

Cape Breton Regional Municipality

Council Meeting

AGENDA

TUESDAY, APRIL 7, 2020

1:30 P.M.

**VIA
VIDEO/TELECONFERENCING**

Cape Breton Regional Municipal Council

Council Meeting

Tuesday, April 7, 2020
1:30 p.m.

Via
Video/Teleconferencing

AGENDA ITEMS

Roll Call

1. APPROVAL OF MINUTES: (Previously Distributed)
 - Council Meeting – February 18, 2020
 - Emergency Council Meeting – March 27, 2020

2. APPROVAL OF AGENDA: (Motion Required)

3. EMERGENCY ISSUES:
 - 3.1 EMO Coordinator: Marie Walsh, Chief Administrative Officer
(See page 7)
 - 3.2 EMO Alternate to the Mayor: Mayor Cecil P. Clarke (See page 9)
 - 3.3 \$134,000 Homeless and Vulnerable Citizen Support Measures:
Mayor Cecil P. Clarke (See page 11)

Continued...

4. **CBRM Proposed Operating Budget 2020-2021:** Jennifer Campbell, Chief Financial Officer (See page 14)
 - a) **Resolution:** Mayor Cecil P. Clarke (See page 43)
 - b) **Transfer from Gas Reserves – Operating Budget:** Jennifer Campbell, Chief Financial Officer (See page 44)
 - c) **Water Utility Operating Budget 2020/2021:** Wayne MacDonald, Director of Engineering & Public Works (See page 45)
 - d) **Municipal Planning Strategy Update:** Michael Ruus, Director of Planning & Development (See page 48)
 - e) **Police Review:** Marie Walsh, Chief Administrative Officer (See page 50)

5. **CBRM Capital Budget 2020-2021:** Wayne MacDonald, Director of Engineering & Public Works (See page 51)

6. **PLANNING ISSUES:**
 - 6.1 **Interim Measures - Public Hearings & Participation Programs:** Michael Ruus, Director of Planning & Development (See page 87)

 - 6.2 **REPORT ON PUBLIC PARTICIPATION PROGRAM:**
 - a) **Request from Island Folk Cider House to amend the Secondary Planning Strategy and Development Agreement to permit serving of alcoholic beverages produced off site at 52 Nepean St, Sydney (PID 15889330):** Kristen Knudskov, Planner (See page 89)

 - 6.3 **APPROVAL TO ADVERTISE:**
 - a) **Land Use Bylaw Amendment Application 1072 - by Back Beach Gardens (8 Commercial Street Extension, Louisbourg) to Permit Agriculture Business in the Wolfe Street Neighbourhood - (WSN) Zone:**

Committee recommends approval to advertise notice of Public Hearing to consider the Zoning Amendment Application 1072 by Back Beach Gardens, 8 Commercial Street Extension, Louisbourg, to permit an Agriculture Business in the Wolfe Street Neighbourhood - WSN Zone, as outlined in the staff Issue Paper dated March 3, 2020. Kristen Knudskov, Planner (See page 97)

Continued...

7. **BUSINESS ARISING:** *(Note: one motion for all recommendations)*

7.1 **Fire & Emergency Services Committee meeting – March 3, 2020:**

- a) **C.B. Regional Fire & Emergency Service Issue Paper, Establishing CB Regional Fire Chaplaincy:**

Committee recommends the approval, adoption and implementation of a Fire Chaplaincy for the Cape Breton Regional Fire & Emergency Service. Chris March, Deputy Fire Chief (See page 108)

7.2 **General Committee Meeting – March 3, 2020:**

- a) **2020 Municipal and CSAP Elections – Various Matters:** Deborah Campbell Ryan, Municipal Clerk (See page 115)

Committee recommends approval of the following:

- i. **Election Budget (Setting of Tariff of Fees & Expenses)** - That the CAO and her designate (Clerk/Returning Officer) be granted authority to establish the tariff of fees and expenses as per Section 139 (1A) of the *Municipal Elections Act*.
- ii. **Preparation of the Voters' List** – That staff be authorized to utilize the Provincial permanent register of electors as outlined in Section 30(1) (C) of the *Municipal Elections Act* and that the Mayor and Clerk be authorized to sign the required Information Sharing Agreement as per Section 30B of the *Municipal Elections Act*.
- iii. **Alternative Voting (electronic) via Internet or Telephone** – to approve, in principle, the use of electronic voting during the 2020 Municipal and CSAP Elections, with a final report to be presented at a later date.

- b) **Land Expropriation Lot 2019-1, PID 15543051 – Wash Brook Flood Mitigation Project:**

Committee recommends staff to proceed with the expropriation of Lot 2019-1 from PID 15543051 in order to proceed with the installation of the Mud Lake Flow Control Structure. Demetri Kachafanas, Regional Solicitor (See page 127)

Continued...

BUSINESS ARISING (Cont'd)

General Committee – March 3, 2020 (Cont'd):

- c) **Request for Quit Claim Deed – Dominion Community Hawks Property Group – PID 15380884 – 28 Lower Mitchell Avenue, Dominion:**

Committee recommends that the Mayor and Clerk be authorized to execute a deed to the Dominion Community Hawks Property Group for the property located at 28 Lower Mitchel Ave., Dominion, (PID 15380884), and that all cost shall be the responsibility of the Hawks Club. Sheila Kolanko, Property Manager (See page 130)

8. CORPORATE SERVICES ISSUES:

- 8.1 Councillor Kendra Coombes – Letter of Resignation:** Deborah Campbell Ryan, Municipal Clerk (See page 136)

ADJOURNMENT



TO: Council

FROM: Marie J. Walsh, CAO

SUBJECT: EMO Coordinator

DATE: April 7, 2020

Background

As you know, we currently are without an EMO Manager at a time when EMO is of paramount importance. Chris March is currently filling in, addressing only the necessary items as he also carries out his regular duties. At this time, I am feeling very vulnerable without a full time Manager with many items such as coordination of training, meeting with community partners etc. not being fulfilled. We have posted this position internally but did not have a candidate with the desired qualifications and experience. I believe posting this position externally at this time would not give us a wide selection of candidates as I assume those qualified individuals would be working full time at their current job and would be reluctant to leave an organization during a global pandemic. Given the appointment of this position is a Council responsibility, I offer the following recommendation:

1. Recall retired John Dilny to come back on a short-term contract to provide administrative support, insight and assistance to the role. Given his background and provincial connections, John will help navigate through the Provincial EMO and other partners.
2. Although John will provide the effort behind the scenes, Chief Michael Seth will be appointed as the interim Emergency Management Coordinator reporting to the CAO. The Chief will provide updates to the community, Mayor and Council and for Directors. Additional assistance will be provided through DFC Chris March and Paul Muise from CBRM Police Services who is also well versed and trained in EMO.
3. DFC March will return to his volunteer coordinator role, manager of fleet and fire prevention/training.

Through this process, we will be able to properly manage, without over taxing, the fire services and continue to contribute to the changing developments of the ongoing pandemic situation.

This will further allow the opportunity to develop mechanisms for the necessary documentation for us to maintain our accountability to the public through Mayor and Council.

Sincerely,

Original signed by:

Marie Walsh, CPA
CAO

MEMORANDUM - MAYOR'S OFFICE

DATE: April 6, 2020
TO: CBRM Councillors
FROM: Mayor Cecil P. Clarke
RE: EMO Alternate to the Mayor

Dear Colleagues:

In response to the COVID19/Coronavirus pandemic, we have collectively been working to ensure municipal operations are maintained and our valued employees supported.

The appointment of an EMO Working group consisting of Councillor Eldon MacDonald, Councillor Earlene MacMullin, and myself has been very helpful and beneficial for EMO planning and provincial State of Emergency measures.

Working and meeting remotely from a Council perspective is a new reality to which everyone is adjusting. As we move forward with Council business in the days ahead, the Deputy Mayor and I will continue to consult on those matters for agenda review. The Agenda Review Working Group will start preparing for General Committee and regular Council meetings. During the time of a State of Emergency combined meetings will be considered depending on agenda topics.

For the purpose of EMO, it is important for me as Mayor to have an alternate appointed that can be present when required as well as provide needed support during this unprecedented period.

The EMO Working Group will continue with all three members in collaboration with our Council colleagues, especially on communications.

RECOMMENDATION

That Council appoint Councillor Earlene MacMullin as EMO Alternate to the Mayor for the period of pandemic response as determined by the Province of Nova Scotia.

Respectfully submitted,

Original Signed by

MAYOR CECIL P. CLARKE

c: Marie Walsh, CAO
Michael Seth, Director of Fire & Emergency Services
Robert Walsh, A/Chief of Police
John MacKinnon, Deputy CAO
George Muise, EMO Nova Scotia

*M E M O R A N D U M - M A Y O R ' S
O F F I C E*

DATE: April 3, 2020
TO: Council
FROM: Mayor Cecil P. Clarke
RE: \$134,000 Homeless and Vulnerable Citizen Support Measures

Dear Colleagues:

In response to the COVID19 pandemic impacts at our community level, the CBRM has been working with the Ally Centre and community partners to address issues affecting homeless and vulnerable citizens.

The Planning & Development Department has been working with the Cape Breton Association for Housing to assist with the reopening of the Margaret St. shelter as well as expanded capacity efforts at the Townsend St. shelter.

The CBRM has reached out to the United Way of Cape Breton to gain a better understanding of the supports and delivery mechanisms for the Atlantic Compassion Fund and other recently announced federal funding.

The CBRM is in contact with the Nova Scotia Health Authority's Office of Public Health to liaise and collaborate, as well as communicate, in support of community delivery partners.

Two projects have been identified for a 90-day period based on a 50/50 cost-share with the Province. (Note: this funding request supports specific project delivery needs and compliments the operating budgets and funding supports of community partners). It is hoped that the pandemic response will have an immediate impact on improved hygiene and sanitary conditions.

PROJECT ONE: Hygiene/Shower/Clothes Washing

The CBRM has been working at the request of the Ally Centre and community partners on a hygiene/shower/clothes washing supports program for homeless and vulnerable populations, including youth.

Four sites have been identified as follows:

1. Undercurrent Youth Centre, Glace Bay (East Division)
2. Undercurrent Youth Centre, Sydney (Central Division)
3. Ally Centre, Sydney (Central Division)
4. Community Cares Youth Outreach, Sydney Mines (North Division)

The sites have all confirmed their willingness to participate. This will include public health standards for maintenance, cleaning and care measures. Transit is available free-of-charge for persons accessing the sites from other communities.

COSTING:

\$64,000.00 – Staff support (16 incl. of MERC x 8 hours x 90 days x 4 sites)
9,000.00 – Operating cost support (water, electricity, etc. \$1,000/month x 3 sites)
4,000.00 – Cleaning/Sanitation supplies (\$1,000 x 4 sites)
6,000.00 – 3 sets of washer/dryer units (including install)
25,000.00 – Site start-up and installation costs
3,000.00 – Towels, etc.
3,000.00 – Personal hygiene products (single use)

Total Costs - \$114,000.00

PROJECT TWO: Washroom Facility Access

With retail and gas stations closing washroom facilities public access to washroom facilities no longer exists. Community partners have identified 13 sites where portable toilets are being requested for a 90-day period (including drop-off, maintenance and pick-up).

Community partners have connected with the only on-Island service provider, Landry's Service, and are assessing the financial and operational requirements or any impediments to responding to this request.

Requested sites from Ally Centre:

Sydney (Central Division)

Library

Loaves and Fishes

Wentworth Park nearest to George St.

Whitney Pier (Central Division)

Anywhere near Tim Horton's on Victoria Road

Sydney Mines (North Division)

Anywhere between Robin's Donuts and the Legion

Near the dug-out at the ballpark on Pitt St.

North Sydney (North Division)

Smelt Brook

Where Stagg's taxi was, near Tim Horton's

North Sydney Food Bank

New Waterford (East Division)

Across from Tim Horton's

The old pizza shop on the other side of town

Glace Bay (East Division)

Behind Tim Horton's

Sterling Mall

TOTAL Cost: \$20,000.00

The Ally Centre has secured funding for the cleaning of the sites and will work with the provider to ensure logistics, cleaning, and sanitary standards are met. This will include public health standards for maintenance, cleaning and care measures. The Centre has a network of community members who will work with them to deliver this service

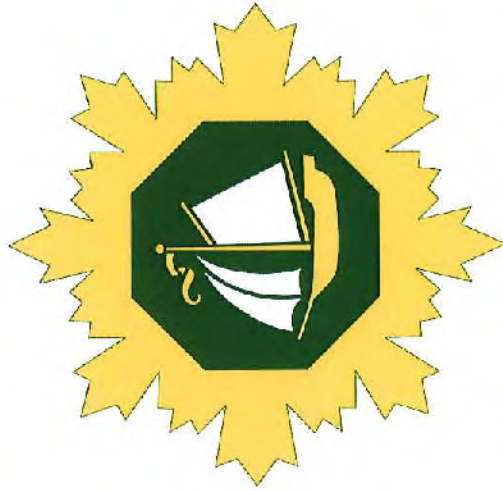
RECOMMENDATION

To support the \$134,000.00 funding request and approve a CBRM contribution up to \$67,000.00 towards the Homeless and Vulnerable Citizen Support Services projects as presented, based on matching funding from the Province of Nova Scotia.

Kind regards,

Original signed by:

MAYOR CECIL P. CLARKE



CAPE BRETON
REGIONAL MUNICIPALITY

Proposed Operating Budget
2020-2021



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Budgeted Revenue

Proposed Operating Budget \$155,059,105

Revenue Summary 2020-21 Budget	Projected Operating Results 2019-20	Budget 2019-20	Budget 2020-21	Increase (Decrease)	% Increase/ Decrease
TAXES	\$ 110,037,842	\$ 110,384,952	\$ 113,013,672	\$ 2,628,720	2.4%
GRANTS IN LIEU OF TAXES	\$ 9,304,807	\$ 9,351,746	\$ 9,624,405	\$ 272,659	2.9%
PROV. TRANS OPERATING GRANT	\$ 15,335,838	\$ 15,335,838	\$ 15,335,838	-	0.0%
PROV. TRANS HST PAYMENT	\$ 487,511	\$ 600,000	\$ 500,000	\$ (100,000)	-16.7%
ADMINISTRATIVE	\$ 1,186,805	\$ 1,540,000	\$ 1,545,000	\$ 5,000	0.3%
MUNICIPAL SERVICES FUNDING	\$ 953,123	\$ 649,992	\$ 998,490	\$ 348,498	53.6%
POLICE	\$ 371,935	\$ 415,000	\$ 415,000	\$ -	0.0%
TRANSIT	\$ 1,560,000	\$ 1,117,500	\$ 1,685,000	\$ 567,500	50.8%
ENVIRONMENTAL SERVICES	\$ 2,411,547	\$ 2,800,000	\$ 2,510,000	\$ (290,000)	-10.4%
BUILDING RENTALS	\$ 552,942	\$ 596,490	\$ 597,991	\$ 1,501	0.3%
WATER UTILITY TRANSFER	\$ 4,951,510	\$ 4,951,510	\$ 4,951,510	\$ -	0.0%
REVENUE BY-LAWS	\$ 361,215	\$ 421,000	\$ 421,000	\$ -	0.0%
PLANNING / DEVELOPMENT	\$ 270,446	\$ 246,200	\$ 246,200	\$ -	0.0%
FACILITIES REVENUE	\$ 2,144,590	\$ 2,100,000	\$ 2,277,000	\$ 177,000	8.4%
SURPLUS TRANSFER	\$ -	\$ -	\$ 438,000	\$ 438,000	
GAS TAX REVENUE	\$ -	\$ -	\$ 500,000	\$ 500,000	
TOTAL REVENUE	\$ 150,900,180	\$ 150,510,228	\$ 155,059,105	\$ 4,548,877	3.0%

▶ Total proposed operating budget \$155,059,105

▶ Increase in overall revenue \$4,548,877 (3.0%)



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Revenue Budget Highlights

Taxes & Grants in Lieu of Taxes

- ▶ **Tax revenues - \$2,628,700 (2.4%)**
 - ▶ Increase in Residential assessment 2.04% (1.0% CPI-CAP)
 - ▶ Increase in Commercial assessment 0.58%
 - ▶ **No changes in tax rates**

- ▶ **Grants in lieu of taxes - \$272,600**
 - ▶ Federal - \$118,900
 - ▶ Provincial - \$124,100
 - ▶ NS Power - \$29,600



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Revenue Budget Highlights

Provincial Transfers & Municipal Services Funding

- ▶ **Provincial Transfers - (\$100,000)**
 - ▶ Reflect HST offset grant actuals for 19/20
 - ▶ Municipal Capacity Grant unchanged from 14/15

- ▶ **Municipal Services Funding - \$346,000**
 - ▶ Indigenous Services Canada (Membertou First Nation) contract renewal



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Revenue Budget Highlights

Fees for Service

- ▶ **Transit revenue - \$567,500**
 - ▶ Increased ridership
- ▶ **Facilities revenue - \$177,000**
 - ▶ Glace Bay operations
- ▶ **Environmental Services revenue - (\$290,000)**
 - ▶ Tipping fees, Diversion credit, commodity market reductions (\$320,000)
 - ▶ Sewer charges - \$30,000



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Revenue Budget Highlights

Operating Reserves

- ▶ **Transfer from Operating Reserve - \$438,000**
 - ▶ 2020 Municipal Election - \$360,000
 - ▶ Municipal Planning Strategy Review - \$78,000

- ▶ **Transfer from Gas Tax Reserve - \$500,000**



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CBRM Operating Budget Expenditures by Type

Expenditure Summary	Budget 2019-20	Budget 2020-21	Increase (Decrease)	% Increase (Decrease)
2020-21 Budget				
WAGES, BENEFITS, EMPLOYMENT RELATED COSTS	\$ 67,244,996	\$ 69,298,851	\$ 2,053,855	3.1%
CONTRACTS & PROFESSIONAL SERVICES	\$ 29,763,433	\$ 30,913,218	\$ 1,149,785	3.9%
VEHICLES	\$ 4,971,702	\$ 5,879,574	\$ 907,872	18.3%
STREET LIGHTS	\$ 2,350,000	\$ 2,350,000	\$ -	0.0%
BUILDINGS	\$ 4,930,786	\$ 5,004,556	\$ 73,770	1.5%
OPERATIONAL MATERIALS, SUPPLIES & EQUIPMENT	\$ 8,743,193	\$ 8,657,463	\$ (85,730)	-1.0%
DEBT SERVICING AND RELATED COSTS	\$ 12,810,324	\$ 12,754,395	\$ (55,929)	-0.4%
MANDATED COSTS AND PROVINCIAL TRANSFERS	\$ 19,695,794	\$ 20,201,048	\$ 505,254	2.6%
TOTAL EXPENDITURES	\$ 150,510,228	\$ 155,059,105	\$ 4,548,877	3.0%



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CBRM Operating Budget

Expenditures by Type - Variances

- ▶ **Salaries and employment related cost - \$2.1M increase**
 - Contractual increases
 - Minimum staffing requirements - Fire Services

- ▶ **Contracts and professional services - \$1.2M increase**
 - CPI increases on EPW contracts - \$600K
 - Municipal Election Costs - \$360K
 - Insurance renewal - \$181K
 - Municipal Planning Strategy update - \$78K



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CBRM Operating Budget Expenditures by Type - Variances

- ▶ **Vehicles - \$900K increase**
 - Rolling stock replacement, maintenance
 - Gas/Diesel increases in response to transit demand and CPI
- ▶ **Buildings - 74K increase**
 - Energy/Heating costs, net of target energy savings (Controls Technician)
- ▶ **Operational Materials, Supplies & Equipment - (\$85K) decrease**
 - Adjustments for one-time purchases, other
- ▶ **Debt servicing and related costs - (\$56K) decrease**
 - Related solely to decrease in overall debt
- ▶ **Mandated Costs & Provincial Transfers - \$500K increase**
 - Formula-based increases



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The Path to Balance

(\$1.9M Draft Budget Shortfall)

REVENUE ADJUSTMENTS		
Gas Tax Reserve		500,000
One-time expenditures funded from operating reserve		78,000
Revenue adjustments based on updated projections		56,600
Election related expenses funded from election reserve		34,100
Municipal Services Agreement - adjusted funding formula		- 156,000
NET INCREASE TO REVENUES PREVIOUSLY PRESENTED		512,700
EXPENDITURE ADJUSTMENTS		
Wage related budget adjustments		- 678,400
Capital out of operating adjustments		- 246,000
Withdrawal of proposal for community events increase		- 150,400
Adjust J-Class Road Contribution to 2019/20 funding levels		- 138,000
Revision of estimates for Utilities/Fuel		- 85,000
Remove CPI adjustments to administrative expenses and contracts		- 59,400
Adjustment for one-time budget increases in 2019/20		- 48,200
Other adjustments based on revised forecast		- 12,000
Adjustment for tax sale cost recovery		44,200
Insurance policy renewal adjustment		10,500
NET DECREASE TO DRAFT EXPENDITURES		- 1,362,700
NET DRAFT BUDGET ADJUSTMENTS		1,875,400



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CBRM Operating Budget Expenditures by Department

Expenditure Summary 2020-21 Budget	Projected Operating Results 2019-20	Budget: 2019-20	Budget 2020-21	Increase (Decrease)	% Increase (Decrease)
ENGINEERING & PUBLIC WORKS	\$ 46,212,311	\$ 47,060,055	\$ 49,328,407	\$ 2,248,042	4.8%
PARKS & BUILDINGS	\$ 6,057,872	\$ 6,148,224	\$ 6,267,973	\$ 124,749	2.0%
FACILITIES	\$ 3,754,224	\$ 3,507,942	\$ 3,689,243	\$ 81,601	2.3%
RECREATION	\$ 2,594,518	\$ 2,654,325	\$ 2,796,437	\$ 141,613	5.3%
POLICE SERVICES	\$ 25,237,975	\$ 25,866,320	\$ 26,438,887	\$ 572,367	2.2%
CONDITIONAL TRANSFERS	\$ 19,892,823	\$ 19,866,789	\$ 20,201,048	\$ 505,258	2.6%
FISCAL SERVICES	\$ 12,832,145	\$ 12,810,324	\$ 12,754,395	\$ (55,929)	-0.4%
FIRE SERVICES	\$ 17,750,747	\$ 17,861,006	\$ 18,044,549	\$ 183,543	0.9%
FINANCE	\$ 2,860,621	\$ 2,663,926	\$ 2,738,558	\$ 74,632	2.8%
911 COMMUNICATIONS CENTRE	\$ 1,745,612	\$ 1,745,612	\$ 1,704,064	\$ (41,548)	-2.4%
TECHNOLOGY	\$ 1,333,817	\$ 1,333,154	\$ 1,382,314	\$ 49,160	3.2%
MUNICIPAL CLERK	\$ 537,756	\$ 514,229	\$ 908,999	\$ 364,769	67.0%
ADMINISTRATION	\$ 403,640	\$ 433,446	\$ 469,909	\$ 31,464	7.2%
ECONOMIC DEVELOPMENT	\$ 552,224	\$ 614,477	\$ 582,379	\$ (61,597)	-9.6%
PLANNING, INSPECTIONS AND BY-LAWS	\$ 2,670,026	\$ 2,665,010	\$ 2,792,203	\$ 127,193	4.8%
HUMAN RESOURCES / OH&S	\$ 221,520	\$ 1,350,257	\$ 1,370,442	\$ 20,186	1.5%
LEGAL SERVICES	\$ 907,856	\$ 1,613,612	\$ 2,045,644	\$ 202,032	11.0%
LEGISLATIVE	\$ 528,301	\$ 1,623,311	\$ 1,543,653	\$ (17,343)	-1.1%
TOTAL EXPENDITURES	\$ 150,743,189	\$ 150,510,229	\$ 155,059,105	\$ 4,548,878	3.0%



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Expenditure Details

Engineering & Public Works \$49,328,107

Engineering & Public Works

- ▶ Overall increase **\$2,248,042 (4.8%)**
- ▶ Wages and benefits increase of **\$875K** (includes **\$425K** increase for transit service demands and contractual increases)
- ▶ Additional transit pressures of **\$700K** related to incremental service demand (fuel, equipment maintenance, and fit-up costs)
- ▶ Contracts/agreements increased **\$655K** (CPI on contract pricing)



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Expenditure Details Cont'd

Parks, Buildings & Libraries \$6,267,973

Parks, Buildings, & Libraries

- ▶ Overall increase \$124,749 (2.0%)
- ▶ Contracts and agreements net increase of \$30,000 for Controls Technician position (offset by targeted energy and existing contract savings)
- ▶ Contractual increases to wages and benefits \$25,000
- ▶ Increase in operational materials and supplies of \$25,000 to reflect anticipated actual expenditures
- ▶ Net increase in utility costs of \$26,000 to reflect rate increases, net of targeted savings
- ▶ Fleet related increases for GPS not previously budgeted of \$10,000



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Expenditure Details Cont'd

Facilities \$3,589,243

Facilities

- ▶ Overall Increase **\$81,601 (2.3%)**
- ▶ Net increase in wages and benefits **\$66,101** due to:
 - ▶ contractual increases
 - ▶ staffing for Glace Bay arena
 - ▶ closure of Centennial
 - ▶ expiry of CBU operating agreement
 - ▶ casual staffing adjustments for C200
- ▶ Increase in security of **\$22,500** for Glace Bay facility.
- ▶ Net increase in Facilities revenue **\$159,500**, includes anticipated rent for canteen/restaurant operations and community room



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REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Recreation \$2,796,437

Recreation

- ▶ Overall increase **\$141,613 (5.3%)**
- ▶ Expiry of RELAY's funding (Police) transferred back to municipal grants fund in Recreation - **\$120,000**
- ▶ Contractual increases in wages and benefits **\$11,613**
- ▶ Increase to Summer student funding in response to minimum wage increase **\$10,000**



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Expenditure Details Cont'd

Police \$26,438,687

Police

- ▶ Overall increase **\$572,367 (2.2%)**
- ▶ Wage and benefits increase, net of cost recovery **\$692,367** due to contractual increases
- ▶ Decrease in grants (transferred back to Municipal Grants Fund) due to expiry of RELAY's project **(\$120,000)**

**NOTE: Police budget excludes 911 Communications Centre
(now included in Technology & Communications)**



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Expenditure Details Cont'd

Conditional Transfers \$20,201,048

Fiscal \$12,754,395

Conditional Transfers

- ▶ Overall increase in **\$505,258 (2.6%)**
- ▶ Increases based on Provincial formula estimates and CPI **\$443,979**
- ▶ No anticipated rate increases required for Provincially mandated costs (estimated)
 - ▶ Mandatory contribution amounts not yet received
- ▶ Increase in Business Improvement District Levy **\$61,280** due to member-approved rate increase for Sydney.

Fiscal

- ▶ Overall decrease of **\$55,929 (2.0%)**
- ▶ Net decrease in debt servicing costs **\$55,929**



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REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Fire & Emergency Services \$18,044,549

Fire & Emergency Services

- ▶ Overall increase **\$153,543 (0.9%)**
- ▶ Wages and benefits net increase of **\$156,181** as per contractual and WCB rate increases
- ▶ Volunteer Fire Grant adjustment for CPI estimate **\$17,365**
- ▶ Adjustment for one-time increases for certification training for fire prevention officers (**\$20,000**)



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REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Finance \$2,738,558

Finance

- ▶ Overall increase of \$74,632 (2.8%)
- ▶ Increase of \$30,482 (1.1%) related to contractual increases in wages and benefits
- ▶ Decrease in cost recoveries \$44,150 to align with historic actuals
- ▶ Increase in postage \$4,000 due to Canada Post price increases, offset by corresponding reduction in office equipment



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REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Technology & Communications \$3,086,378

Technology \$1,382,314

- ▶ Overall budget increase of \$43,160 (3.2%)
- ▶ Contractual increase in wages and benefits \$11,600
- ▶ Increases due to CPI on software, network and software contracts \$31,554

911 Communications Centre \$1,704,064

- ▶ Overall budget decrease of (\$41,548) (2.4%) related to wages and benefits
 - ▶ decrease due to corrections in staffing budget



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REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Municipal Clerk \$908,999

Municipal Clerk

- ▶ Overall increase **\$364,769 (67.0%)**
- ▶ Election expenses increase **\$360,000**
 - ▶ Offset by transfer from election reserve
- ▶ Contractual increase in wages & benefits of **\$5,019**



CAPE BRETON
REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Administration \$469,909

Administration

- ▶ Overall net budget increase **\$31,464 (7.2%)**
- ▶ Wages and benefits contractual increase **\$5,189**
- ▶ Transfer of Professional services budget from Economic Development **\$25,000**

NOTE: Administration budget excludes Economic Development (now included in Planning & Economic Development)



CAPE BRETON
REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Planning & Economic Development \$3,375,082

Planning, Inspection, Bylaws \$2,792,203

- ▶ Overall increase \$127,193 (4.8%)
- ▶ Wages and benefits contractual increase of \$61,495
- ▶ One-time increases in 2019/20 in training and equipment removed (\$10,000)
- ▶ Professional Service increase of \$78,000 for Municipal Planning Strategy update
 - ▶ Offset by transfer from operating reserve

Economic Development \$582,879

- ▶ Overall net decrease of (\$61,597) (-9.6%)
- ▶ Wages, benefits and related travel reduced to reflect revised role.
- ▶ Professional services budget transferred to Administration (\$25,000)



CAPE BRETON
REGIONAL MUNICIPALITY

Economic Development 2020-21 Grants to Organizations

Economic Development Funding (REN)	\$300,000
Destination CB	\$ 80,000
Savoy Theatre	<u>\$100,000</u>
Total Grants to Organizations	<u>\$480,000</u>



CAPE BRETON
REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Human Resources/OH&S \$1,370,442

Human Resources/OH&S

- ▶ Overall increase \$20,186 (1.5%) solely related to contractual increases in wages and benefits.



CAPE BRETON
REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Legal \$2,045,644

Legal

- ▶ Overall increase **\$202,032 (11.0%)**
- ▶ Contractual increase in wages and benefits of **\$20,311**
- ▶ Increase in insurance of **\$181,721** for CPI and incremental premiums on new fleet and building inventory



CAPE BRETON
REGIONAL MUNICIPALITY

Expenditure Details Cont'd

Legislative \$1,643,653

Legislative

- ▶ Overall increase \$17,343 (1.1%)
- ▶ Wages and benefits increase of \$6,643 based on collective agreement, net of CPP adjustment on travel allowance
- ▶ Professional memberships increase of \$10,710 based on projected actuals.



CAPE BRETON
REGIONAL MUNICIPALITY

Implication of COVID-19 on Operating Budget

Financial
Impacts
difficult
to predict

Many
departments
operating
as "business as
usual"

Revenue
Streams
and
Cash Flow
will be
negatively
affected

Costs will be
incurred,
but some
offsets likely



No specific provisions for COVID-19 implications included



CAPE BRETON
REGIONAL MUNICIPALITY

Recommendation

Motion to approve:

- ▶ Operating Budget for 2020/21 totaling \$155,059,105
- ▶ Transfer from Operating Reserve totaling \$438,000
- ▶ Transfer from Gas Tax Reserve \$500,000

RESOLUTION

Whereas: The CBRM operating and capital budgets were initially postponed awaiting federal and provincial budget confirmations;

And Whereas: The COVID19/Coronavirus global pandemic has resulted in a provincial State of Emergency necessitating extraordinary measures and efforts by the Municipality to maintain core municipal services and supports;

And Whereas: The CBRM has entered into Council-approved agreements with the federal and provincial governments investing in much-needed infrastructure projects that will create hundreds of local jobs for stimulus during the pandemic;

And Whereas: Even during this unprecedented time and with the challenges that lie ahead, the 2020/21 draft operating and capital budgets contain tens of millions of dollars to maintain essential good public services, sustain jobs, make repairs, and build our community;

And Whereas: The CBRM Mayor, Council, and senior officials are committed to providing our valued employees with the resources they need to continue to provide essential municipal services;

Be It Therefore Resolved:

That the CBRM Mayor and Council approve essential operating expenditures necessary to maintain the Municipality's operating capacity and core service delivery, including necessary procurement or service agreements until such time that the Province of Nova Scotia has declared the pandemic to be over and CBRM officials are able to present a revised budget for the remainder of the 2020/21 fiscal year. The Chief Financial Officer shall provide monthly budget updates to Council.

Mayor Cecil P. Clarke
Cape Breton Regional Municipality



CBRM

A Community of Communities

Cape Breton Regional Municipality

Memo

Date: April 6, 2020
To: Mayor & Council
From: Jennifer Campbell, CPA, CA Chief Financial Officer
Re: Transfer from Gas Reserves – Operating Budget

During 2018/19 budget deliberations, Council approved the installation of a screening plant and conveyor system at the solid waste facility. The total cost of the project was \$2.2M to be financed and funded out of solid waste operating budget over a 5 year period (\$500,000/year commencing in 2018/19 until repaid).

As part of the "Path to Balance" in the operating budget for 2020-21, it is recommended that gas tax funding in the amount of \$500,000 be transferred to offset the capital leasing costs for this asset.

A separate motion of Council is required to approve this transfer.

Respectfully submitted,

Jennifer Campbell, CPA, CA
Chief Financial Officer



MEMO

TO: CBRM Mayor and Council

FR: Wayne MacDonald, P.Eng.,
Director of Engineering & Public Works

RE: Water Utility Operating Budget 2020/2021

DATE: April 6, 2020

Mayor and Council,

In accordance with the Water Utility Accounting and Reporting Handbook, the following Cape Breton Regional Municipality – Water Utility documents are enclosed :

Section 2040 – three-year Operating Budgets (2019/20,2020/21,2021/22)
Section 2050 – Operations Compliance Certificate for 2019

2019/2020 was the last year included in the last Utility and Review Board (UARB) rate study for the Cape Breton Regional Municipality – Water Utility. Based on the proposed Operating budget for 2020/2021, total expenditures remain fixed from 2019/20 but will allow that the CBRM Water Utility will move out of a deficit position during the 2020/2021 Fiscal Year.

It is recommended that CBRM Council approve the Cape Breton Regional Municipality – Water Utility Operating Budget for 2020/2021 as presented on the attached.

Wayne H. MacDonald, P.Eng.
Director of Engineering & Public Works

cc. All Council,
Marie Walsh, CAO

	Worksheet D-2		
	Budget	Budget	Budget
	Projection	Projection	Projection
	2019-20	2020-21	2021-22
OPERATING REVENUE			
Metered	19,060,251.00	19,575,522.86	19,774,214.42
Flat Rate	-	-	-
Public Fire Protection	7,078,384.00	7,078,384.00	7,150,229.60
Sprinkler Service	51,000.00	51,000.00	51,000.00
Sales to Other Utilities	-	-	-
Interest on Overdue Accounts	350,000.00	350,000.00	350,000.00
Other Operating Revenue	10,000.00	5,000.00	5,000.00
TOTAL OPERATING REVENUE	26,559,635.00	27,069,906.86	27,340,444.01
OPERATING EXPENDITURES			
Source of Supply	521,500.00	526,793.23	532,140.18
Power and Pumping	2,119,400.00	2,140,911.91	2,162,642.17
Water Treatment	3,714,663.00	4,262,776.27	4,306,043.45
Transmission and Distribution	4,765,772.00	4,814,144.59	4,863,008.15
Administration and General	3,047,883.00	3,078,819.01	3,110,069.03
Depreciation	4,132,220.00	3,850,000.00	3,850,000.00
Taxes	2,372,007.00	2,000,000.00	2,020,300.00
Other Operating Expenditures	-	-	-
TOTAL OPERATING EXPENDITURES	20,673,445.00	20,673,445.00	20,844,202.97
NET OPERATING REVENUE	5,886,190.00	6,396,461.86	6,496,241.04
NON-OPERATING REVENUE			
Grants from Province of Nova Scotia	-	-	-
Amortization of Deferred Capital Contributions	-	287,171.00	281,171.00
Disaster recovery	-	-	-
Repayment of Principal on Capital Debt	-	-	-
	-	287,171.00	281,171.00
NON-OPERATING EXPENDITURES			
Debt Charges - Principal	3,564,500.00	3,564,500.00	3,564,500.00
Debt Charges - Interest on debentures	1,348,483.00	1,209,151.11	1,065,842.00
New Debt - Principal	-	-	-
New Debt - Interest	-	-	-
Amortization of Debt Discount	32,000.00	32,000.00	32,000.00
Short Term Interest Charges (Bank Fees/Charges)	141,207.00	200,000.00	202,050.00
Appropriations	-	-	-
Capital Expenditure Out of Operations	150,000.00	150,000.00	150,000.00
Earnings	-	-	-
	5,236,190.00	5,155,651.11	5,014,392.00
EXCESS OF REVENUE OVER EXPENDITURE	650,000.00	1,240,810.75	1,481,849.04
SURPLUS (DEFICIT), BEGINNING OF YEAR	(1,722,608.00)	(1,072,608.00)	168,202.75
SURPLUS (DEFICIT), END OF YEAR	(1,072,608.00)	168,202.75	1,650,051.79

Nova Scotia Utility and Review Board	Water Utility Accounting and Reporting Handbook	Page: 2051
	Section: 2000 – Annual Report	Date Issued: March 29, 2007
	Subject: 2051 – Compliance Certificate	Revisions:

Nova Scotia Utility and Review Board
Operations Compliance
For

CAPE BRETON REGIONAL MUNICIPALITY
(name of utility)
for the Year Ended March 31, 2019

We confirm, for the above-named water utility that:

1. The water utility held a valid Approval to Operate, Issued by Nova Scotia Environment and Labour, for the entire period described above.
2. The water utility complied with all of the Water and Wastewater Facilities and Public Drinking Water Supplies Regulations, the Guidelines for Monitoring Public Drinking Water Supplies and their Approval to Operate, except as noted in its Annual Report to Nova Scotia Environment and Labour. A copy of these exceptions is attached hereto.
3. The water utility has complied with all of the requirements of the Nova Scotia Utility and Review Board Water Utility Accounting and Reporting Handbook unless otherwise specifically approved by the Board.

[Signature]
(signature)

Sept. 30 / 19
(date)

(Chair)

[Signature]
(signature)

SEPT. 27 / 19
(date)

CREG PENNEY - MANAGER
(Senior Operating Officer)

NOTE: Any exceptions to the above statements should be set out on an attached sheet.



CAPE BRETON
REGIONAL MUNICIPALITY

ISSUE PAPER

TO: CBRM Council

DATE: April 6, 2020

FROM: Director, Planning and Development

RE: MUNICIPAL PLANNING STRATEGY UPDATE

BACKGROUND

As part of deliberations for the 2020/2021 Fiscal Year, the Planning & Development Department identified a comprehensive update and review of the Municipal Planning Strategy (MPS), Land Use Bylaw (LUB), and Subdivision Bylaw for consideration. These documents form the framework for development within the municipality and also communicate the vision and community expectation of its residents for the future.

Given the impacts of COVID-19, we believe that this review should proceed as planned with consideration for community growth, economic recovery, and in close partnership with the CBRM REN.

DISCUSSION

The *Municipal Government Act* (MGA), authorizes and requires Council to adopt a planning strategy reasonable consistent with the Provincial Statements of Interest and fulfilling the minimum planning requirements. This act was amended in 2019, bringing in new minimum requirements, necessitating CBRM to update its existing strategy.

The MPS was adopted by Council in 2004, with updates occurring intermittently to deal with issues of priority, but no comprehensive review has been completed. The MPS does require Council, by policy, to review the strategy every five years.

The recommended update would be a comprehensive review of CBRM's Planning Strategies, Land Use Bylaws, and Subdivision, with a robust Public Participation Program and Public Engagement Program to meet current requirements under the MGA. A comprehensive review of

all of these documents, including North End Sydney, will help to streamline administration and enforcement of regulations in the future.

RECOMMENDATION

That CBRM Council authorize the Planning & Development Department to release a Request for Proposals (RFP) for a comprehensive review and update of the Municipal Planning Strategies, Land Use Bylaws, and Subdivision Bylaw.

Respectfully submitted by:

ORIGINAL SIGNED BY

Michael Ruus
Director, Planning and Development



TO: Council

FROM: Marie J. Walsh, CAO

SUBJECT: Police Review

DATE: April 7, 2020

Background

The recent Viability Study conducted by Grant Thornton and approved by Council contained Strategic, Operational and Policy related recommendations. One of the operational recommendations was to assess potential options for improving efficiencies of the Cape Breton Regional Police Service. Since this Study, staff have formed a committee to develop a terms of reference so we may advertise a Request for Proposal. I understand given the current state, that we will be operating with an essential service budget, however I believe it is important that we move ahead with this initiative. The terms of reference will include, but not limited to: looking at appropriate levels and types of staffing, shift schedules and policies, overtime causes and triggers, opportunities for civilianization, structure, future costs etc. The terms of reference will be brought to the Police Commission for review and recommendation to Council.

I recommend we move ahead with this review in the 2020/21 budget year provided there are not factors around the Pandemic that would prevent us from a thorough review. We are currently in the process of getting an estimate on the scope of the terms of reference that has been developed to date with a plan to use the professional services from the CAO budget.

Sincerely,

Original signed by:

Marie Walsh, CPA
CAO

Cape Breton
Regional Municipality



**Capital
Budget**

2020/2021



Capital Budget 2020/2021

Municipalities own the core infrastructure assets that are critical to the quality of life of Canadians and the competitiveness of our country.

“Municipalities own over 60% of the country’s infrastructure but collect just eight cents of every tax dollar paid in Canada, with the other 92 cents going to Federal, Provincial and Territorial Governments”

- 1800 jobs generated per \$100million invested in infrastructure
- \$160million economic growth generated per \$100million invested

Federation of Canadian Municipalities (FCM)
Canada Infrastructure Report Card



Capital Budget 2020/2021

Wastewater

Sydney Harbour West Wastewater Collection & Treatment -\$10,400,000 (Carry Over)

This project includes upgrades to the existing sewer collection system and the installation of a new trunk sewer, wastewater treatment plant and outfall. Entering year three (fiscal 2020-21), the focus will be detailed design of both the new collection system and treatment plant, collection system upgrades and construction activity associated with the new collector sewer. This project is funded in part by the Province of Nova Scotia and Infrastructure Canada through the **Build Canada Fund – Provincial Territorial Infrastructure Component – National Regional Projects**.

2018-19 Actual Expenditure	5303,862
2019-20 Total Projected Expenditure	\$1,700,000
2020-21 Total Estimated Expenditure	\$10,400,000
2021-22 Total Estimated Expenditure	\$15,300,000
2022-23 Total Estimated Expenditure	\$14,700,000
2023-24 Total Estimated Expenditure	\$15,600,000

Funding Source	Amount	Percentage	Current Fiscal Breakdown Amount
Federal (Gas Tax)	\$19,335,708	33	\$8,466,667
Provincial	\$19,335,708	33	\$8,466,667
CBRM	\$19,335,708	33	\$3,466,667





Capital Budget 2020/2021

Glace Bay Arena



NBC – Small Community Fund

Total Project - \$9,000,000

Year 3 of 3 \$4,500,000

Federal -	\$1,500,000
Provincial -	\$1,500,000
CBRM -	\$1,500,000

Proposed Local Roads Paving - 2020



'Local Streets' have been, and we suspect will continue to be, CBRM's most pressing need in the foreseeable future as it pertains to roadwork.

CBRM has 200 local streets identified for rehabilitation on our current list. We are operating under the basic principal of "*worst first*" in formulating a cost effective and pragmatic work plan for the 2020 construction season.

Proposed Funding would allow for the rehabilitation of 27 Local Streets this construction season.

East Division

Woodward St. (Glouce Bay) – Connaught to tracks
 Warren Street (Waterford) – Gibbon to tracks
 Tanners Lane (Louisbourg) – Kent to Huntington
 Tennyson Street (Glouce Bay) - (Ryan to End)
 Brook Avenue (Waterford) – Bay to Irish Brook
 Thomas Street (Waterford) – Mahon to end
 Railroad Street (Dominion) – Mitchell to Birch
 George Street (Waterford) – Nicholson to Mt. Carmel
 Ninth Street (Waterford) - Walsh to Plummer
 Mary Street (Glouce Bay) - Duncan to end
 Beach Street (Waterford) – Veniot to end
 Hay Street (Glouce Bay) – Sterling west to #20 Mine
 William Street (Glouce Bay) – Minto to Police Station

Central Division

Christopher Crescent Ph1 – Cottage west to #83
 MacLeod Street – Broadway to Taylor
 Rockdale Avenue – Grandview to Harold
 Mechanic Street – Prince to Disco
 Webster Street – Victoria to Bay
 Bay Street – Victoria to Summit
 Ranna Drive - Centennial to Acadia
 MacAulay Street – Prince to barricade
 Spring Street – George to Rockdale

North Division

Notre Dame (Syd Mines) – Convent to Shore
 Wall Street (North Syd) – Memorial to Ross
 Musgrave Lane (North Syd) – brook to top of hill
 Davis Street (North Syd) – Musgrave to end
 Stafford Street (Syd Mines) – Fraser to Clyde
 Cambridge Street (North Syd) – Clyde to Beech
 Clearyville Street (North Syd) - Stanley to Pierce

Total \$4,296,000



Capital Budget 2020/2021

Proposed Collector Roads Paving - 2020

Collector Roads are the “*spine*” of the community which sustains our commercial, commuter, emergency response, tourist and social activity traffic needs. CBRM’s transportation road network includes major traffic routes (Primary and Secondary) designed to carry traffic through our larger urban centers & includes all the main arteries of CBRM’s transportation infrastructure.

The intent of this paving program is to extend the “service – life” of our road assets by employing both pavement preservation and full re-build construction methods.

CBRM has 67 Collector Roads identified for rehabilitation on our current list. We are operating under the principal of “worst –first” in formulating a cost effective and pragmatic work plan for 2020.

The 2020 program, will allow for the rehabilitation of 3 Collector Roads.



George Street – Sydney (Prince to Dorchester) Road re-profile/rebuild Pave, Traffic Signal Upgrades
Plummer Avenue - New Waterford (King to Mahon) Road Recap Pave
Main Street (East) – Sydney Mines (Cottage to Brown) Road Recap Pave

Total \$1,700,000



Capital Budget 2020/2021

Proposed Piped Infrastructure Projects (“ICIP”) - 2020-2025

CBRM has 57 Piped Infrastructure Projects identified under the “ICIP” - Federal / Provincial Cost Share Program. Province of Nova Scotia has communicated 100% funding for **PHASE 1** (13 Piped Infrastructure Projects) under the “Northern & Rural Communities Infrastructure Stream” of the New Building Canada – Investing in Canada Infrastructure Plan (ICIP). This Program is funded at 50% Federal & 50% Provincial for all eligible costs.

2020-2021 = \$8,000,000

Funding Source	2020/2021 Fiscal Breakdown
Canada	\$4,000,000
NS	\$4,000,000
CBRM	\$0

2021-2022 = \$10,000,000
 2022-2023 = \$10,000,000
 2023-2024 = \$10,000,000
 2024-2025 = \$9,500,000

5 year Program Total \$47,500,000

PHASE 1 Piped Infrastructure Projects - \$8,000,000

Union Street – Reserve to Commercial (Glance Bay) – Waterline, Storm Sewer, Road Reconstruction
 Phalen’s Road – Civic 360 to Main (Glance Bay) – Waterline, Storm Sewer, Road Reconstruction
 King Edward Street (Glance Bay) – Sanitary Manholes, Road Reconstruction
 McKeen Street – Main to Sterling (Glance Bay) – Sanitary Manholes, Road Reconstruction
 Connaught Avenue “Phase 3” – Wallace to West (Glance Bay) – Sanitary Manholes, Road Reconstruction
 Highland Street – Park to Grove (Glance Bay) – Waterline, Storm Sewer, Road Reconstruction
 Connaught Avenue “Phase 1” – Civic 151 to Woodward (Glance Bay) – Storm Sewer, Road Reconstruction
 Mechanic Street – Reserve to Park (Glance Bay) – Sanitary Manholes, Road Reconstruction
 Dominion Street – Highland to MacLeod (Glance Bay) – Sanitary Manholes, Road Reconstruction
 Brookside Street – Dominion to Commercial (Glance Bay) – Sanitary Manholes, Road Reconstruction
 Gannon Street – Nolan to Reserve (Glance Bay) – Storm Sewer, Sidewalk, Road Reconstruction
 Connaught Avenue “Phase 2” – Woodward to Wallace (Glance Bay) – Storm Sewer, Road Reconstruction
 Wallace Road – Poloni to Connaught (Glance Bay) – Storm Sewer, Sidewalk, Road Reconstruction



Capital Budget 2020/2021

Proposed Piped Infrastructure Projects ("ICIP") - 2020-2025

FUTURE PHASES - Piped Infrastructure Projects - \$39,500,000

<u>CENTRAL DIVISION</u>				<u>NORTH DIVISION</u>			
Atlantic Street	Sydney	Water, Road		Main Street west	Sydney Mines	Water, Storm, Road	
George St (Ph. 2 of 3)	Sydney	Water, Storm, Road		Church Street	Sydney Mines	Water, Storm, Road	
Bentnick St. Culvert	Sydney	Culvert		King Street	North Sydney	Water, Storm, Road	
Prince Street	Sydney	Water, Storm, Road		Vale Street	North Sydney	Water, Road	
Forrest St.	Sydney	Water, Road		Purves Street	North Sydney	Water, Road	
George Street (Ph 3 of 3)	Sydney	Water, Storm, Road					
Charlotte Street(Ph 1 of 3)	Sydney	Water, Storm, Road		<u>EAST DIVISION</u>			
Bay Street	Sydney	Water, Road		Dominion Street	Dominion	Water, Storm, Road	
Charlotte Street (Ph 2 of 3)	Sydney	Water, Road		Water Storage tank	Louisbourg	Water	
Argyle Street (Ph 1 of 2)	Sydney	Water, Road		Wilson Avenue	New Waterford	Water, Storm, Road	
Cossitt Street	Sydney	Culvert		MacAskill's Dam Spillway	Tower Road	Water Spillway	
Sutherland Street	Sydney	Water, Road		Fletcher Street	Glace Bay	Water, Storm, Road	
Cornishtown Road	Sydney	Water, Road		Seaview Street	Glace Bay	Water, Road	
South Bentinck	Sydney	Water, Road		Hickman Street	Glace Bay	Culvert	
St. Albans Street	Sydney	Water, Road		Bay Street	Glace Bay	Culvert	
Charlotte Street(Ph 3 of 3)	Sydney	Storm, Road		Dorchester Street	Glace Bay	Water, Storm, Road	
Argyle Street (Ph 2 of 2)	Sydney	Water, Road		Pleasant Street	Dominion	Water, Storm, Road	
Whitney Avenue	Sydney	Water, Road		Hudson Street	New Waterford	Water, Storm, Road	
Dorchester Street	Sydney	Water, Storm, Road		York Street	Glace Bay	Culvert	
Cross Street	Sydney	Water, Road		David Street	Glace Bay	Water, Road	
Davenport Road	Sydney	Water, Road		King Street	New Waterford	Sanitary Sewer	
St. Peters Road	Sydney	Water, Road		Centre Ave	Glace Bay	Water, Storm, Road	
				Ellsworth Avenue	New Waterford	Water, Road	
				8 th Street	New Waterford	Water, Road	

Water Capital – 2020 / 2021



Capital Budget 2020/2021



Glace Bay Water Tank Project:

This project has been in the planning stages since 2013 when the existing water storage was determined to be “not structurally sound and in need of replacement”. This existing tank was built in 1964 and has passed its useful lifespan, cosmetic upgrades have been completed over the past few years but that has been for aesthetics only. Phase 1 of this project will be to construct the first of two identical water tanks to replace the existing water storage tank and both new tanks will be constructed on the existing water tank property on Main St.

Estimated cost of Phase 1 \$2.6 million

Distribution / Transmission Main Upgrades:

A number of small water main replacement projects are identified for replacement this construction year. These projects will be coordinated with CBRM Capital works where necessary water mains are replaced on scheduled street and road rebuilds throughout CBRM. (ie: Wall Street - North Sydney, Ranna Drive – Sydney)

Estimated cost: \$1.3 million

Water Meter Replacement Program:

This is a continuation of the ongoing water meter replacement program for water meters throughout the CBRM.

Estimated cost: \$100,000

Total \$4,000,000



Capital Budget 2020/2021

Proposed Gravel Roads Paving - 2020

There are 10 remaining "fully listed" Cape Breton Regional Municipality, "Sub-Division" roads (constructed post 1994) that reside outside the former municipal town units which require initial paving. These 10 gravel roads are located in Districts 2, 3, 4, 7 & 8.

We are operating under the basic principal of age & level of service in formulating our 2020 program.

There are 3 CBRM gravel roads proposed for rehabilitation across CBRM for this construction season.

Aspen Grove Exl. – Howie Centre	District 7
Kevin Drive – Caribou Marsh	District 7
Merriworld Lane – Caribou Marsh	District 7



Total \$400,000

Post 2020
 District 2 – 1 Road
 District 3 – 1 Road
 District 4 – 1 Road
 District 7 – 2 Roads
 District 8 – 2 Road



Capital Budget 2020/2021

J Class Roads – Initial Paving

Since the early 2000's, CBRM has entered into a 50-50 cost share agreement with the province of Nova Scotia for the initial paving of "J-Class" roads that reside within CBRM. The CBRM selects and prioritizes the roads to be paved in the program. The road selection is based upon consultation with the District Councilor on a cycling basis, through each district which incorporates 'J-Class' roads. CBRM is currently working from Council approved 2015 (Phase 5) & 2019 (Phase 6) lists.

The 2015 list has 3 roads remaining, involving approximately 0.6km





Capital Budget 2020/2021

J Class Roads (Initial Paving Program) - "Phase 5" (2015-2020)

Priority	Road	District
1	County Lane (Completed 2015)	8
2	Egan Ave, Cooke Lane (Completed 2016)	12
3	Bethelct Crescent, Stoney Brea (Completed 2016)	3
4	Carmichael Drive, Johnson Crescent (Completed 2015)	4
5	O'Neill's Road (Completed 2016)	4
6	Pease Street, Killamey Crescent, Kister Court (Completed 2017)	7
7	Hannah Street, Karen Lynn Court, Nearingdale Drive (Completed 2018)	11
8	Harrietha Road (Completed 2014)	2
9	Wilfred Place, Earls Lane (Completed 2018), Gowrie Street	8

We have received notice from the Province indicating Hannah Street & Wilford Place are approved for 2020

Provincial - \$120,000 CBRM - \$120,000

Total \$240,000



Capital Budget 2020/2021

J Class Roads (Initial Paving Program) - "Phase 6"

District 12	Rhodena Drive (Victoria Mines) Kilkenny Lake Road (Victoria Mines)	0.26 km 0.06 km
District 3	MacDonald Road (Scotch Lake)	1.60 km
District 4	Summerhill Drive (Deerfield) Trunk 4 Loop (Sydney River) Dobson Road (Westmount)	0.03 km 0.20 km 0.10 km
District 7	Marbern Street (Howie Center) Lauren Lane (Howie Center) Seaview Drive (Gabarus)	0.50 km 0.31 km 0.25 km
District 11	Guy Street (New Victoria) Livingston Road (Lingan)	0.21 km 0.11 km
District 8	Franklyn Road (Catalone) Seaview Lane (Little Lorraine) Rosewood Heights (Mira)	0.26 km 0.25 km 0.40 km
	Total	5.14 km

Roads Remaining Post this list:

District #7 – 2.25 km (9 Roads) District #8 – 0.71 km (3 Roads) District #3 – 1.17 km (4 Roads)



Capital Budget 2020/2021

Proposed Sidewalks Renewals - 2020

Central Division

Cabot Street (SS) – Cottage to Hillview
Dorchester Street (NS) – George to Glebe
St. Gabriel Street (ES) – Alexandra to Bridget
Fulton Avenue (SS) – Murphy to Midgley
Matilda Street (SS) – Griffin to Civic 102
Swan Street (SS) – Victoria to Civic 30

North Division

Atlantic Street (SS) – Legatto to Civic 287
Queen Street (NS) – Windsor to Huron
Pleasant Street (SS) – Archibald to Caledonia
Shore Road (NS) – RB Smith to Richard
Crescent Street (WS) – Pitt to Church
Ross Avenue (NS) – Convent to Tobin

East Division

Connaught Street (SS) – Wallace to West
Plummer Avenue (ES) – 13th to Arthur
George Street (NS) – South to End
Dragratis Street (WS) – Brookside to School



Total \$1,000,000

Proposed Active Transportation / Community Living - 2020

It has been 12 years since the adoption of CBRM's Active Transportation (AT) Plan and significant progress has been made through the on-going capital investment. Over the last 10 year period, this has been very successful with the majority of signature projects completed with the partnership of community stakeholders, provincial, and federal partners.

With the retirement of key members of the Active Transportation team, CBRM staff are working to re-organize and create new terms of reference for an on-going working group focusing on a holistic approach to active and sustainable communities. The existing plan recommended a review to take place every 5 years, and staff are advocating for a full review and update with a public participation plan to begin in 2020-2021.

Since the beginning of the Active Transportation initiative, CBRM also adopted its Recreation Master Plan, which provides additional future direction and guidance for delivering recreation facilities and programs, infrastructure and investment over a horizon of 15 years. These concepts will be integrated into the review.

As we work with our communities in defining a new vision for investment in active infrastructure, we would request that the capital budget be maintained for 2020-2021 onward under the same funding arrangements.



Total \$1,000,000



Capital Budget 2020/2021





Capital Budget 2020/2021

Wastewater – Sanitary Sewer I & I Reduction Program

This program is a continuation of the EPW Asset Management Program and the inflow and infiltration reduction work within sewer catchment areas across CBRM. Main areas of work are: Sewer system investigation, asset management solutions, asset register building, sewer system upgrades and storm sewer installations. To maximize our efforts, this funding in part or in full, could be used to leverage provincial funding for similar type work if a suitable program becomes available throughout the fiscal year. This year, the focus of the funding will be placed on an Enterprise Asset Management (EAM) Solution for the Engineering and Public Works Department.

The project includes many small components of infrastructure upgrades, that help to reduce Inflow/Infiltration into Wastewater Systems Across all communities.

A few of the larger projects include:

- Pitt Street Storm Sewer Upgrades, Sydney Mines
- Area 6 Infiltration Improvements, Sydney (Whitney Pier)



Funding Source	Amount	Percentage
Federal (Gas Tax)	\$450,000	100
Provincial CBRM	-	-



Capital Budget 2020/2021

Wastewater Treatment Infrastructure Project (ICIP)

There are three core components to the Wastewater component to the CBRM Application under the "Investing in Canada Infrastructure Program" (ICIP).

- design and construct the two high risk wastewater systems in Glace Bay and Port Morien,
- replace the Battery Point UV Disinfection System and
- installation of UV disinfection systems at four existing waste water lagoons.

The total estimated project cost is \$97.9M and is expected to be delivered over the next seven (7) fiscal years. Infrastructure Canada and the Province of NS have agreed to fund 100% of the total project cost

2019-20 Actual Expenditure - \$0
2020-21 Total Estimated Expenditure - \$7,748,404
 2021-22 Total Estimated Expenditure - \$9,020,520
 2022-23 Total Estimated Expenditure - \$18,721,279
 2023-24 Total Estimated Expenditure - \$15,486,259
 2024-25 Total Estimated Expenditure - \$15,639,704
 2025-26 Total Estimated Expenditure - \$15,639,704
 2026-27 Total Estimated Expenditure - \$15,639,704



Funding Source	Amount	Percentage	Current Fiscal Breakdown Amount
Canada	\$39,158,230	40	\$3,099,362
NS	\$58,737,344	60	\$4,649,042
CBRM	-	-	-

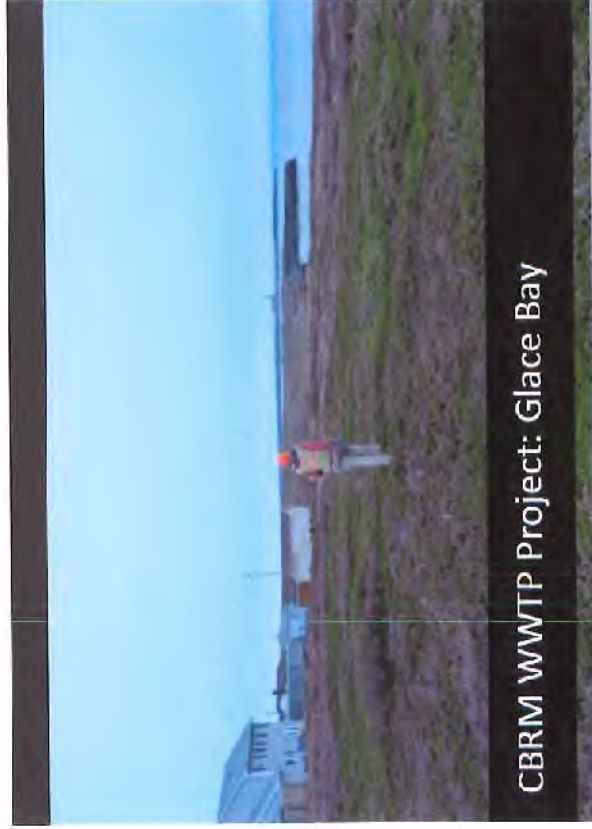
Wastewater Treatment Infrastructure Project (ICIP)



Capital Budget 2020/2021

a) High Risk Wastewater Treatment System Project (ICIP) - Glace Bay & Port Morien

Federal Wastewater System Effluent Regulations (WSER) have been enforced since 2012. There is now an immediate need to address high-risk wastewater systems which have a compliance deadline of December 31st, 2020. This deadline cannot be achieved, however CBRM must continue working towards the goal of wastewater compliance by taking advantage of funding opportunities when they are available. With the completion of the ERA and Preliminary Design Project expected by March 31st, 2020, CBRM is now in position to transition into detailed design and construction of the high-risk systems.





Capital Budget 2020/2021

Wastewater Treatment Infrastructure Project (ICIP)

b) Battery Point UV System Replacement (ICIP)

The final stage of treatment at the Battery Point Wastewater Treatment Plant is disinfection. The disinfection equipment at this site consists of a Trojan UV 4000plus system which is now discontinued and has reached the end of its useful life. To maintain adequate disinfection and to avoid the possibility of a major equipment failure and process upset, the UV systems at Battery Point needs to be replaced. The proposed UV replacement project will occur during the 2020-21 fiscal year.





Capital Budget 2020/2021

Wastewater Treatment Infrastructure Project (ICIP)



c) Wastewater Treatment Lagoon Upgrade Project (ICIP)

Disinfection upgrades at four of our Wastewater Treatment Lagoons are necessary due to upcoming Federal regulations for residual chlorine – Deadline January 1st, 2021. This component of the project will be delivered during the 2020-21 fiscal year.

- Centerville Lagoon
- Tower Road Lagoon
- Southwest Brook Lagoon
- Meadowbrook Lagoon



Capital Budget 2020/2021

Wash Brook - Floodwater Intensity Mitigation Project (DFA Funding)



Gilhemes Lake & Pond 5 (DF-AA) \$2,410,272
New Project

The purpose of this funding is to construct the **Gilhemes Lake Flow Control Structure** and **Pond 5** which are part of CBCLs recommended flood reduction option number 15 established through the 2017 Wash Brook Flood Containment and Intensity Mitigation Project.

2019-20 actual expenditure \$89,728
2020-21 estimated expenditure \$2,410,272

Funding Source	Amount	Percentage	Current Fiscal Breakdown Amount
Public Safety CA (DFA)	\$2,397,253	96	\$2,311,214
Federal (Gas Tax)	\$102,747	4	\$69,058
CBRM	-	-	-



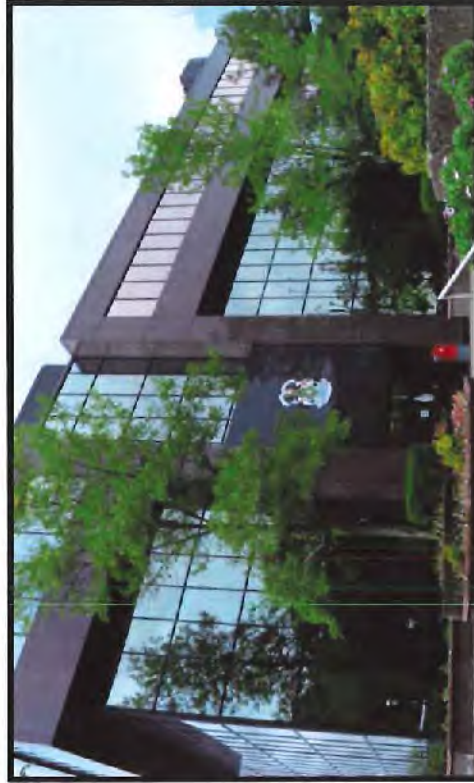
Capital Budget 2020/2021

Proposed Buildings General Upgrades - 2020

General Building Upgrades

Location	Description	Cost
Civic Centre	Glass Replacement – 75 Panes	\$200,000
Wentworth Park	Interactive Fountain Replacement	\$150,000
Renwick Brook	Repair 2 Walking Bridges	\$200,000
Transit Bus Shelters	Construction	\$100,000
Pier Seniors	Exterior Upgrades	\$100,000
Former Police East	HVAC Requirement/Future Use	\$100,000
Fire Services	Capital Major Repairs	\$100,000
Energy Upgrades	BAS Upgrades Efficiency	\$200,000
Arenas	Pave Parking Lots Dominion / Syd. Mines	\$410,000
Parks & Grounds	Various Sports Field Upgrades	\$150,000

Total \$1,710,000





Capital Budget 2020/2021

Proposed Buildings General Upgrades - 2020

Deferred Projects

Location	Description	Cost
Civic Centre	HVAC & Chiller Replacement	\$1,100,000
Central Police	Emergency Generator	\$450,000
Lyceum	Exterior Cladding & Roof Repairs	\$755,000
Building Parks East	Metal Building	\$600,000





Capital Budget 2020/2021

C200 Revitalization

The C200 upgrade includes the following. It should be noted that the cost figures quoted are estimates and would require further review prior to the project beginning. It also should be noted that this work will have to be phased in to accommodate the needs of the building at its customers



Total 2020 (Year 1 of 3) \$5,000,000

Item	Cost
Multi Media Including new sound system	\$625,000
Scoreboard/Clock with full video capability	\$650,000
Boards & Glass as per QMJHL requirements by Sept 2021	\$500,000
Eagles Offices Construction	\$200,000
Dressing room/Gym/Coaches Offices/Players Lounge - Complete Demo, rebuild, new equipment	\$500,000
LED Signage - Inside & Outside of Building Large panels on upper West & East sides of building George Street LED Replace static signage with LED under suites & premium seating	\$1,250,000
Sound system & video replacement - Relocation of sound/video booth and add 2-3 new suites	\$500,000
New Bar Area - Locate/design/build with a view of ice surface	\$700,000
Outside Facade Upgrade & Building Facelift	\$1,500,000
HVAC System	\$700,000
New Seating	\$1,670,000
Flooring/Lighting	\$400,000
Enhance Box Office - West Concourse	\$1,500,000
New Heating System Boilers	\$200,000
Sub-Total	\$10,895,000
Projected cost of basketball, volleyball, Gymnastics Centre to be attached to Centre 200 which would include a reconstructed comm on area within Centre 200	\$6,000,000

Total Project - \$16,895,000



Capital Budget 2020/2021

Proposed Transit - 2020



Provincial Grant \$1,785,000
CBRM \$ 415,000

Total \$2,200,000



Capital Budget 2020/2021

Proposed Fleet Replacement - 2020



Water Utility \$650,000

CBRM \$950,000

Total \$1,600,000



Capital Budget 2020/2021

Proposed Fire Services - 2020

2020 Pumper, Sydney	\$511,647
2020 Pumper/Tanker, Florence	\$351,775
2020 Pumper/Tanker, Frenchvale	\$185,512
(Note: Frenchvale Apparatus is Year 1 of 2)	
Total	\$1,048,934

Cascading:

Sydney 1,000 gal. Pumper Pumper to Grand Lake Road
Grand Lake 1000 gal. Pumper to Gabarus.

Commercial Air Compressors - Year 1 of 3 \$135,046

These compressors fill Firefighter air packs. We currently have three (3) in our system that have reached life expectancy and require replacement. These compressors are strategically placed throughout our thirty-five (35) volunteer, composite and career departments to allow for complete Municipal coverage.



Total \$1,183,980



Capital Budget 2020/2021

Capital Funding 2020/2021

External Funding	
Provincial Funding	\$ 17,953,100
Federal Funding	16,710,576
Gas Tax Rebate Program	\$ 43,924,676
	<hr/>
CBRM	
Transfer from Water Utility	\$ 4,650,000
Operating Fund	120,000
Capital Reserve Fund	\$ -
	<hr/>
Total Project Funding	\$ 48,694,676
New Debt	\$ 9,143,980
	<hr/>
Total Capital Program	\$ 57,838,656



Capital Budget 2020/2021

Debt Schedule

Current long term debt as of March 31, 2020	\$ 51,660,277
Short term borrowing (2018/19 capital projects)	8,808,139
Short term borrowing (2019/20 capital projects)	10,178,723
Debt to be retired in 2020/21	(10,179,869)
Capital borrowing required for proposed budget	9,143,980
Balance of total debt as of March 2021 (estimate)	\$ 69,611,250

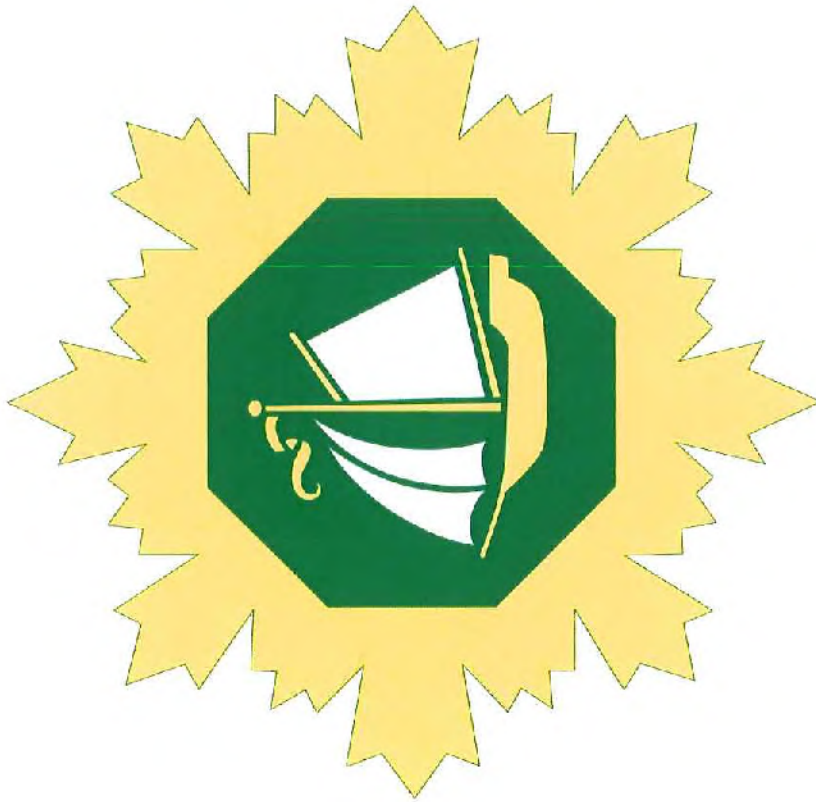


Capital Budget 2020/2021

Recommendation : Capital Budget 2020/2021

Motion to approve:

- Capital Budget for 2020/21 totaling **\$57,838,656**
- Associated required borrowing resolutions for **\$9,143,980**



**Prepared By
Cape Breton
Regional Municipality
Engineering**

Estimated Sources of Financing

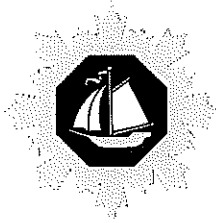
PROJECT DESCRIPTION	BUDGET	Municipal Sources				Lease/Other	Prohibitd Grant	Federal Grant	Other Sources	Borrowing
		Actuals	Operating Fund	Reserve Fund	Long Term Borrowing					
YEAR 1 2020 / 2021										
2019 CARRY OVER PROJECTS										
Sidney Hallway (West) Collector / Treatment - 2017 - 2025 (BCFP TIC NIC)	10,410,000						3,465,667	3,756,667		3,465,667
Glenside Avenue - Renovations - Year 3 of 3 (BCF - SCF)	4,510,000						1,506,000	5,000,000		1,506,000
INFRASTRUCTURE										
Local Roads - Road Rehabilitation/Preservation	4,296,000		0					4,296,000	21	0
Administrative Roads - Road Rehabilitation/Preservation	1,700,000		0					1,600,000	21	100,000
Underground Infrastructure Projects (CIP)	8,000,000						4,000,000			0
Water Utility Capital Projects	4,000,000					W	4,000,000			0
Local Roads - "Initial Paving Program" - Year 2 of 4	400,000							400,000	21	0
3rd Class Roads - "Initial Paving Program"	240,000		120,000	01			120,000			0
CBEM Sidewalks - "Restatement Program"	1,000,000							1,000,000	21	0
Active Transportation/Community Division	1,000,000									352,833
WASTEWATER/STORMWATER										
Sanitary Sewer - "1 & 1 Resection Program"	450,000							450,000	21	0
Wastewater Treatment Upgrades - 2019 - 2028 (16" W - 40") - (CB/PW/SPL/00008)	7,748,404						4,649,432	3,099,252		0
Floodwater Intensity Mitigation Project (DFA Funding)	2,410,272						99,238	2,311,214		0
PARKS/GROUNDS/BUILDINGS/FACILITIES										
Building/Space/Comm - General Upgrades	1,710,000				01		2,000,000			610,000
C200 Revitrator (Year 1 of 3)	5,000,000									1,000,000
VEHICLES/EQUIPMENT										
Transport	2,200,000									0
Fleet Replacement	1,600,000							650,000	W	950,000
FIRE SERVICES										
Vehicles and Equipment	1,153,980									1,153,980
Sub Totals	57,833,656	0	120,000	0	0	4,650,000	17,953,100	16,710,576	9,261,000	9,143,980
Year 1 Totals	57,833,656	0	120,000	0	0	4,650,000	17,953,100	16,710,576	9,261,000	9,143,980

PROJECT DESCRIPTION	Estimated Sources of Financing									
	Budget	Arms	Operating Fund	Reserve Fund	Lease / Other	Provincial Grant	Federal Grant	Other Sources	Borrowing	Loss/Term Borrowing
DRAFT										
YEAR 2 2021 / 2022										
2019 CARRY OVER PROJECTS	14,401,720					4,700,573	12	4,700,573	37	4,700,573
Sydney Harbour Wastewater Treatment - 2017 - 2025 (SCF PTC-NIC)										0
INFRASTRUCTURE										
Roads - "Road Rehabilitation/Preservation" (CasFAX)	6,000,000		0							2,300,000
Code Grant - Infrastructure Projects (ICIP) year 2 of 5	10,000,000				1,985,900	4,000,000	12	4,000,000		6,771,100
Water Utility Capital Projects	4,000,000				4,000,000					0
Grass Roads - "Initial Paving Program" year 3 of 7	430,000									0
2 nd Class Roads - "Initial Paving Program"	3,100,000		170,000	01						0
CEM Sidewalks - "Infrastructure Program"	1,000,000									0
Active Transportation	1,000,000					333,333	12	333,333	37	333,333
WASTEWATER/STORMWATER										
Sewerage - "1 & 1 (ref: other Program)"	450,000									0
Wastewater Treatment Upgrades - 2019 - 2025 (ICIP) - (ORP/M/Leopona)	9,000,520					5,412,312	12	3,600,208	17	0
Floodwater Intensity Mitigation Project	0									0
PARKS/GROUNDS/BUILDINGS/FACILITIES										
Parks & Grounds Projects	150,000									0
Buildings - General Upgrades	1,000,000									0
CEM Remediation (year 2 of 3)	5,000,000					3,000,000		2,000,000		1,000,000
VEHICLES/EQUIPMENT										
Truss - (rolling stock, Transit repair facility)	5,000,000									1,375,750
Fleet Replacement	1,500,000				650,000	1,020,250	12	1,270,000		850,000
FIRE SERVICES										
Vehicles and Equipment	1,183,980									1,183,980
Sub Totals	60,176,220	0	170,000	0	6,639,900	17,859,469		16,342,115		7,724,163
Debt to Wastewater Utility										
Year 2 Totals	60,176,220	0	170,000	0	6,639,900	17,859,469		16,342,115		7,724,163

PROJECT DESCRIPTION		Estimated Sources of Financing													
		Budget	Actuals	Operating Fund	Reserve Fund	Lease / Other	Provincial Grant	Federal Grant	Other Sources	Borrowing	Long Term Borrowing				
YEAR 3 - 2022 / 2023															
2019 CARRY OVER PROJECTS															
Sydney Harbour (Wast) Collector / Treatment - 2017 - 2025 (BCF/TC/NIC)		13,501,658							4,530,553	12	4,500,553	37	4,500,553	0	42
INFRASTRUCTURE															
Roads - "Road Rehabilitation/Preservation" (GasTAX)		6,000,000		0											42
U-Designated Infrastructure Projects (ICIP) year 3 of 5		10,000,000						1,211,440	3,333,000	W	4,000,000		4,000,000	21	42
Water Utility Capital Projects		4,000,000						2,000,000	W				4,000,000	21	42
Gravel Roads - "Initial Pavement Program" year 4 of 4		430,000							300,000	12					42
"P" Class Roads - "Initial Paving Program"		600,000		0											42
CBRM Sidewalks - "Re-maintenance Program"		1,000,000							333,333	12	333,333	37			42
Active Transportation		1,000,000													42
WASTEWATER/STORMWATER															
Sanitary Sewer - "P & R Rehabilitation Program"		450,000													42
Wastewater Treatment Upgrades - 2019 - 2028 (BCF - ICIP) - (GB/PM/Lagoon)		18,721,279							11,232,767	12	7,488,512	37	450,000	21	42
PARKS/GROUNDS/BUILDINGS/FACILITIES															
Parks & Grounds Projects		150,000													42
Buildings - General Upgrades		1,000,000													42
2300 Revitalization (year 3 of 3)		5,000,000							2,000,000		2,000,000		1,000,000	21	42
VEHICLES/EQUIPMENT															
Fleet Replacement		5,000,000							1,920,250	12	1,700,000				42
Fleet - (roll-in stock, fleet repair facility)		1,500,000							650,000	W				21	42
FIRE SERVICES															
Vehicles and Equipment		1,253,673													42
Sub Totals		69,606,610	0	300,000	0	5,861,490	0	23,619,903	20,023,398		11,230,553		4,500,553		8,572,266
Debt to Wastewater Utility		69,606,610	0	300,000	0	5,861,490	0	23,619,903	20,023,398		11,230,553		4,500,553		8,572,266
Year 3 Totals		69,606,610	0	300,000	0	5,861,490	0	23,619,903	20,023,398		11,230,553		4,500,553		8,572,266

Estimated Sources of Financing									
PROJECT DESCRIPTION	BUDGET	Municipal Sources				Federal Grant	Other Sources	Borrowing	
		Actuals	Operating Fund	Reserve Fund	Lease / Other			Provincial Grant	Long-term Borrowing
YEAR 4 2023 / 2024									
2019 CARRY OVER PROJECTS	12,207,724					4,067,241			0
Sydney Harbour - West Collector / Treatment - 2017 - 2023 (BCF PUC/RIC)									4,067,241
INFRASTRUCTURE									
Roade - Road Rehabilitation/Preservation - (COSTAX)	6,000,000					4,000,000			2,000,000
Underground Infrastructure Projects (CIP) year 4 of 5	10,000,000					5,333,000			4,667,000
Water Utility Capital Projects	4,000,000								
Water Utility Capital Projects	4,000,000								
Green Roads - "Initial Paving Program"	430,000								
"J" Class Roads - "Initial Paving Program"	600,000								
CBRM Sidewalks - "Rehabilitation Program"	1,000,000								
Active Transportation	1,000,000								
WASTEWATER/STORMWATER									
Sanitary Sewer - "I & L Refactor Program"	450,000								
Wastewater Treatment Upgrades - 2019 - 2024 (BCF - CIP) - (GR/PS/Leagues)	15,486,259					9,291,755			6,194,504
PARKS/GROUNDS/BUILDINGS/FACILITIES									
Parks & Grounds Projects	150,000								
Buildings - General Upgrades	1,000,000								
Community Culture and Recreation - CIP	3,000,000					999,500			2,000,500
VEHICLES/EQUIPMENT									
Transit - rolling stock (repair facility)	5,750,000								
Bus Replacement	1,500,000								
FIRE SERVICES									
Vehicles and Equipment	1,233,673								
Sub Totals	63,821,656	0	300,000	0	5,752,950	20,494,350	17,795,078	10,797,544	8,682,056
Debt to Wastewater Utility								4,067,241	
Year 4 Totals	63,821,656	0	300,000	0	5,752,950	20,494,350	17,795,078	6,230,000	8,682,056

Estimated Sources of Financing										
PROJECT DESCRIPTION	Budget	Actuals	Municipal Sources				Provincial Grant	Federal Grant	Other Sources	Borrowing
			Operating Fund	Reserve Fund	Lease / Other					
YEAR 5 2024 / 2025										
DRAFT										
2019 CARRY OVER PROJECTS										
Sewer Mainline (W-53) Collector / Treatment - 2011 - 2025 (BCE FTIC-SNC)	4,402,122						1,467,341	37	1,467,341	0
INFRASTRUCTURE										
Roads - "Road Rehabilitation/Preservation" (GdA/XX)	6,000,000	0					3,600,000	21	3,600,000	2,400,000
Underground Infrastructure Projects (CIP) Year 5 of 5	9,500,000				518,000 W		3,663,350		1,985,550	42
Water Utility Capital Projects	4,000,000				4,000,000 W				0	42
Gravel Roads - Initial Paving Program*	430,000						300,000	12	0	0
FF-Gravel Roads - Initial Paving Program*	600,000				300,000 01				0	42
CBRM Sidewalks - "Restoration Program"	1,000,000						333,333	12	333,333	42
Active Transportation	1,000,000									
WASTE WATER/STORMWATER										
Sanitary Sewer - "J & J Rehabilitation Program"	450,000								450,000	0
Wastewater Treatment Upgrades - 2013 - 2024 (BCE - ICIP) - (G3P70M) Lagoons	15,639,704						6,255,882	37	0	0
PARKS/GROUNDS/BUILDINGS/FACILITIES										
Parks & Grounds Projects	1,000,000								1,000,000	42
Buildings - General Upgrades	1,000,000								1,000,000	42
Community Culture and Recreation (C1)	3,000,000						2,200,000		800,000	42
VEHICLES/EQUIPMENT										
Fleet	2,500,000									
Fleet Replacement	1,500,000									
FIRE SERVICES										
Vehicles and Equipment	1,253,673									
SWT Totals	52,425,399	0	300,000	0	5,198,100	0	13,850,536	16,154,846	8,197,341	9,818,556
Debt/ Water/ Sewer Utility										
Year 5 Totals	52,425,399	0	300,000	0	5,198,100	0	13,850,536	16,154,846	1,467,341	9,818,556



MEMO

TO: CBRM Council **DATE:** April 6, 2020

FROM: Director, Planning and Development

RE: **INTERIM MEASURES – PUBLIC HEARINGS & PARTICIPATION PROGRAMS**

BACKGROUND

The onset of COVID-19 has impacted the day-to-day operations requiring public consultation within the Planning & Development Department. With the existing restrictions around public gatherings, the department has been evaluating options for business continuity that will meet our legislative requirements and existing Public Participation Policy.

DISCUSSION

The *Municipal Government Act* (MGA) requires a public consultation for common processes such as the ones listed below:

Application	Process	Requirement
Planning Strategy Amendments	<ul style="list-style-type: none"> • Public Participation Program • Public Hearing 	<ul style="list-style-type: none"> • CBRM Public Participation Program Policy • Advertising in newspaper for two consecutive weeks
Land Use Amendments	<ul style="list-style-type: none"> • Public Hearing 	<ul style="list-style-type: none"> • Advertising in newspaper for two consecutive weeks

Development Agreements	<ul style="list-style-type: none"> • Public Hearing 	<ul style="list-style-type: none"> • Advertising in newspaper for two consecutive weeks
------------------------	--	--

To ensure business continuity at this time, the Planning & Development Department is recommending the following interim measures for these processes:

Process	Practice
Public Hearings	<ul style="list-style-type: none"> • Advertise in newspaper for two consecutive weeks • Advertise on social media • Advertise on website • Written submissions by email, or phone calls to voicemail will be considered
Public Participation Programs	<ul style="list-style-type: none"> • To be considered on a case-by-case basis with local councillor as per policy: <ul style="list-style-type: none"> ○ Online surveys ○ Written correspondence ○ Webinars

Respectfully submitted by:

ORIGINAL SIGNED BY

Michael Ruus
Director, Planning and Development

Request from Island Folk Cider House to Amend the Secondary Planning Strategy and Development Agreement to Permit Serving of Alcoholic Beverages Produced Offsite at 52 Nepean Street, Sydney (PID 15889330)

Motion:

Moved by Councillor McDougall, seconded by Councillor MacMullin, to direct staff to proceed with a Public Participation Program to consider an amendment to the North End Sydney Secondary Planning Strategy and Development Agreement to permit serving alcoholic beverages produced off-site at Island Folk Cider House, 52 Nepean Street, Sydney (PID 15889330).

Discussion

- Reasons beer cannot be sold at a local cider house.
- Council support for the business/plan
- When the Secondary Planning Strategy was approved in 2006, residents indicated that they did not want beverage room establishments in North End Sydney
- No change in establishment hours of operation
- Establishment licencing
- Residents can provide input during the Public Participation Program
- Partnership with local brewery
- Another report would not delay in opening the cidery
- All information required by Council has been provided.

Motion Carried.

**MEMO**

TO: Council

FROM: Kristen Knudskov

SUBJECT: Request from Island Folk Cider House to amend the Secondary Planning Strategy and Development Agreement to permit serving of alcoholic beverages produced off-site at 52 Nepean Street, Sydney (PID 15889330)

DATE: February 18, 2020

Background

On February 19, 2019, Council approved amendments to the North End Sydney Secondary Planning Strategy (SPS) and North End Land Use Bylaw (LUB) and entered into a Development Agreement (DA) to permit a microbrew cidery at the former St. George's Church Hall (52 Nepean Street, Sydney – see Attachment A).

Currently, under the SPS Policy 13.2 and DA, Island Folk Cider House (IFCH) may only serve alcoholic beverages which are produced on site. IFCH would like to serve other low ABV beverages (such as beer and wine) which they do not produce on site. To do so, the SPS and DA would need to be amended. The details of their proposal are outlined in the attached letter (Attachment B).

Authority and Process to Amend Plan Policy

Authority for Council to adopt or amend Plan Policy is provided under the *Municipal Government Act* (P. 8, S. 205). Council is obligated to conduct a Public Participation Program (PPP) to gather public input on proposed changes prior to amending Plan Policy.

On February 4, 2020, General Committee of Council passed a motion to direct Council to approve a PPP. If Council passes a motion to proceed with a PPP, the format will be determined by the Planning Department in consultation with the local Councilor, as per the Public Participation Program Policy. The results of a PPP would be brought back to Council with a recommendation on how to proceed. In addition, if this application request is to proceed to a PPP, the applicant will be required to submit the necessary application fee.

Options

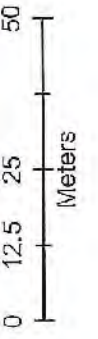
1. Direct Staff to hold a PPP.
2. Request that Staff prepare and submit a detailed issue paper to a future meeting of Council, which would include a recommendation on how to proceed.
3. Uphold Plan Policy and reject the applicant's request.

Respectfully submitted by:

ORIGINAL SIGNED BY

Kristen Knudskov
Planning and Development Department

A





December 18, 2019

Dear Mayor and Council:

Island Folk Cider House (IFCH), located at 52 Nepean St., Sydney NS, is seeking an amendment to the North End Secondary Planning Strategy, Section 4, Policy 13.2 and the Development Agreement PID 15889330 entered and signed by the Cape Breton Regional Municipality and David Realities Limited on May 22, 2019.

Currently, as stipulated by the Development agreement, Island Folk Cider House is "to ensure that the alcoholic beverages sold in the cidery tasting room are limited to those produced on-site."

At present, Island Folk Cider House (IFCH) is producing cider only, meaning we can offer cider only. However, given the growing craft beverage sector on Cape Breton Island (e.g. Breton Brewing, Big Spruce Brewing, and Route 19) and the diverse preferences of local residents and tourists, we wish to also offer local craft beer and wine which we currently do not produce ourselves and, as such, are prohibited from selling under the current North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330.

Based on the current development agreement, IFCH is offering the following items on location:

- 5oz samples, 12oz, 16oz, and 20oz glasses of cider to be enjoyed on site; and
- 750ml refillable bottles (or 'growlers') and 473ml cans to be enjoyed off site.

To provide these items, IFCH requires the following permits from the Nova Scotia Liquor Corporation (NSLC):

- Microbrewery Permit (which allows the production of cider);
- On-site Store Permit (which allows patrons to purchase and take away cider packaged in 750ml refillable bottles and 473ml cans); and
- Hospitality Room License (which allows patrons to enjoy 5oz to 20oz glasses of cider on site).

Island Folk Cider House is seeking an amendment to be able to offer, in addition to the cider items above:

- 16oz and 20oz glasses of local craft beer; and
- 5oz of wine to be enjoyed on site.

To offer items that are not produced on site, requires a Beverage Room License from Alcohol and Gaming Nova Scotia.

The only difference between the Beverage Room Licence and the Hospitality Room Licence is that the cidery will be able to offer other beer and wine (which is not currently produced in the facility) rather than cider only.

Cider and beer have very similar ABV measurements (Alcohol by Volume) ranging from 3% to 8%. While wine has a slightly higher ABV, it is offered and consumed in lesser quantities. Under *no* circumstances, will the cidery pursue the offering of liquor or spirits which contain at least 20% ABV.

Furthermore, if this amendment were to be granted, there will be *no* change to hours of operation as originally outlined in the Development Agreement: 11am-10pm Sunday to Thursday; and 11am-11pm Friday and Saturday.

As mentioned, to offer beer and wine, will require a Beverage Room License. This will require an additional amendment to the North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330 which states: "Activities on this property involving the serving of liquor shall be limited to a 'tasting room' and under no circumstances shall a club liquor license or a license for a beverage room, lounge, or cabaret, be granted for this property".

In sum, Island Folk Cider House is seeking an amendment to North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330 to enable the offering of local beer and wine to be enjoyed on site.

Rationale:

Island Folk Cider House is the first of its kind on Cape Breton Island, contributing to a high-growth sector in Nova Scotia, as well as throughout Canada and internationally. The cidery is a new business that will provide new and unique products and experiences for locals and tourists alike.

The rationale for seeking an amendment to the North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330 is focused on business sustainability, opportunity for mutual support, and community economic development.

Business Sustainability

Across Nova Scotia, there are a growing number of craft cideries and breweries and a majority offer product that are not produced on site to cater to customer's diverse preferences thus best ensuring the business's sustainability. Similarly, offering local beer and wine products will increase the cidery's customer base which in-turn increases profitability and success.

Opportunity for Mutual Support

Offering other local products at this location will demonstrate support for other entrepreneurs and form the basis for future collaboration. For example, by offering Breton Brewing products at the cidery, in exchange Breton Brewing will offer cider products at their brewery thus mutually benefitting both businesses. Providing additional products will expose tourists to unique product offerings available across the Island and promote our Island as a craft destination.

Community Economic Development

Increasing product offerings will increase capacity and profitability enabling growth and development contributing to our much-needed commercial tax base. Furthermore, business growth will mean more full-time employment opportunities.

Risk Mitigation:

Amending the North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330 will not impact the hours of operation. The hours of operation will remain as 11am-10pm Sunday to Thursday; and 11am-11pm Friday and Saturday.

Additionally, amending the North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330 will not invoke increased intoxication amongst patrons as no hard liquor or alcohol will be offered. Only products with comparable ABV levels will be offered.

In closing, you may be wondering why I am seeking an amendment since I submitted an initial request to Mayor and Council in August 2018 to rezone S2 Nepean St. and amend the policy in September of 2018 with the subsequent Development Agreement PID 15889330 signed in May 2019. Since that time, I have made significant investment in the infrastructure of S2 Nepean St. and the business's progress. Through this development, I have become increasingly more aware of the challenges and opportunities that exist within the world of entrepreneurship, and specifically the local craft industry. The limitations I am hoping to amend will not only enable my business to enhance our product offerings, attract a larger customer base, and collaborate with other local micro-breweries, but it will also, most certainly, facilitate a sustainable and profitable business from day one. I am confident that the Island Folk Cider House establishment can be, and will be, given the opportunity, a destination for locals and tourists alike for years to come. This venture came about because of my interest, commitment, and passion for local community development and I will run a responsible and respectful operation that our community can be proud of.

Thank you for considering Island Folk Cider House's request to explore amending the North End Secondary Planning Strategy, Section 4, Policy 13.2 and Development Agreement PID 15889330. It is my hope that you will consider the request for amendments as outlined above and that together we can work in collaboration to explore the possibility of these amendments further.

Sincerely,

ORIGINAL SIGNED BY

Jill McPherson
Founder/Co-owner
Island Folk Cider House
S2 Nepean St., Sydney, NS



364 Keltic Drive
Sydney, NS, B1R 1V7
902-270-4677

January 28, 2020

Re: Beer Service at Island Folk Cider House

Dear CBRM Council & Concerned Citizens:

We understand that on February 4th, 2020, CBRM Planning is presenting Island Folk Cider House's request to serve beer at their facility.

Island Folk Cider House is the first of its kind on Cape Breton Island, and will provide a unique experience in downtown Sydney. Island Folk will add to the positive experience in this area for both locals and tourists alike.

We at Breton Brewing have been running a taproom at our location on Keltic Drive for over four years, and this has been an important part of our business. Along with providing local employment, the taproom has become an important part of the local community in Coxheath / Westmount / Sydney River areas. Our facility has a positive effect on the social structure of our community, allowing strangers and friends alike to get together in a warm and welcoming environment.

At Breton Brewing, we have a Beverage Room License through Alcohol & Gaming, which allows us to sell products other than those produced at our facility (such as Wine, Cider, beer from other Nova Scotia Breweries, and non-alcoholic beverages). We know that the ability to sell products other than beer at our facility has been a positive attribute for taproom, and has been supported by the local community.

We would like to offer our support to Island Folk Cider House in their request to sell beer at their facility. We are confident this will add to the experience they will be offering in their space, and will be supported by locals and tourists who visit the Cider House.

Sincerely,

Original Signed By

Bryan MacDonald, P.Eng
Co-Founder
Breton Brewing Co.

Original Signed By

Andrew Morrow, B. Ed
Co-Founder
Breton Brewing Co.

Excerpt - Draft General Committee Minutes - March 3, 2020

Land Use Bylaw Amendment Application 1072 - by Back Beach Gardens (8 Commercial Street Extension, Louisbourg) to Permit Agriculture Business in the Wolfe Street Neighbourhood - WSN Zone

Motion:

Moved by Councillor McDougall, seconded by Councillor Bruckschwaiger, that a recommendation be made to Council for approval to advertise notice of Public Hearing at the April meeting of Council to consider the Zoning Amendment Application 1072 by Back Beach Gardens, 8 Commercial Street Extension, Louisbourg to permit an Agriculture Business in the Wolfe Street Neighbourhood - WSN Zone, as outlined in the staff Issue Paper dated March 3, 2020.

Discussion:

In response to a question, Planner Knudskov confirmed that the current use on the property is permitted if the owners were not generating income.

Motion Carried.



TO: General Committee

FROM: Kristen Knudskov

**SUBJECT: LAND USE BYLAW AMENDMENT APPLICATION 1072
BY BACK BEACH GARDENS (8 COMMERCIAL STREET
EXTENSION, LOUISBOURG)
TO PERMIT AGRICULTURE IN THE WOLFE STREET
NEIGHBOURHOOD (WSN) ZONE**

DATE: March 3, 2020

Background

The Planning and Development Department has received a zone amendment application from Ivory and David Neal of Back Beach Gardens requesting to amend the Cape Breton Regional Municipality (CBRM) Land Use Bylaw (LUB) to permit an agricultural business at 8 Commercial Street Extension, Louisbourg (PID 15457419; see Attachment A). The business currently tends 3 main garden beds and a chicken coop containing 14 chickens and no roosters (see Attachment C). An additional garden bed is proposed to the rear of the existing garden area. At the applicant's request, the application letter is provided on Attachment D.

Back Beach Gardens was brought to our attention in July of 2019, when a CBRM Development Officer received a complaint pertaining to an agricultural business operating in an area where agriculture is not permitted. The complaint cited associated unsightliness, odour, noise, and vehicular traffic to the site due to the operation.

Livestock and crops kept for personal use are currently permitted throughout the CBRM (with the exception of roosters), and are regulated under the Responsible Animal Husbandry Bylaw, and not the LUB. However, where animals and crops are associated with an income-generating business, they are considered an agricultural use and are subject to the LUB.

The property is zoned Wolfe Street Neighbourhood (WSN), as shown on Attachment B. Agriculture is not a permitted use in the WSN Zone. Therefore, the applicants have requested that CBRM Council amend the Land Use Bylaw.

On December 10, 2019, Council moved that staff prepare an issue paper pertaining to food production and animal rearing. In order to provide timely processing of the applicant's request, the assessment of

this application will address only the WSN Zone. A full review of agricultural-related zoning practices will take place during the upcoming Municipal Planning Strategy review.

Site and Surrounding Area

The property is approximately 3.5 acres, containing a mix of vegetation including a substantial number of trees to the rear of the dwelling at 8 Commercial Street Extension. The property is steeply graded down towards Louisbourg Harbour.

The property has two frontages along Commercial Street Extension, a CBRM-owned Level S local road as defined in the road network hierarchy within the Municipal Planning Strategy (MPS). Commercial Street Extension is accessed by Wolfe Street and Slattery Street.

The surrounding area (outlined in blue on Attachment A) contains 7 single detached dwellings, tourist accommodations (Point of View Suites), and a restaurant (Beggar's Banquet) and associated accessory uses.

Municipal Planning Strategy

Part 2 Policy 8 of the MPS recognizes certain neighbourhoods as being unique enough to warrant distinctive policy direction, allowing a wider range of development than normally would be expected. Part 2 Policy 8.f reads:

8.f It shall also be a policy of Council to permit, by site plan approval, sales/service businesses catering to the tourism market in the neighbourhood centered on Wolfe Street in Louisbourg southwest of Main Street.

However, agriculture is not considered a sales/service use. The applicant indicated interest in making sales from a roadside stand on Commercial Street Extension near Point of View Suites in the future. The vending of fruits and vegetables grown within CBRM is currently unregulated.

The MPS also contains policy relating to primary industries, including agriculture. Part 6, Policy 1.f reads:

1.f It shall be a policy of Council to consider any agricultural livestock operations, however small, or the rearing of livestock for recreational purposes, an inappropriate type of development within urban communities, except non-kennel type of agricultural uses on unusually large lots outside of the business development zones and the higher density residential zones, as described in the Land Use By-law.

Urban areas are generally considered to be those on municipal sewer service. The property in question has an on-site septic system and is considered rural. Additionally, the property is spacious at 3.5 acres, is in a low-density area, and is not within a business development zone.

However, livestock may have adverse impacts on neighbouring properties if they are producing excessive noise or odour. For this reason, in the Residential Urban C and D (RUC and RUD) zones, where agriculture is permitted, there are additional provisions in place to protect surrounding property owners from such impacts:

- Keeping of livestock for agricultural purposes is only permitted on lots greater than 1 acre in size; and
- New buildings, which includes pens, must be set back a minimum of 200 feet from a dwelling and 50 feet from any property boundary.

The green area on Attachment A depicts the portion of the property which would meet the above setback provisions. However, as you can see on the attached map, the area may require significant clearing and fill to be usable for keeping livestock. Properties greater than 1 acre within the WSN zone are outlined in yellow on Attachment B.

However, setback provisions are crucial for agricultural operations in residential areas. Because agricultural livestock are not subject to the Responsible Animal Husbandry Bylaw, setbacks are the only instrument available to protect surrounding property owners.

Given the similarities to the RUC and RUD zones, it is reasonable to include agriculture, with the exception of kennels, as a permitted use in the WSN zone, provided setback provisions are included to mitigate the impact of noise and odour on surrounding properties. The attached Amending Bylaw (Attachment E) could implement such a change.

While the Planning Department does not solicit public input until such time as a Public Hearing is scheduled, we have received three letters of support for the application.

Options

1. Direct Council to conduct a Public Hearing on the matter.
2. Refuse the application.

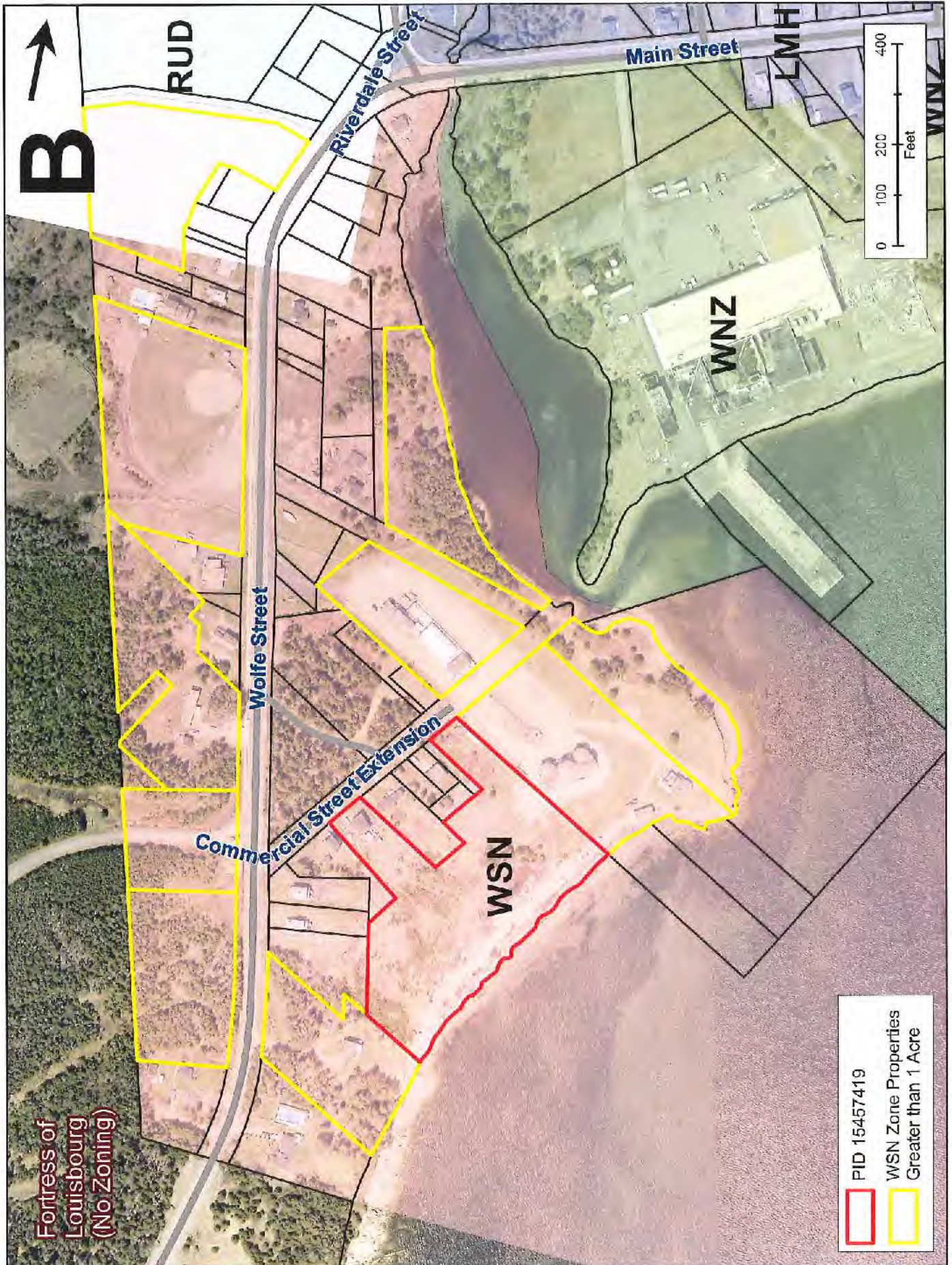
Recommendation

I recommend that General Committee accept option 1.

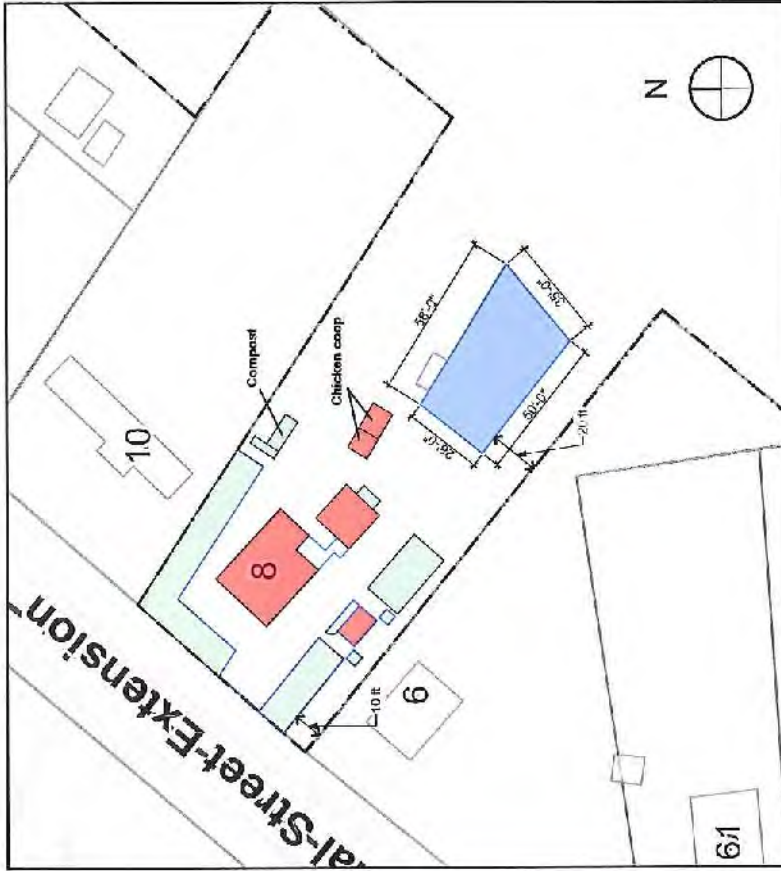
Respectfully submitted by:

Kristen Knudskov
Planning and Development Department





C



PROPOSED DEVELOPMENT
SCALE: 1" = 20'-0"



EXISTING SITE
SCALE: 1" = 50'-0"

LEGEND

---	PROJECT LINE
■	EXISTING STRUCTURE
■	EXISTING PAVEMENT
■	EXISTING ASPHALT DRIVE
■	EXISTING - LOTUS SEC.

BACK BEACH GARDENS, 8 COMMERCIAL ST. LOUISBOURG

NOVEMBER 18, 2019

Names: Ivory Neal and David Neal
Company: Back Beach Gardens
Address : 8 Commercial st. ext.
Louisbourg, NS
B1C 2J6
PID 15457419
Phone: [REDACTED]
Email [REDACTED]

To whom it may concern:

We would like to apply for a Zoning amendment for our property at 8 Commercial st. ext. Louisbourg, NS. in order to operate a Market Garden business. Currently there are no provisions for agricultural type businesses in this zone (WSN).

Back Beach Gardens is a small, home based, market garden business located in Louisbourg, started in 2018. Before moving here and starting our business, we called the CBRM zoning office to verify that we were within the local bylaw requirements.

Unfortunately, there was a misunderstanding, because we are not zoned for Cottage Industry, but for Food Processing Cottage Industry, and we did not realize how the difference would effect our business.

The extent of our proposed business would be a Market Garden selling primarily salad greens, baby root vegetables and herbs to local customers and businesses. We differ from a conventional farm in that we don't use, or plan to use any large machinery, pesticides or inorganic fertilizers.

Our goal as a business is to remain a small, home based market garden, offering fresh produce to locals while providing food and income for our family, and an educational setting for our children. We do not wish to become a large, conventional farming/ agricultural operation, nor would we want one move in next door to us, bringing the noise, dust, traffic, chemicals, etc. associated with standard agricultural business.

We do not use tractors or pesticides. We created our vegetable beds using an electric tiller, hand tools and manual labour. We use crop rotation, landscape fabric, organic fertilizers and other permaculture techniques for weed and pest control. We use an electric lawn mower and trimmer for home/ business landscape maintenance. Our business only has 2 employees, my husband and myself, though we hope to create a few local jobs in a year or 2, the nature of our business is to stay small and do it well.

Our gardens currently occupy 165 sq.m.(1/ 25th of an acre) on our 3.5 acre property. The entirety of our envisioned gardens would take approximately 1/12th of an acre. Our 1 greenhouse is 8 x 12 sq.ft. and is framed with pvc tubing and skinned with greenhouse plastic sheeting. We have a few hens (no roosters) in a small coop for personal/ hobby use behind our house.

We would operate standard Monday to Friday 8am-5pm hrs.

In the Digby NS Land Use bylaws they allow for Market Gardens under their Recreational Uses. Our zone (WSN) is zoned for Recreational uses however Market Garden isn't defined under the CBRM Recreational uses.

The city of Port Alberni BC has a clear definition of Market Garden as:

Market gardens are similar to community gardens with the key difference being that market gardens are private enterprises, producing food for sale. In Port Alberni a market garden is the use of land on a limited scale for the growing, harvesting and selling of fruits, vegetables, edible plants and the like but specifically excludes the growing of mushrooms.

What you should know about market gardening on your property:

- You can sell produce (excluding mushrooms) you have grown in your home garden.
- Market gardening is the only type of home-based business that can be conducted outside.
- The total area which may be under cultivation on any given parcel shall not exceed more than 600m² in area except where the lot size is greater than 2,400m², in which case an urban market garden shall not exceed 25% of the lot area.
- Production shall be limited to the growing and harvesting of fruits, vegetables and edible plants, but specifically excludes the growing of mushrooms.
- On-site sales of edible plants shall be permitted within roadside stands for products grown on site provided that:

(a) the size of the roadside stand does not exceed a Gross floor area of 9 m²;

(b) on-site sales and roadside stands are limited to no more than 120 days within a calendar year; and

(c) the roadside stand is located on the property and does not impede sight lines from the driveway.

- No artificial lighting shall be used.
- No pesticides or herbicides shall be used.
- No un-composted manure shall be used.
- The market garden does not create noise, dust, vibration, odour, smoke, glare, fire hazard, or any other hazard or nuisance, to any greater or more frequent extent than that usually experienced in the applicable zone under normal circumstances wherein no market garden exists.

- An urban market garden shall not be permitted where a property has farm status classification, as defined under the BC Assessment Act.
-

We would prefer to have Market Garden defined and added under the Recreational Uses section of the CBRM bylaws. Or possibly just adding the allowance for agricultural businesses in the WSN zone.

We believe that Urban Agriculture is a growing business opportunity and can be a rewarding and successful career/ industry in this unique Atlantic climate. We would like our case to help the CBRM take full advantage of it by reviewing and possibly altering/ amending its bylaws to encourage these types of businesses to come here. In Nova Scotia, there is a Statement of Provincial Interest, which directs municipalities to provide for a sustainable agriculture and food industry when amending planning documents.

We are attempting to bring a healthy, fresh product to people in a location where the time and cost of buying fresh produce is a not to be minimized obstacle for a lot of people. The closest similar business to ours operates just outside of Glace Bay and does not deliver near to the Louisbourg area.

According to the CBRM Municipal planning strategy, Under Part 2 Sales/ Service Business Development, Sub heading Isolated Businesses Randomly Situated Throughout the Landscape, Policy 8a.5. States: "It shall be a policy of Council to identify the following neighbourhoods as being unique enough to warrant distinctive policy direction that allows a wider range of development than normally would be expected- the neighbourhood in Louisbourg centered on Wolfe St leading to the Fortress of Louisbourg National Park."

This policy makes us hopeful that our application will find the support of council.

Sincerely,

David & Ivory Neal
Back Beach Gardens, Louisbourg

By-law
of the
Cape Breton Regional Municipality
amending the
Land Use By-law

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: Council amends Part 23 Section 1 by inserting the following

- **agricultural** - (all, except kennels) *subject to Section 7*

THAT: Council amends Part 23 by inserting the following:

Section 7 Agricultural

- With the exception of kennels, the use of land, buildings, or structures for the purposes of rearing and caring for animals as agriculture is defined in this By-law shall be permitted on lot parcels or tracts of land comprised of a minimum of 1 acre.
- Existing agricultural buildings or structures on lot parcels or tracts of land comprised of less than 1 acre may be enlarged or re-constructed.
- New agricultural buildings for the purposes of rearing and caring for animals as agriculture is defined in this By-law located within 200 feet from any dwelling other than a dwelling occupied by the owner of the agricultural building shall be setback a minimum of 50 feet from any lot parcel boundary.

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

MAYOR

CLERK

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

Deborah Campbell Ryan, CLERK

C.B. Regional Fire & Emergency Service Issue Paper, Establishing CB Regional Fire Chaplaincy

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor Eldon MacDonald, that a recommendation be made to Council for approval, adoption and implementation of a Fire Chaplaincy for the Cape Breton Regional Fire & Emergency Service.

Motion Carried.

Cape Breton Regional Fire and Emergency Service

Deputy Fire Chief Chris March
320 Esplanade
Sydney, Nova Scotia
B1P 7B9



PH: (902) 563.5140; 563-5350
FX: (902) 574-4130
Email: cdmarch@cbrm.ns.ca

ISSUE PAPER

DATE: March 3, 2020

TO: CBRM Fire & Emergency Service Committee, Marie Walsh CAO, File

FROM: Chris March/Deputy Fire Chief, Volunteer Coordinator
Manager Fleet, Training & Prevention
Public Information Officer
Cape Breton Regional Fire & Emergency Service

RE: C.B. Regional Fire & Emergency Service
Issue Paper, Establishing CB Regional Fire Chaplaincy

Purpose

Request that, the *Cape Breton Regional Emergency Services Committee proceed with providing a recommendation to Cape Breton Regional Municipal Council to allow for a Cape Breton Regional Fire & Emergency Service Chaplaincy Program be implemented.*

That the Chaplain must minimally possess all necessary credentials, training and experience that this paper outlines.

Issue

The Cape Breton Regional Fire & Emergency Service consists of; one career department, Sydney Fire, with two (2) stations and personnel totaling sixty-five (65), thirty-three (33) volunteer fire stations with roughly seven hundred and fifty (750) volunteer firefighters. Our fire service represents over eight hundred (800) community members who provide for emergency responses to our fellow, 95,000 +/- CBRM Citizens. Our fire service protects an area of twenty-five hundred (2,500) square kilometers and responds to an average of 3,000 +/- emergencies per annum.

Many of these responses, unfortunately, are serious in nature and result in traumatic injuries. In many cases these responses involve fatalities. Responding to many of these emergencies at any level, career or volunteer can present some life altering challenges for our responders especially for those who have been repeatedly exposed to these types of calls and those who have experienced extremely traumatic events.

Many proactive fire departments are implementing holistic support initiatives along with health and wellness programs. These initiatives are designed to educate and encourage the health and well being of firefighters which in-turn impacts the well being of a firefighter's home and family life.

One of these initiatives is a Chaplaincy Program.

Required Credentials:

- Ordination as a minister (or the equivalent in your faith group)
- Endorsement from your faith group.
- A graduate degree in theology (or a related subject)
- five years of ministry experience,
- a clean criminal record
- must be ecclesiastically certified or endorsed by a recognized religious body.
- background, fingerprint and reference checks

Firefighters often help people on the worst day of their life. In the same way, fire chaplains provide a service to fire departments through the worst of times. Much like the fire service, fire chaplains are available 24/7, including weekends and holidays.

WHAT DOES A FIRE CHAPLAIN DO

A fire chaplain's job is not an easy one. Their main purpose is to help firefighters and fire department members in the event of an injured firefighter or worse. They're also available to personnel for grief counseling. They lend an ear for those who need to talk about something that is bothering them, such as physical or emotional stress. A fire chaplain's goal is to aid, comfort and help firefighters and their families, according to the [Federation of Fire Chaplains](#).

FIRE CHAPLAINS AND RELIGION

Fire chaplains, while bound in religious tradition, can also serve as non-denominational and non-sectarian in his or her chaplaincy. A fire chaplain will usually find out a firefighter's or family of a firefighter's religious preference and notify a nearby church.

ARE FIRE CHAPLAINS PAID

Most fire chaplains are volunteers.

WHO SERVES AS A FIRE CHAPLAIN?

A fire chaplain can be appointed by his or her fire department and must be endorsed by their religious organization. In rural areas, a fire chaplain can be a local pastor who volunteers their time to help a fire department. There are also firefighters who have ministry experience that volunteer their time when off-duty to do chaplain work.

Conclusion

The timing is right. The CBRM is currently developing and engaging in employee, health, wellness and mental health initiatives for the betterment of all CBRM employees and their families. Although volunteer firefighters are not CBRM employees, they are valuable volunteer service providers who are valuable as both emergency responders and our fellow citizens. Their and their family's health, wellness and mental health is also of paramount important to us. Implementing a Chaplaincy program for our CB Regional Fire Service is a proactive measure that we may provide at minimal cost yet yielding considerable benefits.

This will be an option for our emergency fire service responders, an option for those who may use the Chaplaincy as a source of support, validation, motivation, encouragement or any of the services a properly trained Chaplain may have to offer.

Having a properly trained and experienced Fire Service Chaplain, who is a volunteer member themselves thus understanding the issues quite clearly, may prove to be a priceless resource for all CB Regional volunteer firefighter's and their families.

Recommendation

Recommend that ***Cape Breton Regional Fire & Emergency Service Committee bring forward to Cape Breton Regional Municipal Council*** the recommendation for approval, adoption and implementation of a Fire Chaplaincy for the Cape Breton Regional Fire & Emergency Service.

Original signed by, DC C. March

Chris March, BBA, C.Mgr. ECFO, AIFireE
Deputy Fire Chief
Volunteer Coordinator/Manager Fleet, Training & Prevention
Public Information Officer, A/Manager EMD
Cape Breton Regional Fire & Emergency Service

To the: CB Regional Fire and Emergency Services Committee

From: Rev. Ian Dixon, Chaplain for and active member of the Big Pond Volunteer Fire Dept.

Here is a brief summary of my Fire Dept., Faith and work experience.

Career Firefighter with London (UK) Fire Brigade from 1971-75 stationed at K22 Wandsworth Fire Station. Passed Leading Firefighter Exams.

1975-81. Moved to Hastings UK for family reasons and joined East Sussex Fire Brigade as a Retained (paid part time) Firefighter at Station 09. This was a day-manned station and we covered nights and weekends and, if available, daytime stand-by. During this time, I was employed as a Linesman with British Telecom.

We emigrated as a family to New Brunswick in 1981 where I joined Upper Kingsclear Volunteer Fire Dept. and worked as a Geological Technician and Prospector. 1982-86 I took a Religious Studies Degree Course at St. Thomas University in Fredericton. At the same time in 1983-85 I took a Theological Diploma Course from Buffalo School of the Bible (by extension) at Smythe Street Cathedral Fredericton. This also included various aspects of counselling.

In 1986 it was back to Geological Technician and Cartographer until we went back to England in 1990 to help at a struggling Baptist Church.

While back in England I took courses in Economic Geography and Third World Development at Chichester University.

The next few years are a bit complicated as we “Bounced” between UK, NB and Uganda where we carried out Community Development work. We worked in Uganda in 1993-95 where we volunteered at an Orphanage in Kampala. 2000-03 I was Director of an Orphanage and school in Kamuli, a small township in Eastern Uganda where we supervised 150 orphans, 200 school children and 38 staff. The last work in Uganda was 2010-11 where we lived in a small village off the grid and helped the local people with agricultural projects, schooling and medical assistance. We are registered with the Uganda Government as a not for profit organisation and have a base there.

We “Retired” to Toronto in 2011 and moved to Big Pond in 2015 where we now reside.

I was ordained as a Minister with ACOP (The Apostolic Church of Pentecost of Canada) in July 1996 and appointed as a National Chaplain with the Fellowship of Evangelical Baptists in September 2018. I am also on the Chaplaincy list at Cape Breton Regional Hospital.

I attend and volunteer at Faith Baptist Church Sydney where I help to run the “Infocafe” drop in centre.

I have taken courses with Samaritans Purse on PTSD and Disaster relief. Also, a Loss and Bereavement course at the Cove Rest Home. As you can see, I have experienced many difficult situations and I am always willing to learn more.

I am also a member of the Federation of Fire Chaplains of Atlantic Canada having attended their training course in September 2019.

I am currently a member of Big Pond VFD and I am Captain of the MFR Truck.

Rev. Ian R Dixon February 2020

2020 Municipal and CSAP Elections – Various Issues

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor MacMullin, that a recommendation be made to Council to approve the following staff recommendations:

1. **Election Budget (Setting of Tariff of Fees & Expenses)** - That the CAO and her designate (Clerk/Returning Officer) be granted authority to establish the tariff of fees and expenses as per Section 139 (1A) of the *Municipal Elections Act*.
2. **Preparation of the Voters' List** – That staff be authorized to utilize the Provincial permanent register of electors as outlined in Section 30(1) (C) of the *Municipal Elections Act* and that the Mayor and Clerk be authorized to sign the required Information Sharing Agreement as per Section 30B of the *Municipal Elections Act*.
3. **Alternative Voting (electronic) via Internet or Telephone** – to approve, in principle, the use of electronic voting during the 2020 Municipal and CSAP Elections, with a final report to be presented at a later date.

Motion Carried.



M·E·M·O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5010

To: CBRM Council
From: Deborah Campbell Ryan, Municipal Clerk/Returning Officer
Date: February 24, 2020
Subject: 2020 Municipal and CSAP Elections – Various Matters

As you are aware, the 2020 Municipal and *Conseil Scolaire Acadien Provincial* (CSAP) elections will be held in Nova Scotia on Saturday, October 17th. At this time Council I would ask that Council consider the following matters pertaining to the Election:

1. Election Budget – Setting Tariff of Fees and Expenses
2. Preparation of the Voters' List
3. Alternative Voting (electronic) via Internet and Telephone
4. Polling Divisions

1. Election Budget – Setting Tariff of Fees and Expenses:

The experience at CBRM is that the general municipal election will cost in the vicinity of \$350,000. However in 2016, the total cost was \$368,000, net of cost recovery from the school boards. CBRM reserves funds each year for the administration of the election, and in 2017 increased the annual reserve amount from \$100,000 to \$120,000 for possible increased costs and by-elections.

Further, the cost recovery amount will decrease significantly this year with the elimination of the regional school boards. In 2016, the cost recovery from the Cape Breton-Victoria Regional School Board was approximately \$39,000, with CSAP at \$13,000. Municipalities in Nova Scotia are still required to administer the CSAP elections, however if there is an acclamation, there will be no election to administer thus no cost recovery from that school board.

The *Municipal Elections Act* (MEA) authorizes Council, in Section 139(1A) to delegate authority to the Chief Administrative Officer (CAO) or Clerk to set the "tariff of fees and expenses" for the election. This provides election administrators with sufficient flexibility to set stipends for election workers, rental rates for polling stations, etc.

It is my recommendation that the CAO and her designate (Clerk/Returning Officer) be granted authority to establish the tariff of fees and expenses as per Section 139(1A) of the MEA.

2. Preparation of the Voters' List

The production of the list of electors (voters' list) is a major task and commences early in the election process. The CBRM, in the past seven (7) elections, has opted to work with the Provincial Election Officials to create its electoral list. Our CBRM Planning and IT Departments are noted as leaders in electronic voters' list maintenance and updating.

There is a requirement to sign an Information Sharing Agreement with the Province for the use of the permanent register of electors as outlined in Section 30B of the MEA. There are strict privacy and security issues related to the personal information of voters on these lists and we are diligent to comply with our statutory obligations.

Council has the option to direct that a physical enumeration of the municipality be carried out, however very few municipal units use that process anymore.

It is my recommendation that staff be authorized to utilize the Provincial permanent register of electors as outlined in Section 30(1)(c) of the *Municipal Elections Act* and that the Mayor and Clerk be authorized to sign the required Information Sharing Agreement as per Section 30B of the MEA.

3. Alternative Voting (electronic) via Internet or Telephone

Staff will be proposing that we utilize electronic voting (e-voting) [via the Internet or Telephone] again this year as it was well received by the electorate during the 2012 and 2016 general elections, as well as during the District 10 Special Election in 2014.

In 2015, the NS Association of Municipal Administrators, through the Halifax Regional Municipality, issued a Request for Proposals (RFP) for the bulk purchase of electronic voting services for interested municipalities in Nova Scotia. In 2016, CBRM Council approved the use of electronic voting during the election based on the pricing from that RFP.

In late 2019, Halifax Regional Municipality (HRM) issued an RFP for the procurement of e-voting services for the 2020 Municipal Elections. HRM has once again structured its RFP to give other municipalities the option to take advantage of the pricing, by way of a separate contact. HRM Procurement staff is currently evaluating proposals and will be in a position to take the issue to their Council in the near future.

At this point, we would recommend that Council approve, in principle, the use of electronic voting during the 2020 Municipal and CSAP Elections, with a final report to be presented at a later date. Amendments to the CBRM Alternative Voting By-Law may also be required.

4. Polling Divisions

Section 9(1) of the MEA states that on or before the 31st day of March in a regular election year, the Returning Officer shall divide the polling districts in the Municipality into divisions for the purposes of better taking the vote as (s)he deems necessary, and shall report the divisions to the Council without delay.

For Council's information, attached is a list of the CBRM Polling Districts with the corresponding Polling Divisions. The boundaries for these Polling Divisions have not changed since the 2016 Election. I would point out that, in accordance with Section 9(4) of the MEA, any nursing homes licensed under the *Homes for Special Care Act* with 10 or more residents are included in the corresponding District as a separate Polling Division.

As noted above, I am reporting this information to Council in accordance with Section 9(1) of the MEA, thus there is no action required by Council.

To summarize, the following recommendations are being presented for approval by Council:

1. That the CAO and her designate (Clerk/Returning Officer) be granted authority to establish the tariff of fees and expenses as per Section 139(1A) of the *Municipal Elections Act*.
2. That staff be authorized to utilize the Provincial permanent register of electors as outlined in Section 30(1)(c) of the *Municipal Elections Act* and that the Mayor and Clerk be authorized to sign the required Information Sharing Agreement as per Section 30B of the *Municipal Elections Act*.
3. That Council approve, in principle, the use of electronic voting during the 2020 Municipal and CSAP Elections, with a final report to be presented at a later date.

Yours truly,

Original signed by:

**Deborah Campbell Ryan,
Municipal Clerk/Returning Officer**

Attachment



*Cape Breton Regional Municipality***Polling Division Descriptions by District
CBRM Municipal Election October 2020**

Description prepared by the Planning and Development Department

District 1

District 1 is divided into two Polling Divisions and two mobile polling divisions:

Polling Division 1A is the community of Sydney Mines.

Polling Division 1B is comprised of the communities of Florence, Little Pond and Alder Point.

Mobile Polling Division MP01-01: Miners Memorial Manor

15 Lorne Street

Sydney Mines, NS B1V 3B9

Mobile Polling Division MP01-02: Harbour View Facility

22 Richard Street

Sydney Mines, NS B1V 2H7

District 2

District 2 is divided into three Polling Divisions and four Mobile Polling Divisions:

Polling Division 2A includes the communities of North Sydney and Little Bras D'Or.

Polling Division 2B includes all properties on Boularderie Island east of (i.e. not including) the properties fronting along the east side of the St. James Road. This includes the communities of Point Aconi, Mill Creek, Millville, Bras D'Or, Groves Point, and parts of the communities of Hillside Boularderie and Dalem Lake.

Polling Division 2C includes the rest of Boularderie Island within the Cape Breton Regional Municipality i.e. all of the lands beginning with (and including) the properties fronting on the east side of the St. James Road and all properties west to the boundary shared with Victoria County.

District 2 (continued)

Mobile Polling Division MP02-01: Northside General Hospital
(Level II - Harbour View Transitional Care Unit, 4th Floor)
520 Purves Street
North Sydney, NS B2A 3M4

Mobile Polling Division MP02-02: Taigh Solas
(in Northside General Hospital - 3rd Floor)
520 Purves Street
North Sydney, NS B2A 3M4

Mobile Polling Division MP02-03: My Cape Breton Home for Seniors (North Sydney)
77 Campbell Street
North Sydney, NS B2A 2C8

Mobile Polling Division MP02-04:
Northside Community Guest Home
11 Queen Street
North Sydney, NS B2A 1A2
and
Enriched Housing Apartments (CB Regional Housing)
9 Queen Street
North Sydney, NS B2A 1A2

District 3

District 3 is divided into nine Polling Divisions:

Polling Division 3A is comprised of the communities of Upper North Sydney, Leitches Creek, and Upper Leitches Creek.

Polling Division 3B is comprised of the communities of Georges River, Long Island, and Scotch Lake.

Polling Division 3C is comprised of Barrachois, Ironville, Boisdale, and Beaver Cove.

Polling Division 3D is comprised of the communities of Shenacadie, Big Beach, Christmas Island, Grand Narrows, Pipers Cove and Benacadie.

Polling Division 3E is comprised of the communities of Castle Bay, Islandview, and the First Nations community of Eskasoni.

Polling Division 3F is comprised of the communities of Northside East Bay, MacAdams Lake, and Gillis Lake.

Polling Division 3G is comprised of the communities of Frenchvale, Beechmont, and Balls Creek.

District 3 (continued)

Polling Division 3H is comprised of the community of Blacketts Lake, and the part of the community of Coxheath including all of the properties fronting on either side of the Mountain Road and all properties southwest of the Mountain Road in Coxheath bounded by the communities of Blacketts Lake to the southwest, Beechmont to the west, and Balls Creek to the northwest.

Polling Division 3I is comprised of the communities of North West Arm and Point Edward.

District 4

District 4 is divided into two Polling Divisions and three Mobile Polling Divisions:

Polling Division 4A is the community of Sydney River and that portion of the community of Prime Brook located to the north of Highway 125;

Polling Division 4B is comprised of the communities of Edwardsville, Westmount, and the part of the community of Coxheath outside of Polling Division 3H i.e. that portion of Coxheath northeast of the lot parcel fronting along the northeast side of the Mountain Road.

Mobile Polling Division MP04-01: Breton Ability Centre

130D Kings Road
Sydney River, NS B1S DH3

Mobile Polling Division MP04-02: My Cape Breton Home for Seniors (Sydney)

137 Riverdale Drive
Westmount, NS B1R 0A9

Mobile Polling Division MP04-03:

Harbourstone Enhanced Care

84 Kenwood Drive
Sydney, NS B1S 3V7

and

Parkland Retirement Living

118 Kenwood Drive
Sydney, NS B1S 0H2

District 5

District 5 is comprised of one Polling Division (i.e. the entire District) and three Mobile Polling Divisions:

Mobile Polling Division MP05-01: Celtic Court

16 St. Anthony Drive
Sydney, NS B1S 2R5

Mobile Polling Division MP05-02:

MacGillivray Guest Home

25 Xavier Drive
Sydney, NS B1S 2R9
and

RC Hines Manor

27 Xavier Drive
Sydney, NS B1S 2R9

Mobile Polling Division MP05-03:

The Cove Guest Home

320 Alexandra Street
Sydney, NS B1S 2G1
and

Williston House

65 Churchill Drive
Sydney, NS B1S 3N6
and

Carl E. Rideout House (50 beds)

49 Churchill Drive
Sydney, NS B1S 3N6

District 6

District 6 is comprised of only one Polling Division i.e. the entire District.

District 7

District 7 is divided into seven Polling Divisions:

Polling Division 7A is comprised of that portion of the community of Mira Road located to the south of Highway 125.

Polling Division 7B is comprised of the community of Caribou Marsh and that portion of the community of Prime Brook that is located south of Highway 125.

Polling Division 7C is comprised of the communities of Howie Center and Sydney Forks.

District 7 (continued)

Polling Division 7D is comprised of the communities of East Bay and Ben Eoin.

Polling Division 7E is comprised of the communities of St. Andrews Channel, Big Pond, Big Pond Center, Middle Cape, Irish Vale, Irish Cove and Enon.

Polling Division 7F is comprised of the communities of Enon, Grand Mira North, Rock Elm, Huntington, Sandfield, Marion Bridge, Big Ridge, Juniper Mountain, Grand Mira South, and French Road.

Polling Division 7G is comprised of the communities of Gabarus, Gabarus Lake, and Upper Grand Mira.

District 8

District 8 is divided into seven Polling Divisions:

Polling Division 8A is comprised of the communities of Louisbourg and Little Lorraine.

Polling Division 8B is comprised of the communities of Main-a-Dieu, Bateston, Catalone, and Catalone Gut.

Polling Division 8C is comprised of the communities of Albert Bridge, Mira Gut, and Round Island.

Polling Division 8D is comprised of the communities of Broughton and Birch Grove.

Polling Division 8E is the community of Tower Road and the southern portion of the Caledonia neighborhood of Glace Bay, bounded by Lake Road and all streets southward to the former County Boundary and including all streets south and north of Dominion Street between Civic #17 to Civic #75.

Polling Division 8F is comprised of the communities of Donkin and Port Caledonia.

Polling Division 8G is comprised of the communities of Port Morien, Black Brook, Homeville, and South Head.

District 9

District 9 is divided into two Polling Divisions and two Mobile Polling Divisions:

Polling Division 9A is entirely within the community of Glace Bay and includes all of the properties south of the centerline of Main Street beginning with civic address 501 Main Street to the east up to and including civic address 949 Main Street. From the southwest boundary of 949 Main Street, the boundary extends in a southwesterly direction south of the properties fronting along Deanna Drive and Beechwood Drive until it intersects with Phalen Road at its intersection with Beechwood Drive. The boundary extends westward just north of 287 and 296 Phalen Road (i.e. these are the first civic addresses in Polling Division 9A) until it intersects Cadegan Brook, which is the boundary of the community of Glace Bay. The boundary then goes up Cadegan Brook in a southerly direction to its intersection with Sydney Road/Reserve Street. It then follows the boundary of Glace Bay that it shares with the communities of Reserve Mines and Tower Road, excluding the southern portion of the Caledonia Neighborhood of Glace Bay, bounded by Lake Road and Dominion Street, between #17 to #7S.

Polling Division 9B is the community of Reserve Mines, with the exception of the streets listed in polling division 10B, and excluding the neighborhoods of Belgiumtown, Reserve Rows and Centreville Reserve Mines.

Mobile Polling Division MP09-01: Glace Bay Hospital

(Level II Transitional Unit – 4 North)

300 South Street

Glace Bay, NS B1A 1WS

Mobile Polling Division MP09-02: Seaview Manor

275 South Street

Glace Bay, NS B1A 1W6

District 10

District 10 is comprised of three Polling Divisions and two Mobile Polling Divisions:

Polling Division 10A is the remainder of the community of Glace Bay outside of Polling Division 9A.

Polling Division 10B is the community of Dominion and all properties along the following streets in the community of Reserve Mines:

- Official Row
- Atlantic Drive
- Neville Street
- Holland Street

Polling Division 10B (continued)

- Belgium Street
- Nicholson Drive
- Poland Street
- Center Street
- Cross Street
- All properties along Main Street north of its intersection with Haulage Road i.e. civic numbers 203 up to and including 231 on the west side and 218 and 226 on the east side.

Polling Division 10C is the community of Gardiner Mines.

Mobile Polling Division MP10-01: Victoria Haven Nursing Home

S Third Street
Glace Bay, NS B1A 5V2

Mobile Polling Division MP10-02: Taigh Na Mara

974 Main Street
Glace Bay, NS B1A 4Z8

District 11

District 11 is divided into three Polling Divisions and two Mobile Polling Divisions:

Polling Division 11A is the community of New Waterford.

Polling Division 11B is comprised of the communities of Lingan, Scotchtown, and River Ryan.

Polling Division 11C is the community of New Victoria.

Mobile Polling Division MP11-01: Maple Hill Manor

700 King Street
New Waterford, NS B1H 3Z5

Mobile Polling Division MP11-02: Waterford Heights

(New Waterford Consolidated Hospital – 3rd Floor)
716 King Street
New Waterford, NS B1H 3Z5

District 12

District 12 is divided into three Polling Divisions and one Mobile Polling Division:

Polling Division 12A is comprised of:

- the community of Grand Lake Road with the exception of the part west of Highway 125, north of Upper Prince Street, east of Reeves Street, and south of the sector of Grand Lake Road west of Highway 125; and
- the part of the neighbourhood of Ashby in the community of Sydney west of the centerline of Welton Street/Prince Street to Prince Street's intersection with the railroad.

Polling Division 12B is comprised of the neighbourhood of Whitney Pier and the community of Lingan Road.

Polling Division 12C is comprised of the communities of South Bar and Victoria Mines.

Mobile Polling Division MP12-01: Carefield Manor

1 Dryden Avenue
Sydney, NS B1N 3K4

Excerpt - Draft General Committee Minutes - March 3, 2020

Land Expropriation Lot 2019-1, PID 15543051 – Wash Brook Flood Mitigation Project

Motion:

Moved by Deputy Mayor Doncaster, seconded by Councillor Eldon MacDonald, that a recommendation be made to Council to direct staff to proceed with the expropriation of Lot 2019-1 from PID 15543051 in order to proceed with the installation of the Mud Lake Flow Control Structure.

Motion Carried.



Cape Breton Regional Municipality

ISSUE PAPER

March 3rd, 2020

To: Mayor and Council

Re: Land Expropriation LOT 2019-1, PID 15543051 - *Wash Brook Flood Mitigation Project*

Background:

On March 12, 2019, Council passed a motion directing staff to proceed with expropriation of a portion of PID 15543051 identified as Lot 2018-1 for the purpose of installation of the Mud Lake Flow Control Structure.

Lot 2018-1 has been expropriated by CBRM, however due to an error in the available mapping data, the dimensions of Lot 2018-1 were insufficient for the project. As a result, CBRM requires a small additional portion of PID 15543051 in order to proceed with the installation of the Mud Lake Flow Control Structure, based on updated mapping data.

As with the original parcel expropriated, the result of a property title search conducted in October of 2018 concluded the property has title issues therefore, the best option is Expropriation. CBRM requires an additional 3.728 acre section of the property for the flow control structure, and this is identified as "Lot 2019-1" (See survey plan attached).

In order to proceed with the installation of this structure, CBRM is seeking ownership of Lot 2019-1 (A section of PID 15543051).

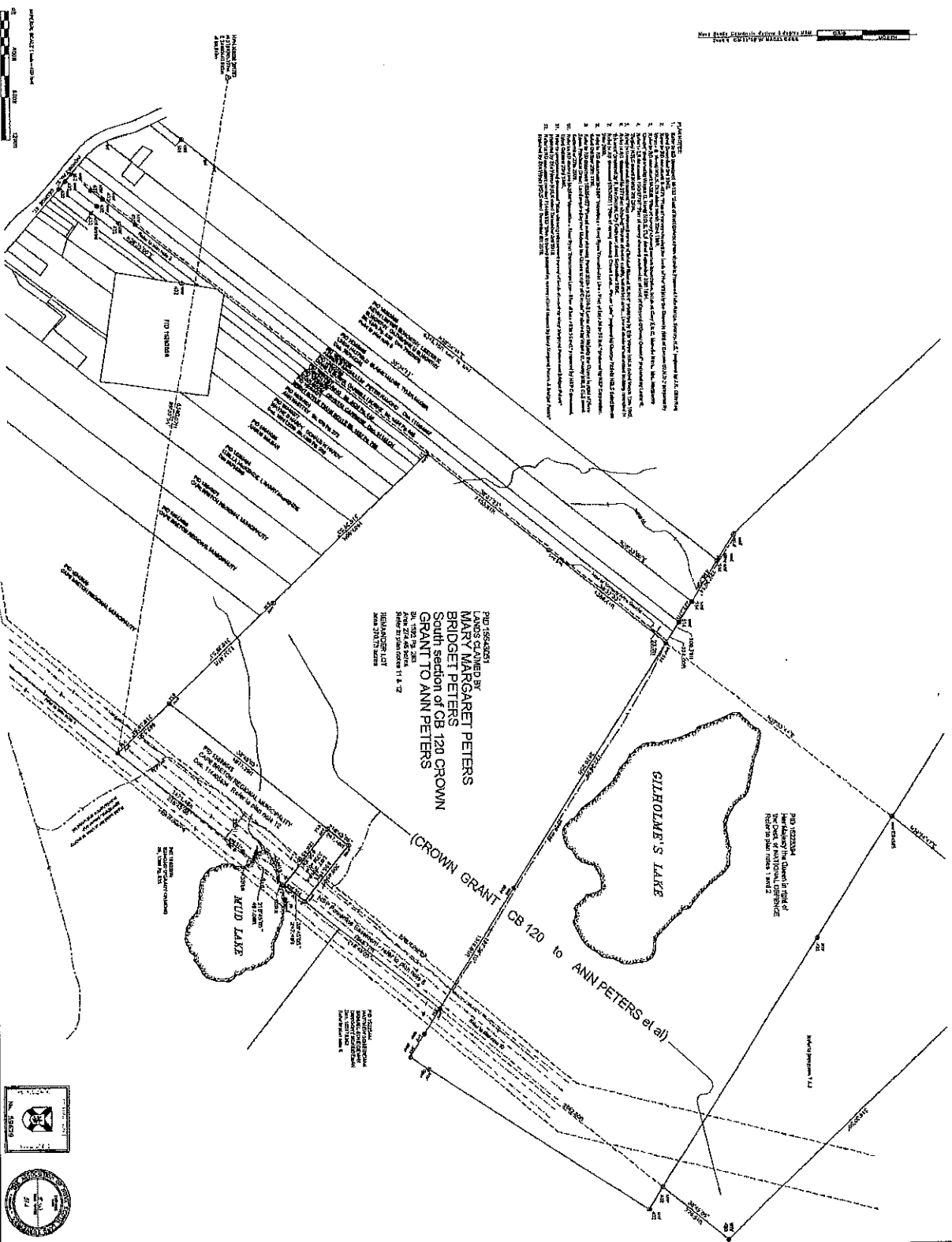
An appraisal report dated February 11, 2020 concluded that a value of Two Hundred and Twenty Five Dollars (\$225) per acre shall be utilized in the final opinion of market value for the subject property.

Recommendation:

That council passes a motion directing staff to proceed with the expropriation of Lot 2019-1 from PID 15543051 in order to proceed with the installation of the Mud Lake Flow Control Structure.

Original Signed By


Regional Solicitor



1. The land shown on this plan is the property of the State of West Virginia, and is being offered for sale to the highest bidder at public auction on the 1st day of May, 1942, at the West State University, Morgantown, West Virginia.

2. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

3. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

4. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

5. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

6. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

7. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

8. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

9. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

10. The land is being offered for sale in accordance with the provisions of Chapter 20, Article 1, of the Constitution of the State of West Virginia, and Chapter 20, Article 1, of the Code of West Virginia, 1941.

LANDS CLAIMED BY
 MARY MARGARET PETERS
 BRIDGET PETERS
 SOUTH section of CB 120 CROWN
 GRANT TO ANN PETERS
 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100. 101. 102. 103. 104. 105. 106. 107. 108. 109. 110. 111. 112. 113. 114. 115. 116. 117. 118. 119. 120. 121. 122. 123. 124. 125. 126. 127. 128. 129. 130. 131. 132. 133. 134. 135. 136. 137. 138. 139. 140. 141. 142. 143. 144. 145. 146. 147. 148. 149. 150. 151. 152. 153. 154. 155. 156. 157. 158. 159. 160. 161. 162. 163. 164. 165. 166. 167. 168. 169. 170. 171. 172. 173. 174. 175. 176. 177. 178. 179. 180. 181. 182. 183. 184. 185. 186. 187. 188. 189. 190. 191. 192. 193. 194. 195. 196. 197. 198. 199. 200. 201. 202. 203. 204. 205. 206. 207. 208. 209. 210. 211. 212. 213. 214. 215. 216. 217. 218. 219. 220. 221. 222. 223. 224. 225. 226. 227. 228. 229. 230. 231. 232. 233. 234. 235. 236. 237. 238. 239. 240. 241. 242. 243. 244. 245. 246. 247. 248. 249. 250. 251. 252. 253. 254. 255. 256. 257. 258. 259. 260. 261. 262. 263. 264. 265. 266. 267. 268. 269. 270. 271. 272. 273. 274. 275. 276. 277. 278. 279. 280. 281. 282. 283. 284. 285. 286. 287. 288. 289. 290. 291. 292. 293. 294. 295. 296. 297. 298. 299. 300. 301. 302. 303. 304. 305. 306. 307. 308. 309. 310. 311. 312. 313. 314. 315. 316. 317. 318. 319. 320. 321. 322. 323. 324. 325. 326. 327. 328. 329. 330. 331. 332. 333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345. 346. 347. 348. 349. 350. 351. 352. 353. 354. 355. 356. 357. 358. 359. 360. 361. 362. 363. 364. 365. 366. 367. 368. 369. 370. 371. 372. 373. 374. 375. 376. 377. 378. 379. 380. 381. 382. 383. 384. 385. 386. 387. 388. 389. 390. 391. 392. 393. 394. 395. 396. 397. 398. 399. 400. 401. 402. 403. 404. 405. 406. 407. 408. 409. 410. 411. 412. 413. 414. 415. 416. 417. 418. 419. 420. 421. 422. 423. 424. 425. 426. 427. 428. 429. 430. 431. 432. 433. 434. 435. 436. 437. 438. 439. 440. 441. 442. 443. 444. 445. 446. 447. 448. 449. 450. 451. 452. 453. 454. 455. 456. 457. 458. 459. 460. 461. 462. 463. 464. 465. 466. 467. 468. 469. 470. 471. 472. 473. 474. 475. 476. 477. 478. 479. 480. 481. 482. 483. 484. 485. 486. 487. 488. 489. 490. 491. 492. 493. 494. 495. 496. 497. 498. 499. 500. 501. 502. 503. 504. 505. 506. 507. 508. 509. 510. 511. 512. 513. 514. 515. 516. 517. 518. 519. 520. 521. 522. 523. 524. 525. 526. 527. 528. 529. 530. 531. 532. 533. 534. 535. 536. 537. 538. 539. 540. 541. 542. 543. 544. 545. 546. 547. 548. 549. 550. 551. 552. 553. 554. 555. 556. 557. 558. 559. 560. 561. 562. 563. 564. 565. 566. 567. 568. 569. 570. 571. 572. 573. 574. 575. 576. 577. 578. 579. 580. 581. 582. 583. 584. 585. 586. 587. 588. 589. 590. 591. 592. 593. 594. 595. 596. 597. 598. 599. 600. 601. 602. 603. 604. 605. 606. 607. 608. 609. 610. 611. 612. 613. 614. 615. 616. 617. 618. 619. 620. 621. 622. 623. 624. 625. 626. 627. 628. 629. 630. 631. 632. 633. 634. 635. 636. 637. 638. 639. 640. 641. 642. 643. 644. 645. 646. 647. 648. 649. 650. 651. 652. 653. 654. 655. 656. 657. 658. 659. 660. 661. 662. 663. 664. 665. 666. 667. 668. 669. 670. 671. 672. 673. 674. 675. 676. 677. 678. 679. 680. 681. 682. 683. 684. 685. 686. 687. 688. 689. 690. 691. 692. 693. 694. 695. 696. 697. 698. 699. 700. 701. 702. 703. 704. 705. 706. 707. 708. 709. 710. 711. 712. 713. 714. 715. 716. 717. 718. 719. 720. 721. 722. 723. 724. 725. 726. 727. 728. 729. 730. 731. 732. 733. 734. 735. 736. 737. 738. 739. 740. 741. 742. 743. 744. 745. 746. 747. 748. 749. 750. 751. 752. 753. 754. 755. 756. 757. 758. 759. 760. 761. 762. 763. 764. 765. 766. 767. 768. 769. 770. 771. 772. 773. 774. 775. 776. 777. 778. 779. 780. 781. 782. 783. 784. 785. 786. 787. 788. 789. 790. 791. 792. 793. 794. 795. 796. 797. 798. 799. 800. 801. 802. 803. 804. 805. 806. 807. 808. 809. 810. 811. 812. 813. 814. 815. 816. 817. 818. 819. 820. 821. 822. 823. 824. 825. 826. 827. 828. 829. 830. 831. 832. 833. 834. 835. 836. 837. 838. 839. 840. 841. 842. 843. 844. 845. 846. 847. 848. 849. 850. 851. 852. 853. 854. 855. 856. 857. 858. 859. 860. 861. 862. 863. 864. 865. 866. 867. 868. 869. 870. 871. 872. 873. 874. 875. 876. 877. 878. 879. 880. 881. 882. 883. 884. 885. 886. 887. 888. 889. 890. 891. 892. 893. 894. 895. 896. 897. 898. 899. 900. 901. 902. 903. 904. 905. 906. 907. 908. 909. 910. 911. 912. 913. 914. 915. 916. 917. 918. 919. 920. 921. 922. 923. 924. 925. 926. 927. 928. 929. 930. 931. 932. 933. 934. 935. 936. 937. 938. 939. 940. 941. 942. 943. 944. 945. 946. 947. 948. 949. 950. 951. 952. 953. 954. 955. 956. 957. 958. 959. 960. 961. 962. 963. 964. 965. 966. 967. 968. 969. 970. 971. 972. 973. 974. 975. 976. 977. 978. 979. 980. 981. 982. 983. 984. 985. 986. 987. 988. 989. 990. 991. 992. 993. 994. 995. 996. 997. 998. 999. 1000.



REGISTERED SECTION

1942 SYSTEM OF PLANNING
 PLAN 1000

DESIGNED BY: [Name]

CONSTRUCTION SPECIFICATIONS: [Text]

GENERAL NOTES: [Text]

ADDITIONAL NOTES: [Text]

APPROVED BY: [Name]

DATE: [Date]

SCALE: [Scale]

PROJECT NO.: [Number]

DATE OF ISSUE: [Date]

ISSUED BY: [Name]

REVISIONS: [List]

NOTES: [Text]

PLANNING DEPARTMENT
 WEST STATE UNIVERSITY
 MORGANTOWN, WEST VIRGINIA

Excerpt - Draft General Committee Minutes - March 3, 2020

Request for Quit Claim Deed – Dominion Community Hawks Property Group – PID 15380884 – 28 Lower Mitchell Avenue, Dominion

Motion:

Moved by Councillor Bruckschwaiger, seconded by Councillor George MacDonald, that a recommendation be made to Council authorizing the Mayor and Clerk to execute a deed to the Dominion Community Hawks Property Group for the property located at 28 Lower Mitchel Ave., Dominion, (PID 15380884), and that all cost shall be the responsibility of the Hawks Club.

Motion Carried.



CBRM

A Community of Communities

ISSUE PAPER

TO: General Committee

FROM: Sheila Kolanko – Property Manager

SUBJECT: REQUEST FOR QUIT CLAIM DEED
Dominion Community Hawks Property Group
PID 15380884 – 28 Lower Mitchell Ave, Dominion

DATE: March 3rd, 2020

INTRODUCTION

CBRM received a written request from Crosby Burke Law Office, on behalf of Dominion Community Hawks Property Group (Hawks Club), asking CBRM to provide a Quit Claim Deed releasing any interest in the property registered to the Dominion Community Hawks Property Group. A copy of the letter is attached herein (Attachment "A")

INFORMATION

The property subject to this Issue Paper is identified as PID 15380884 and shown outlined in yellow on the attached map. (Attachment "B")

A search of title of the property confirms the Dominion Hawks Athletic Club purchased the property from the Dominion Coal Company back in 1964. In 1968 it was conveyed to the Town of Dominion. The next registered conveyance was in 1992, whereas a deed was registered transferring the land and building from the Dominion Athletic Club to the Community Hawks Club. However, there is no registered deed from the former Town of Dominion to the Dominion Athletic Club for the said property prior to the 1992 deed to the Hawks Club. As such, a gap in title in the club's property exist.

The executive of the Hawks Club; the former Athletic Club, and the community was always of the understanding that the property was solely owned by the Club. They believe the deed was never registered. The building was constructed by the Club. They have always maintained the building, paid the property taxes, insurance, and all expenses affiliated with the building. This is supported by an affidavit sworn by Albert Zillman, one of the original founding members. (Attachment "C").

The property is currently assessed to the Hawks Club by Property Valuation Corporation Services (PVSC). The property taxes have always been paid by the Hawks Club and their predecessors, the Dominion Athletic Club. In addition, CBRM records confirm a building permit was issued for an addition to their building in 2012.

The Club is in the process of obtaining a mortgage to do repairs and upgrades. They are not able to move forward because of the title issue. This legal issue can be resolved if CBRM releases any interest it may have in the property. It should be noted that this does not affect the current property owned by CBRM that encompasses the ballfield and recreation space, identified as PID 15493752 (outlined in red)(Attachment B).

REVIEW/EVALUATION

This request has been reviewed by Bill Murphy, Director of Recreation, Parks, Grounds & Buildings and he sees no reason why CBRM should oppose this request. CBRM has no interest in the land (PID 15380884) or building known as the Hawks Club.

RECOMMENDATION

I would ask General Committee to recommend to Council to pass a Motion authorizing the Mayor and Clerk to execute a deed to the Dominion Community Hawks Property Group for only the property located at 28 Lower Mitchel Ave., Dominion (PID 15380884). All cost shall be the responsibility of the Hawks Club.

Respectively Submitted by:

Original signed by

Sheila Kolanko
Property Manager

CROSBY BURKE
BARRISTERS, SOLICITORS, NOTARIES

Glace Bay Professional Centre
PO Box 86, 38 Union Street
Glace Bay, NS B1A 2P5
Tel: (902) 849-3971
Fax: (902) 849-7009

Robert M. Crosby, Q.C.
Emma Adlakha, B.A., J.D.
Gordon Gear, B.A., J.D.

18 February 2020

Cape Breton Regional Municipality
320 Esplanade
Sydney, NS

ATTACHMENT "A"

VIA EMAIL: Spkolanko@cbrm.ns.ca

Dear Sheila;

**Re: Dominion Community Hawks Property Group
28 Lower Mitchell Ave., Dominion, NS**

We wish to advise that we represent the Dominion Community Hawks Property Group in relation to their property located at 28 Lower Mitchell Ave., Dominion, NS.

During the course of our title search we note a gap in title. The former Town of Dominion received the parcel back from the Dominion Hawks Athletic Club in 1968. In 1992 the Dominion Athletic Club transferred the parcel to Dominion Community Hawks Club.

We are in the process of migrating the property and are asking CBRM for a deed back to The Dominion Community Hawks Property Group.

I enclose a copy of our title search for your review.

Regards,
Crosby Burke

Emma Adlakha
eadlakha@bellaliant.com
ESA/ulp

ATTACHMENT "B"

PID: 15380384
DOMINION COMMUNITY
HAWKS PROPERTY GROUP

PID: 15493752
CAPE BRETON REGIONAL
MUNICIPALITY



ATTACHMENT "C"

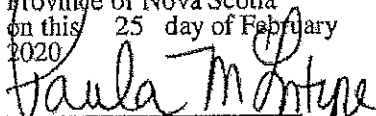
CANADA
PROVINCE OF NOVA SCOTIA
COUNTY OF CAPE BRETON

STATUTORY DECLARATION

IN THE MATTER OF THE CANADA EVIDENCE ACT; AND IN THE MATTER OF THE REGISTRY ACT; AND IN THE MATTER OF LANDS SITUATE AT 28 LOWER MITCHELL AVENUE, DOMINION, IN THE CAPE BRETON REGIONAL MUNICIPALITY, PROVINCE OF NOVA SCOTIA, BEING OWNED BY THE DOMINION COMMUNITY HAWKS PROPERTY GROUP;

I, ALBERT ZILLMAN, presently of Dominion, in the Cape Breton Regional Municipality, make oath and say as follows:

1. That all matters hereinafter deposed to are made to the best of my knowledge and belief, unless otherwise stated.
2. That I am presently 93 years of age and have lived my entire life at 403 Mitchell Avenue, Dominion.
3. That I am familiar with the property situate at 28 Lower Mitchell Ave, Dominion, NS as it is just down the street from me and I was one of the original founding members.
4. That this property was purchased by the Hawks Athletic Club in 1964 at such time we moved a building from Roderick Tomiczek's land to the land on Mitchell Avenue and in 1994 a new building was constructed.
5. That in 1968 The Athletics Club signed a deed to The Town of Dominion and I am of the opinion that we received a deed back from the said Town of Dominion before we constructed the second building on the said lands.
6. That the Dominion Community Hawks Club was formed in 1989 and I believe the deed was obtained sometime prior to that and the said deed was lost and never recorded in the Land Registry Office.
7. That the Dominion Community Hawks Club has always paid the taxes on this land and I believed they were the registered owners of the land and building.
8. That I make this Declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under and by virtue of the CANADA EVIDENCE ACT.

Sworn To before me at Dominion
in the Cape Breton Regional Municipality
Province of Nova Scotia
on this 25 day of February
2020

A Barrister/Commissioner of the
Supreme Court of Nova Scotia


ALBERT ZILLMAN

Paula MacIntyre
A Commissioner of the
Supreme Court of Nova Scotia



M·E·M·O

320 Esplanade

Sydney, Nova Scotia, B1P 7B9

902-563-5021

To: Mayor Cecil P. Clarke and Council
From: Deborah Campbell Ryan, Municipal Clerk
Date: April 6, 2020
Subject: Notice of Resignation – Councillor Kendra Coombes

Kendra Coombes, Councillor for District 11, submitted a signed notice of resignation from CBRM Council, having been elected as a Member of the Legislative Assembly for Cape Breton Centre in the By-Election held on March 10, 2020. This notice was received by the Clerk's Department on March 24, 2020.

In consultation with the Regional Solicitor, we have determined that CBRM is not required to hold a special election to fill this vacancy because the timelines in the legislation do not allow for a special election. The relevant sections of the Nova Scotia *Municipal Government Act* and the *Municipal Elections Act* are attached.

Should circumstances change, we will adjust accordingly.

Yours truly,

Original signed by:

Deborah Campbell Ryan
Municipal Clerk

Attachments

Deputy mayor or deputy warden

16 (1) The council shall select one of its council members to be the deputy mayor or deputy warden of the council.

(2) Prior to the selection of a deputy mayor or deputy warden, the council shall determine, by policy, the term of office of the deputy mayor or deputy warden.

(3) The deputy mayor or deputy warden shall act in the absence or inability of the mayor or warden or in the event of the office of mayor or warden being vacant.

(4) The council may prescribe, by policy, additional duties and responsibilities of the deputy mayor or deputy warden.

(5) The deputy mayor or deputy warden has all the power and authority and shall perform all the duties of the mayor or warden when the deputy mayor or warden is notified that

(a) the mayor or warden is absent or unable to fulfil the duties of mayor or warden; or

(b) the office of mayor or warden is vacant.

→ **Mayor or councillor resignation**

17 (1) The mayor or a councillor may resign from office at any time by delivering to the clerk a signed resignation and such a resignation is effective on delivery by the clerk to the next meeting of the council.

(2) A resignation may not be withdrawn once it has been delivered to the clerk.

(3) A mayor or councillor who ceases to be ordinarily resident in the municipality ceases to be qualified to serve as mayor or as councillor.

(4) A mayor or councillor who, without leave of the council, is absent from three consecutive regular meetings of the council, ceases to be qualified to serve as mayor or as a councillor.

nursing home licensed under the *Homes for Special Care Act* and in which ten or more electors reside.

(5) Where, by reason of an established practice or other special circumstances, it is more convenient to establish a polling division containing substantially more than seven hundred electors and to divide the list of electors for the polling division between two or more polling stations, the returning officer may establish a polling division which contains as nearly as possible some multiple of seven hundred electors.

(6) It shall not be necessary to divide a polling district into divisions if, in the opinion of the returning officer, it is not necessary or desirable to do so, and in such cases the polling district shall be one polling division.

(7) The divisions of a polling district for an election shall be those established by the returning officer pursuant to this Section or, if he has not prescribed new divisions or changes in the existing divisions, the divisions shall be those established for the last municipal election.

(8) A copy of the description of each polling district and polling division in the municipality shall be kept in the municipal office where it shall be open to public inspection during regular office hours.

(9) In an advertisement required by this Act it shall not be necessary to set out the metes and bounds of any polling district or polling division and a general description by which the area can be readily identified shall be sufficient. R.S., c. 300, s. 9.

Ordinary polling day

10 The election of councillors shall be held on the third Saturday in October in the year 2000 and on the third Saturday in October in every fourth year thereafter. R.S., c. 300, s. 10; 1998, c. 18, s. 568.

Poll for each polling and electoral district

11 An election shall take place in and for each polling district and electoral district. R.S., c. 300, s.11; 1994, c. 26, s. 4.

Term of office

12 Except as herein otherwise provided, each councillor shall hold office from the time when he takes his oath of office until his successor is sworn into office or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor. R.S., c. 300, s. 12; 1994, c. 26, s. 5.

Vacancy

13 (1) Subject to subsection (8), within four weeks after a vacancy occurs on a council because

(a) an insufficient number of candidates are nominated to fill the vacancies at a regular or special election; or

(b) a councillor dies, resigns, becomes disqualified or forfeits office,

the council or, where there is no council, the Minister shall name a day for a special election to fill the vacancy and, if no regular meeting of the council is to be held within that time, the clerk shall call a special meeting for the purpose.

(1A) Subject to subsection (8), within four weeks after a vacancy occurs on a school board because

(a) an insufficient number of candidates are nominated to fill the vacancies at a regular or special election; or

(b) a member dies, resigns, becomes disqualified or forfeits office,

the school board, or where there is no school board, the Minister of Education, shall name a day for a special election to fill the vacancy and, if no regular meeting of the school board is to be held within that time, the superintendent shall call a special meeting for that purpose.

(1B) Notwithstanding subsection (1A), but subject to subsection (2), if the municipal returning officer is to be the returning officer for the special election of the school board member, the municipal returning officer shall provide the school board or the Minister of Education with the dates that the returning officer is able to act as returning officer for the special election and the school board or the Minister shall select the day for the special election from the dates that the returning officer provides.

(2) The day fixed for the special election shall be a Saturday not more than eleven weeks after the meeting of the council at which the day was named.

(3) Nomination day for a special election shall be the fourth Tuesday preceding ordinary polling day.

(4) If the vacancy referred to in subsection (1) is in the office of mayor, the nomination day for the office of mayor shall be the fifth Thursday preceding ordinary polling day.

(5) If a vacancy is created in the council by virtue of a councillor being nominated for mayor pursuant to subsection (4), the nomination day for the vacancy shall be as provided in subsection (3).

(6) A special election shall be conducted as nearly as may be in accordance with the provisions governing regular elections.

(7) A councillor elected at a special election shall hold office from the time when he takes his oath of office until his successor is sworn into office or, if there is no successor, until the meeting at which the successor would have been sworn into office if there was a successor.

(8) No special election shall be held for a vacancy on a council within the six months preceding ordinary polling day for a regular election unless otherwise determined by the Minister or the council.

(9) *repealed 2008, c. 54, s. 13.*

R.S., c. 300, s. 13; 1994, c. 26, s. 6; 2003, c. 9, s. 5; 2007, c. 46, s. 3; 2008, c. 54, s. 13.

Qualifications of elector

14 Subject to the other provisions of this Act, every person who

- (a) is of the full age of eighteen years on the first advance polling day;
- (b) is a Canadian citizen on the first advance polling day;
- (c) has been ordinarily resident in the Province for a period of six months immediately preceding the first advance polling day; and
- (d) is ordinarily resident in the municipality or in an area annexed to the municipality and has been so since immediately before the first advance polling day,

is entitled to be registered on the list of electors and to vote. R.S., c. 300, s. 14; 1994, c. 26, s. 7; 2015, c. 47, s. 1.

Disqualified persons

15 The following persons shall not be entitled to be registered on the list of electors or to vote:

- (a) the returning officer;
- (b) *repealed 1994, c. 26, s. 8.*
- (c) a person serving a sentence in a penal or reform institution;
- (d) *repealed 1994, c. 26, s. 8.*
- (e) a person who has been convicted of bribery under this Act in the six years preceding ordinary polling day. R.S., c. 300, s. 15; 1994, c. 26, s. 8.

Ordinarily resident

16 (1) A person is ordinarily resident in the place where the person lives and to which, whenever absent, the person intends to return.

(2) A person may be ordinarily resident in only one place at a time.

long-term disability coverage and life insurance coverage, or any one or more of them, if the person pays both that person's and the municipality's, utility's, board's, commission's, committee's or official's share of the cost. 2000, c. 9, s. 20.

Disqualified persons

18 (1) No person is qualified to be nominated or to serve as councillor who

(a) is a member of the House of Commons or Senate of Canada;

(b) is a member of the Legislative Assembly;

(ba) is a village commissioner;

(c) is a member of the council of another municipality;

(ca) is a judge of the Nova Scotia Court of Appeal, the Supreme Court or the Provincial Court;

(d) accepts or holds office or employment in the service of the municipality, or any utility, board, commission, committee or official thereof, to which any salary, fee, wages, allowance, emolument, profit or other remuneration of any kind is attached, for so long as he holds or is engaged in the office or employment unless the person is on a leave of absence granted pursuant to subsection 17C(2), but this disqualification does not apply in respect of an office or employment

(i) as a volunteer fireman with a municipal fire fighting organization,

(ii) with a school board, or

(iii) with a joint body of two or more municipalities to which the municipality appoints at least one representative and to which the municipality provides funding; or

(e) *repealed 1994, c. 26, s. 9.*

(f) has been convicted of any corrupt practice or bribery contrary to this Act within five years preceding nomination day.

(1A) *repealed 2003, c. 9, s. 9.*

(1B) Where a person who is a councillor is convicted of an indictable offence that is punishable by imprisonment for a maximum of more than five years, the person ceases to be a councillor.

(2) During a special election, no person is qualified to be nominated as councillor who is a member of a school board.

(3) *repealed 1991, c. 6, s. 41.*

(4) Notwithstanding subsection (1), a councillor who is elected to the Legislative Assembly or the House of Commons or who is appointed to the Senate of Canada or as a judge of the Supreme Court or a judge of the Provincial Court shall resign his office as councillor within thirty days of such election or appointment.

(5) A councillor who ceases to be ordinarily resident in the municipality shall cease to be qualified to serve as a councillor.

(5A) Notwithstanding subsection (5), where a councillor has the approval of council, a councillor may be ordinarily resident outside the municipality but within the Province for one period of not more than six months in a term.

(6) A councillor who, without leave of the council, is absent from three consecutive regular meetings of the council shall thereby vacate his office, and the office shall be declared vacant by the council, whether or not the councillor has vacated his office.

(7) A councillor who is nominated to fill a vacancy in the office of mayor where a special election is required shall thereby vacate his office as councillor.

(8) Any person who acts or sits as a councillor after becoming disqualified shall be liable to a penalty of not more than five hundred dollars for each day that he so acts or sits.

(9) This Section does not apply to a school board. R.S., c. 300, s. 18; 1991, c. 6, s. 41; 1994, c. 26, s. 9; 1998, c. 18, s. 568; 1999 (2nd Sess.), c. 13, s. 1; 2000, c. 9, s. 21; 2003, c. 9, s. 9; 2004, c. 7, s. 21; 2011, c. 68, s. 6.

19 *repealed 2003, c. 9, s. 10.*

Disqualification ceases

20 (1) *repealed 2000, c. 9, s. 22.*

(2) If at any time after any person has become disqualified by virtue of this Act the witnesses, or any of them, on whose testimony such person has so become disqualified, are convicted of perjury with respect to such testimony, such person may move a judge to order, and the judge shall, upon being satisfied that such disqualification was procured by reason of perjury, order that such disqualification shall thenceforth cease and determine, and the same shall cease and determine accordingly. R.S., c. 300, s. 20; 2000, c. 9, s. 22.

Preliminary list of electors

21 Prior to the thirty-first day of July in a regular election year the returning officer shall prepare a preliminary list of electors for each polling division. R.S., c. 300, s. 21.

