Forward Project Website.

**RECOMMENDATION**

That Council give first reading to new Municipal Planning Strategy, Land Use By-law, and Subdivision By-law and direct Staff to schedule a Public Hearing at an upcoming meeting of Council.

Respectfully submitted by:

**ORIGINAL SIGNED BY**

Michael Ruus  
Director, Planning and Development

