



Cape Breton Regional Municipality

Council Meeting Agenda

Tuesday, June 23, 2026

2:00 p.m.

NSCC – Sydney Waterfront Campus

Room B511

500 Esplanade, Sydney, Nova Scotia

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Land Acknowledgement

Roll Call

O' Canada

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

2. **Proclamations and Resolutions**
 - 2.1 **Philippine Independence Day** (For ratification)
Deputy Mayor Glenn Paruch (See page 6)

3. **By-laws and Motions**
 - 3.1 **Second / Final Reading – Public Hearing**
 - i) **Text Amendments to CBRM's Land Use By-law:**
Peter Vandermeulen, Planner (See page 7)
 - 3.2 **First Reading**
Repeal of By-law No. B-400 Respecting Open Air Burning and Adoption of New Open Air Burning By-law:
Mark Bettens, Fire Chief / Director of Fire and Emergency Services (See page 45)
 - 3.3 **Commercial Development District Improvement By-law:** Nancy Dove, Chief Financial Officer (See page 71)

4. **Corporate Services Issues**
 - 4.1 **Application to Purchase Lot 18-20 Northside Business Park PID 15895923:** Sheila Kolanko, Property Manager
(See page 141)
 - 4.2 **Research Project – Housing Affordability and Secondary Markets:** Tyson Simms, Director of Planning and Development (See page 145)
 - 4.3 **Case #001101 – Text Amendment to CBRM's Land Use**

- 4.4 **By-law:** Peter Vandermeulen, Planner (See page 148) **Green Municipal Fund, Safe and Active School Routes – Whitney Pier:** William Roy, Community Development Coordinator (See page 160)
 - 4.5 **Council Appointment of By-law Enforcement Officer to Serve as Dog Control Officer:** Tyson Simms, Director of Planning and Development (See page 187)
 - 4.6 **Council Policies and Procedures:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 190)
 - 4.7 **Transportation Committee:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 284)
 - 4.8 **CAD Disaster Recovery Contract Approval:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 293)
 - 4.9 **Curbside Giveaway Feasibility:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 295)
 - 4.10 **Wayfinding Signs – Final Colour Palette and Accessibility Considerations:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 304)
 - 4.11 **Corporate Marks – Modernized Logo, Colour Palette and Brand Consistency:** Christa Dicks, Municipal Clerk / Director of Corporate Information Services (See page 429)
5. **Council Agenda Request**
- 5.1 **Reinstatement and Municipal Allocation of One Percentage Point of the Provincial HST for Municipal and Local Infrastructure:** Councillor Steven MacNeil (See page 445)

6. Correspondence

6.1 12 Month Notice Letter to Municipalities 2027-2028:

Honourable John A MacDonald, Minister of Municipal
Affairs (See page 446)

Adjournment



PROCLAMATION

Philippines Independence Day

- WHEREAS:** June 12, 2026, marks the 128th anniversary of the declaration of independence of the Republic of the Philippines, a historic occasion celebrating the courage, resilience, and enduring spirit of the Filipino people; and
- WHEREAS:** the Filipino community in the Cape Breton Regional Municipality continues to make valuable contributions to the cultural, social, healthcare, business, and economic life of our region while enriching the diversity and strength of our communities; and
- WHEREAS:** Philippine Independence Day is an opportunity to recognize and celebrate Filipino heritage, traditions, achievements, and the strong bonds of friendship and cooperation between Canada and the Philippines; and
- WHEREAS:** the Cape Breton Regional Municipality joins with residents in celebrating the many contributions of Filipino Canadians and encourages all citizens to learn more about Filipino culture and history.
- BE IT THEREFORE RESOLVED:** that CBRM Mayor Cecil P. Clarke and Council proclaim June 12th, 2026, as “**Philippine Independence Day**” in the Cape Breton Regional Municipality.

Deputy Mayor Glenn Paruch
June 23, 2026

Text Amendments to CBRM's Land Use By-law

Motion

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

Discussion:

- Clarification regarding accessory building height and square footage restrictions in residential areas and urban areas
- Annual amendments are possible and will continue
- Motion is for first reading only

Motion Carried



CBRM PUBLIC HEARING RESCHEDULED **Amendments to the Land Use By-law**

The Council of the Cape Breton Regional Municipality (CBRM) has scheduled a Public Hearing to consider amendments to the CBRM Land Use By-law (LUB). The proposed amendments align with existing plan policies and do not change the overall direction of the LUB. Instead, they enhance clarity for both administrators and users. The proposed amendments to the LUB can be viewed in their entirety at: <https://cbrm.ns.ca/business/municipal-planing-land-use-by-laws/>

The Public Hearing has been rescheduled for **Tuesday, June 23rd, 2026, at 2:00 p.m.** The meeting will be held in Room B511, NSCC Waterfront Campus, 500 Esplanade, Sydney.

Anyone wishing to comment on the proposed amendments is welcome to make a presentation at the Public Hearing or make a written submission via email. Written submissions will be accepted by email or mail until 4:00 pm Friday, June 19th, 2026. Written submissions must include your full name and address for the public record.

Requests for further information, including a copy of the proposed amendments, and statement submissions can be directed to the Planning Department:

Phone: [\(902\) 563-5070](tel:(902)563-5070)

Email: PlanningConsult@cbrm.ns.ca



CBRM PUBLIC HEARING RESCHEDULED

Amendments to the Land Use By-law

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Phone: [\(902\) 563-5070](tel:9025635070)

Email: PlanningConsult@cbrm.ns.ca

STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: June 2nd, 2026

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

Origin

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

Legislation and Related Policies

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

Recommendation

It is recommended that Council:

1. Give Second/Final Reading and approval of the proposed amendments to the CBRM Forward Land Use By-law, as set out in Attachment A.

Public Hearing Notification

A Public Hearing has been scheduled for these amendments adjoining the presentation of this report. As per the requirements of the *Municipal Government Act*, notice of the Public Hearing has been posted June 6th, and 13th in the Cape Breton Post. At the time this report was prepared, no comments were received by the Planning and Development Department.

Background

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

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

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

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

Discussion of Proposed Amendments

Chapter 2: Administration

Existing Developments

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

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

Chapter 3: Definitions

Contractor

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

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

Dwelling, Two Unit

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

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

Dwelling Unit

The definition of Dwelling Unit refers to habitable rooms intended for use by one or more individuals as an independent residential establishment. To improvement processing of Building and Development Permit applications and enforcement, it is recommended the definition be

reworded to improve readability and clarity, in particular the term ‘intended’ be replaced with ‘capable’.

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

Existing

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

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

Motor Vehicle Related

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

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

Commercial Parking

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

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

Definitions to be Added

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

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

Chapter 4: General Provisions

Accessory Buildings

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

It is recommended that;

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

And;

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

Parking and Loading

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

Subsection 4.18.1 General Provisions

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

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

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

Subsection 4.18.2 Driveway Access

With a rise in Development Permits for Townhouse style construction, Staff have identified two areas in Section 4.18.2, Driveway Access, that should be amended to further support this type of

development. To resolve conflict with current provisions limiting the number of driveways on a lot parcel to two, the LUB should be amended to permit one driveway for each dwelling unit subject to the traffic authority approval within a Townhouse style development.

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

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

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

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

And;

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

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

Shared Driveways

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

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

Signs

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

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

Solar Collectors (Main Use) and Solar Farms

The existing provisions with Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms did not make reference to zone standards such as maximum lot coverage applying to Main Use Solar Collectors/Farms. To improve clarity, this subsection should be amended to confirm these uses must conform to the applicable zone standards for a main use.

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

Chapter 6: Commercial Zones

Clarification of Downtown Cores

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

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

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

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

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

Also, with the adoption of the CBRM Forward LUB, the consultants applied the minimum 60% lot coverage requirement to the MU, Mixed Use Zone. As the building typology and street

classification within the MU Zone is very similar to the fringe areas identified within the Downtown Zones, it is reasonable review this zone.

It is recommended that Sections 6.1, Downtown Regional Centre Zone, 6.2 Downtown Commercial, and 6.3 Mixed Use Zone of the LUB be amended by adding further reference to the core areas and aligning zone standards based on the new core boundaries.

Chapter 7: Industrial Zones

UT Zone

The UT, Utility and Transportation Zone is another new zone implemented during the adoption of the CBRM Forward Land Use By-law. This Zone falls within the Industrial category and is intended for the working industrial harbors, rail lines, the airport, and other lands dedicated to utility uses. The permitted uses of the UT zone are very limited and apply mainly to utility and manufacturing uses, with only select services uses permitted.

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

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

General Amendments

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

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

Financial Implications

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

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

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

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

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

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

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

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

required by this Bylaw, the building may be:

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

provided that:

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

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

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

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

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

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

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

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

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

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

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

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

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

Manufacturing means the process of making a raw material into a finished product; in large quantities. It includes establishments engaged in the mechanical or chemical transformation of materials or substances into new products and in assembling component parts of manufactured products into new products. Manufacturing shall include assembling, fabricating, finishing, indoor agricultural, production of cannabis and alcohol products, and packaging or processing operations.

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

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

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

Motor Vehicle Service

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

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

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

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

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

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

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

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

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

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

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

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

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

a) Residential Uses in Residential and Commercial Zones

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

b) Residential Uses in Rural Zone

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

c) All other Uses in All Zones

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

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

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

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

b) Except as otherwise provide in this By-law, a parking area capable of accommodating three or more parking spaces located within the Service Area Boundary is required:

- i. to be paved and all parking spaces delineated with painted lines;
- ii. to be separated from any public street/road by a distance of at least 1.8 metres (6 ft.) and be no closer than 0.9 metres (3 ft.) from any other lot parcel boundary and this area shall comply with this By-law's definition for landscaped open area;
- iii. The setbacks outlined in Subsection (ii) do not apply to parking areas that existed prior to the adoption of the Land By-law.

c) Except as otherwise provided in this By-law, a parking area of more than five vehicles developed within 10 metres of an abutting Residential zone or use, shall be screened from

the abutting residential property with a fence or coniferous hedge of a minimum height of 1 metre;

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

- a) The number of driveways shall be limited to two per public street/road frontage for each public street/road on which the lot parcel fronts.
- b) Notwithstanding Subsection a), a Dwelling, Townhouse may have one driveway per dwelling unit to a max of 6m in width, subject to Traffic Authority Approval.
- c) Driveways shall not be closer than 4.5m (15 ft.) to another driveway serving the same lot parcel;
- d) All driveways to a corner lot shall be located no closer than 12 metres (40 ft.) from the intersection of the lot lines along two streets except that where these requirements make access impossible or impractical, the Development Officer may approve a driveway closer to an intersection; provided that the driveway or is located as far from the intersection boundary as possible and complies with all other provisions of this By-law;
- e) The maximum width of a driveway at the public street/road boundary for a lot parcel with three or more parking spaces shall be 7.9 m (26 ft.) for one way traffic or 11 m (36 ft.) for two way traffic, except at a signalized intersection authorized by the traffic authority, in which case the maximum width may be increased;
- f) The maximum total width of a driveway(s) for a lot parcel with less than three parking spaces shall be 7.9 m (26 ft.) at the public street/road boundary.
- g) For a lot parcel with less than five parking, the total area devoted to parking or aisles in the front yard shall not exceed 40 % of the area of the front yard.

THAT: Chapter 4 General Provisions, Section 4.21 Shared Driveways of the Land Use By-law is hereby deleting and replacing it with the following:

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

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

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

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

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

Solar collectors and solar farms are permitted as a main use to in all zones subject to the conditions prescribed in this Section. Solar collector as a main use and solar farms must conform to the zone standards for a main use and require a Development Permit issued by the Development Officer.

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

	UR1	UR2	UR3	UR4	RR5	R6	R7
Residential							
Dwelling, One Unit	P	P	P	P	P	P	P
Dwelling, Two Unit	P	P	P	P	P		P
Dwelling, Shared	P	P	P	P			P
Dwelling, Shared <i>up to four rooms</i>					P		
Dwelling, Townhouse <i>up to six units</i>		P	P	P			P
Dwelling, Apartment <i>up to six units</i>		P	P	P			P
Dwelling, Townhouse <i>more than six dwelling units</i>		SP	P	P			SP
Dwelling, Apartment <i>more than six units</i>		SP	P	P			SP
Dwelling, Townhouse <i>up to twelve dwelling units</i>			P	P			
Dwelling, Apartment <i>up to twelve dwelling units</i>			P	P			
Dwelling, Townhouse <i>more than twelve dwelling units</i>			SP	P			
Dwelling, Apartment <i>more than twelve dwelling units</i>			SP	P			
Dwelling, Unit	P	P	P	P	P	P	P
Sales							
Retail		SP	SP	C		C	SP
Service							
Accommodation Use							P
Business Office						P	P
Community Service	P	P	P	P	P		P
Cultural Service	P	P	P	P	P		P
Day Care Facility	C	C	C	C	C		C
Educational Use	P	P	P	P	P		P

Motor Vehicle Service							C
Protective (<i>only coast guard, fire, judicial, police</i>)	P	P	P	P	P		P
Restaurant		SP	SP	C		C	SP
Supportive Housing up to nine beds	C	C	C	C	P		P
Supportive Housing more than nine beds	SP	SP	SP	SP	SP		SP
Agricultural							
All							P
Fishery							
All							P
Recreational							
Public Indoor and Outdoor	P	P	P	P	P		P
Boathouse					P		P

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

- Motor Vehicle Service

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

	CRC	CD	CR	CG	MUC	MU	BP
Residential							
Dwelling, Apartment	P	P	P	P	P	P	
Dwelling, One Unit				P	P		
Dwelling, Two Unit				P	P		
Dwelling, Shared	P	P	P	P	P	P	
Dwelling Unit	P	P	P	P	P	P	
Dwelling, Townhouse	P	P	P	P	P		
Live-work unit	P	P	P			P	
Service							
All			P				P
Accommodation	P	P		P	P	P	
Alcohol Beverage Establishment;	P	P		P	P	P	
Artist/ Artisan Establishment	P	P		P	P	P	
Animal Sitting Establishment	P	P		P	P	P	
Banquet or Convention Centre	P	P		P	P	P	
Business Office	P	P		P	P	P	

Catering Business	P	P		P	P	P	
Clothes Cleaning Business	P	P		P	P	P	
Commercial Group	P	P		P	P	P	
Communication Facility	P	P		P	P	P	
Community Service	P	P		P	P	P	
Contractor, Depot							
Contractor, Office	P	P		P	P	P	
Crematorium	P	P		P	P	P	
Cultural Service	P	P		P	P	P	
Day Care Facility	C	C		C	C	C	
Distribution Facility				P			
Educational Service	P	P		P	P	P	
Entertainment Facility	P	P		P	P	P	
Fitness Centre	P	P		P	P	P	
Food Preparation Business	P	P		P	P	P	

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

Veterinary Clinic	P			P	P	P	
Sales							
All	P	P	P	P	P	P	P
Fishery Use							
All		P		P		P	P
Recreational							
All except racetracks and campgrounds	P	P	P	P	P	P	
All except campgrounds							P
Manufacturing							
All, but mining product manufacturing				P			P
Agricultural Products processing			P				
Alcohol Processing			P				
Assembly			P				
Building Supplies Manufacturing			P				
Transportation							
All	P	P	P		P	P	P

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

Approval

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

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

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

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

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

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

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

a)	Minimum Lot Frontage	10 m
b)	Minimum Front Yard Setback	nil
c)	Maximum Front Yard Setback	3 m
d)	Minimum Rear Yard Setback	
	Abutting a Residential Zone	3 m
	Other	nil
e)	Minimum Side Yard Setback	
	Abutting a Residential Zone	1.25 m
	Other	nil
f)	Minimum Flankage Yard Setback	nil
g)	Minimum Building Height	2 storeys
h)	Maximum Building Height	40 m or 14 storeys
i)	Minimum Lot Coverage	30 %
j)	Minimum Lot Coverage, within core	60 %
k)	Building Design Standards for the CRC	
	i) All buildings shall have a prominent entrance oriented towards a street	
	Ground floor facades facing a street shall be comprised of a minimum of 50 percent transparent area, excepting residential uses, which shall have a minimum of 25 percent transparent area (<i>building existing before the date this By-law was enacted excepted</i>); Minimum height of the ground floor storey shall be 4.5 m	
	iv) A building frontage shall incorporate visual articulation when the building frontage exceeds 60 metres in length	

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

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

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

The Downtown Commercial (CD) zone is applied to the Downtowns of Glace Bay and North Sydney. This zone recognizes the importance of these areas as central community spaces full of traditional character and historic buildings. The established mixed use development pattern is

intended to continue with infill encouraged through increased height allowances and a mixture of uses. This zone also contains a core area illustrated as CDCC on the Land Use By-law Map.

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

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

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

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

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

THAT: Chapter 6 Commercial Zones, Subsection 6.3.2 Zone Standards of the Land Use By-law is hereby amended by deleting it and replacing it with the following;

a)	Minimum Lot Frontage	10 m
b)	Minimum Front Yard Setback	Nil
c)	Maximum Front Yard Setback	6 m
d)	Minimum Rear Yard Setback	

	Abutting a Residential Zone	3 m
	Other	nil
e)	Minimum Side Yard Setback	
	Abutting a Residential Zone	1.25 m
	Other	nil
f)	Minimum Flankage Yard Setback	nil
g)	Maximum Building Height	18 m or 6 storeys
h)	Minimum Lot Coverage	30 %

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

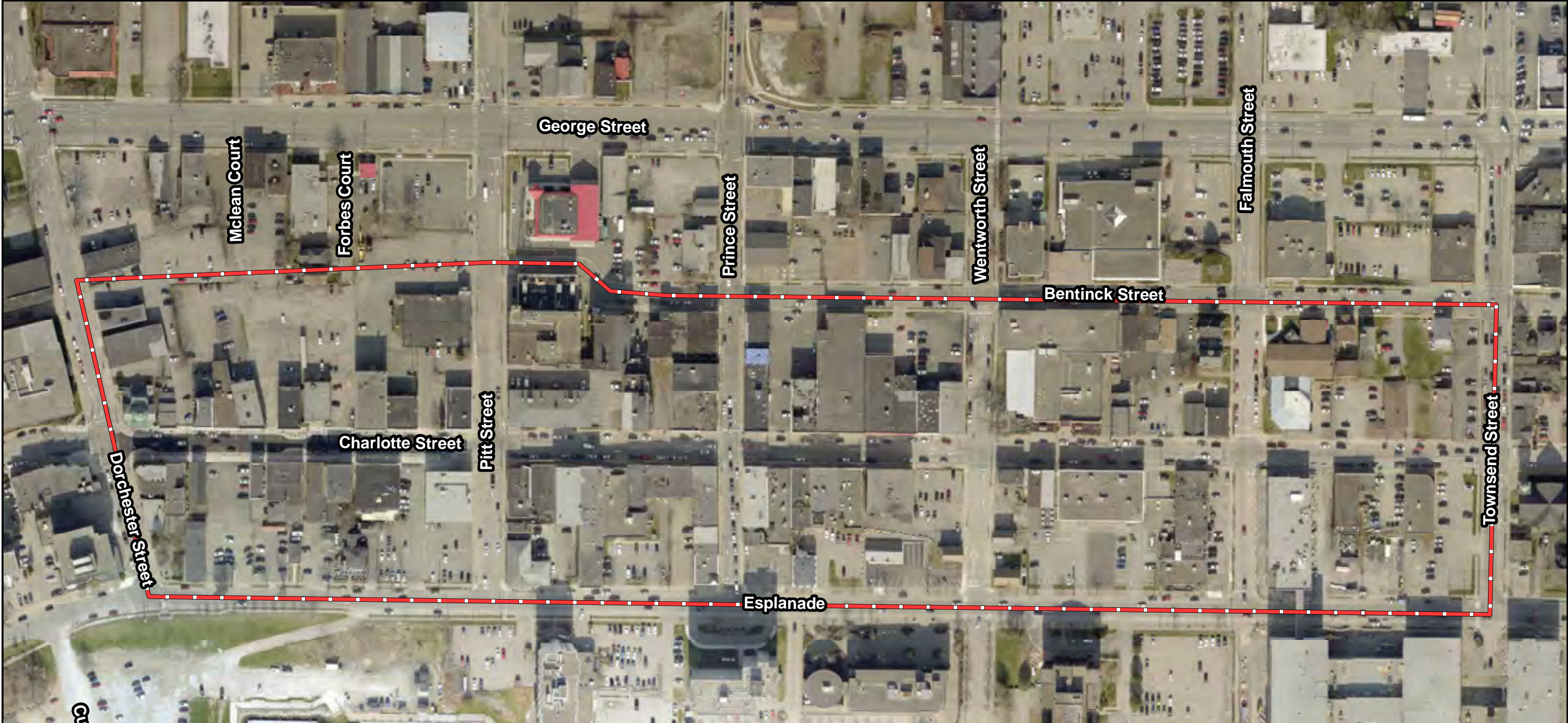
MAYOR

CLERK

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

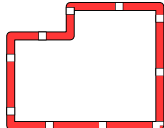
Christa Dicks, CLERK

Case 1100 - Proposed Amendment to the CBRM Landuse By-law



Schedule A
CORE ILLUSTRATION - SYDNEY

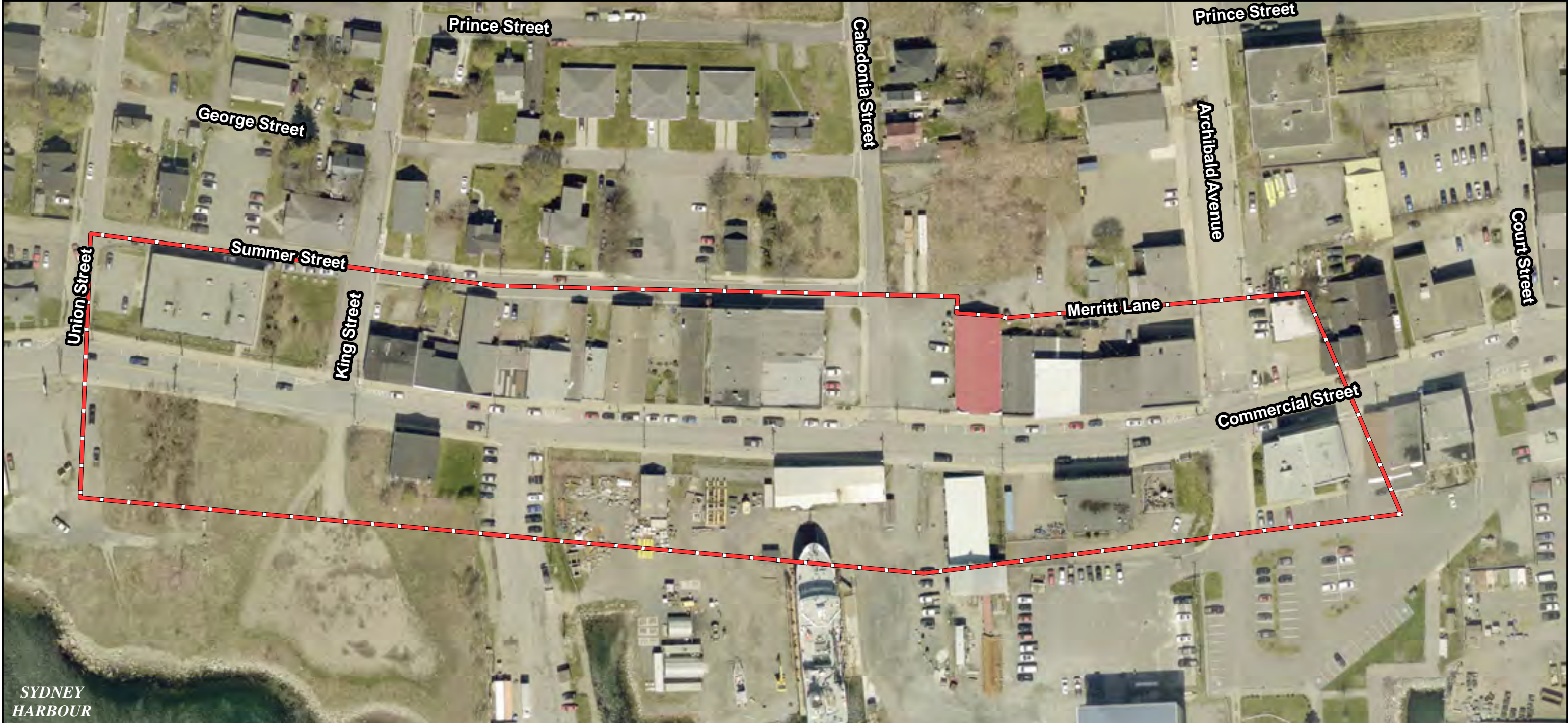
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Sydney Core

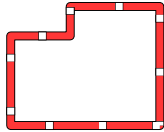
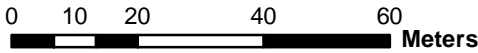


Case 1100 - Proposed Amendments to the CBRM Landuse By-law



SYDNEY HARBOUR

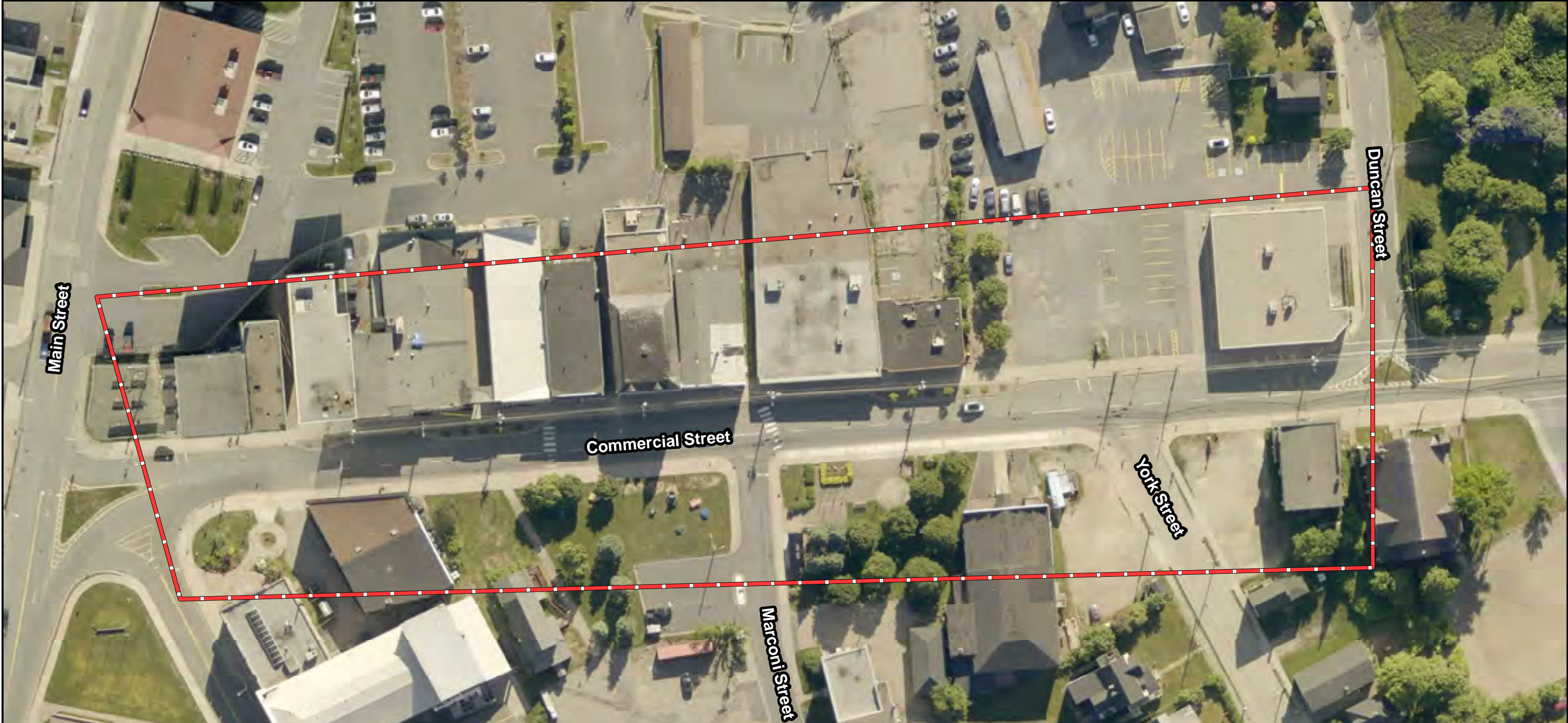
Schedule B
CORE ILLUSTRATION - NORTH SYDNEY



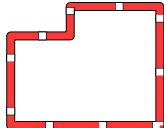
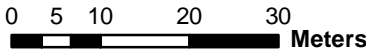
North Sydney Core



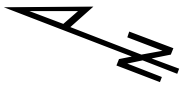
Case 1100 - Proposed Amendments to the CBRM Landuse By-law



Schedule C
CORE ILLUSTRATION - GLACE BAY



Glace Bay_Core





Cape Breton
Regional
Municipality

2026 Land Use By-law Review



Statutory Authority



Municipal Government Act:

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

A Public Hearing has been scheduled for these amendments adjoining the presentation of this report. As per the requirements of the Municipal Government Act, notice of the Public Hearing has been posted June 6th, and 13th in the Cape Breton Post. At the time this report was prepared, no comments were received by the Planning and Development Department.

Chapter 2 - Administration



2.8.7 Existing Buildings and Non-compliance with Lot Zone Standards

The Land Use By-law provides a provision for existing buildings in non-compliance with zone standards to be enlarged, reconstructed, repaired or renovated given that it does not further reduce the building setback that do not conform to this Bylaw.

However, the wording is currently specific to main buildings. To allow for flexibility for existing buildings accessory buildings it is recommended this section be amended.

2.8.7 Existing Buildings and Non-compliance with Lot Zone Standards

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

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

required by this Bylaw, the building may be:

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

provided that:

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

Chapter 3 - Definitions

The Land Use By-law provides definitions for terms contained within its provisions. These definitions aid Staff in consistently applying the provisions of the By-law as well as aiding the public in interpreting its intent.

As Staff continue to utilize this section of the By-law, amendments to existing definitions have been proposed to improve their clarity. As well, definitions have been added to provide further context to provisions of the By-law.

Definitions amended for clarity

- Contractor
- Dwelling Unit
- Dwelling, Two Unit
- Existing
- Motor Vehicle Related
- Parking Lot

Definitions added

- Breezeway
- Utility Structure



Chapter 4 - General Provisions

4.1 Accessory Buildings

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

4.1.2 Total Lot Coverage

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

4.1.5 Height

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



Chapter 4 - General Provisions



4.18 Parking and Loading

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

4.18.1 General Provisions

To improve implementation and remain consistent with the provisions of the 2004 Land Use By-law, the following amendments have been proposed;

- Subsection 4.18.1 b) should be amended to delete reference to ‘a parking area of more than five vehicles’ and instead read ‘a parking area capable of accommodating three or more parking spaces’;
- It is also recommended Subsection 4.18.1 c) be amended to add reference to abutting Residential Uses to apply this protection this provision provides to Residential Uses within commercial zones.

4.18.2 Driveway Access

With a rise in Development Permits for Townhouse style construction, Staff have identified two areas in Section 4.18.2, Driveway Access, that should be amended to further support this type of development.

- It is recommended that 4.18.2, be amend by adding ‘b) Notwithstanding Subsection a), a Townhouse Dwelling may have one driveway per dwelling unit to a max of 6m in width.
- Subsection 4.18.2 e) contains standards for both maximum total driveway width, and maximum area a driveway cannot exceed within the front yard of a development. Where this one provision speaks to two standards, it should be amended for clarity and consistency by separating each standard into their own provision.

Chapter 4 - General Provisions



4.21 Shared Driveways

The provisions for of the LUB for Shared Driveways currently require lots not fronting on a public street to provide proof of legal easement as part of their Development Permit application.

To be more consistent in our application of this provision, Subsection 4.21 c) should be amended to require proof of easement for all lots serviced via a Shared Driveway.

4.22 Signs

In last years review, Staff made amendments to the maximum size of wall signs, reducing their overall maximum size. Since then, Staff have determined that the changes made were overly restrictive, to mitigate this, Subsection 4.22.8 of the LUB should be amended raise to the maximum sign face area of a Wall Sign in Non-Residential Zones to .75 Square meters per metre of occupied building frontage..

4.23 Solar Collectors (Main Use) an Solar Farms

The existing provisions with Section 4.23 Solar Collectors, Subsection 4.23.2 Solar Collectors (Main Use) and Solar Farms did not make reference to zone standards such as maximum lot coverage applying to Main Use Solar Collectors/Farms. To improve clarity, this subsection should be amended to confirm these uses must conform to the applicable zone standards for a main use.

Chapter 6 - Commercial Zones



Illustration of Downtown Cores

With the adoption of the new Land Use By-law, development standards across several downtown zones were revised to encourage higher lot coverage and buildings oriented closer to the street, supporting a more compact, urban form. While this intent remains appropriate, implementation has demonstrated that the standards have been applied too broadly.

The 2004 Land Use By-law distinguished areas with more intensive requirements, and it is recommended that this core areas be illustrated on the Zone Map. Re-illustrating defined core areas would allow the more intensive development standards to remain where they are most appropriate, while modestly reducing them in surrounding areas to provide greater flexibility.

SCHEDULE A - CORE ILLUSTRATION, SYDNEY



SCHEDULE B - CORE ILLUSTRATION, NORTH SYDNEY



SCHEDULE C - CORE ILLUSTRATION, GLACE BAY



Chapter 7 - Industrial Zones



Utility and Transportation Zone

The UT, Utility and Transportation Zone is new zone implemented during the adoption of the CBRM Forward Land Use By-law. The permitted uses of the UT zone are very limited and apply mainly to utility and manufacturing uses, with only select services uses permitted.

During its adoption, the UT zone was sweepingly applied in areas surrounding port and industrial lands, potentially limiting the development potential of these lands.

To continue to provide opportunities for sales and service developments within the UT zone, it is recommended that the Subsection 7.3.1 of the LUB be amended to also permit all uses permitted with the BP zone.

BP

6.7. BUSINESS PARK

The Business Park (BP) zone accommodates a concentration of employment uses. This may include a variety of commercial uses, some light industrial uses such as manufacturing, and other compatible uses that serve the daytime populations of the area such as restaurant uses.

Regional Structure

- Employment Area
- Corridor

Land Use Designations

- Business Park

6.7.1. Permitted Uses

<p>SALES</p> <ul style="list-style-type: none"> • All <p>RECREATION</p> <ul style="list-style-type: none"> • All, except campgrounds <p>MANUFACTURING</p> <ul style="list-style-type: none"> • All, except mining products manufacturing <p>TRANSPORTATION</p> <ul style="list-style-type: none"> • All <p>FISHERY</p> <ul style="list-style-type: none"> • All 	<p>SERVICE</p> <ul style="list-style-type: none"> • All <p>INDUSTRIAL</p> <ul style="list-style-type: none"> • Light industrial
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Chapter 6.
Commercial Zones

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UT

7.3. UTILITY AND TRANSPORTATION

The Utility and Transportation (UT) zone is intended for the working industrial harbours, rail lines, the airport, and other lands dedicated to utility uses.

Regional Structure

- All

Land Use Designations

- All

7.3.1. Permitted Uses

SERVICE

- Airport
- Banquet Hall
- Business Office
- Distribution Centre
- Harbour Facility
- Port Facility
- Rail Facility

INDUSTRIAL

- Recycling and Waste Management Facility

MANUFACTURING

- All

FISHERY

- All

TRANSPORTATION

- All

UTILITY

- Utility Facility Services

RESIDENTIAL

- Dwelling unit subject to Section 7.3.3

Chapter 7.
Industrial Zones

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Cape Breton
Regional
Municipality

It is recommended that;
Give Second Reading and approval of
the proposed amendments to the CBRM
Forward Land Use By-law, as set out in
Attachment A.



Cape Breton Regional Municipality

Open Air Burning Bylaw (B-400)

Motion

Moved by Councillor MacMullin, seconded by Councillor Nickituk, to direct the CAO to have staff review the Open Air Burning Bylaw (B-400) which was passed and adopted by council May 18, 1999, with particular attention to Schedule A and Schedule B which outline the areas of CBRM that are permitted and prohibited from participating in open air burning.

Motion Carried

Cape Breton Regional Municipality Burning Bylaw (B-400)

Motion

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

Motion Carried

To: Mayor and Council

Submitted by: Mark Bettens, Fire Chief

Date: June 18, 2026

Subject: Repeal of By-law No. B-400 Respecting Open Air Burning and Adoption of New Open Air Burning By-law

Purpose

The purpose of this report is to seek Council's approval to repeal the existing Open Air Burning By-law (By-law No. B-400) and provide First Reading to a new Open Air Burning By-law that reflects current fire safety practices, provincial regulations, operational realities, and community expectations.

Recommendation

It is recommended that Cape Breton Regional Municipality Council:

1. Repeal By-law No. B-400 Respecting Open Air Burning;
2. Give First Reading to the attached new Open Air Burning By-law;
3. Direct staff to undertake all required advertising and legislative processes necessary for adoption of the new by-law; and
4. Schedule the proposed by-law for Second Reading and final consideration at a future meeting of Council.

Background

The current Open Air Burning By-law (By-law No. B-400) was adopted by Council in 1999 and has remained largely unchanged since its enactment. The by-law was developed at a time when provincial wildfire prevention programs, municipal fire prevention practices, outdoor burning appliances, and public expectations differed significantly from those that exist today.

The existing by-law relies heavily on a municipal permit system that is no longer in use and establishes separate areas of the municipality where burning is either permitted or prohibited.

Since the adoption of By-law B-400, the Province of Nova Scotia has implemented the Burn Safe Program and Burn Safe Map, established province-wide restrictions and seasonal controls, and increased public awareness regarding wildfire risk. In addition, the use of

recreational fire pits, chimineas, outdoor fireplaces, propane appliances, and other outdoor heating devices has become commonplace throughout the municipality.

As a result, Fire and Emergency Services has undertaken a comprehensive review of the existing by-law and developed a modernized framework intended to provide clear, consistent, and enforceable regulations for open air burning throughout the municipality.

Discussion

The proposed Open Air Burning By-law modernizes and simplifies the regulation of outdoor burning within the Cape Breton Regional Municipality.

A significant change is the removal of the existing permit-based system for routine residential burning activities. Under the current by-law, many forms of outdoor burning require a permit issued through the local Fire Chief. The proposed by-law instead establishes clear regulations and performance standards that residents can follow without requiring routine permits while still maintaining compliance with provincial burn restrictions.

The proposed by-law introduces:

- Consistent regulations throughout the municipality rather than different rules based on community boundaries;
- Clear setback requirements from dwellings, structures, fuel sources, and combustible materials;
- Maximum fire size limitations for residential burning;
- Requirements for spark arresting screens and approved burning appliances;
- Defined permitted fuels and prohibited materials;
- Enhanced supervision and extinguishment requirements;
- Regulations governing brush burning, land clearing, and industrial burning activities;
- Authority for municipal enforcement officers to order unsafe fires extinguished; and
- Alignment with the Nova Scotia Burn Safe Map, provincial burn bans, and other provincial wildfire prevention measures.

The proposed by-law also recognizes modern recreational burning practices while maintaining a strong focus on public safety, wildfire prevention, nuisance reduction, and protection of neighbouring properties.

By replacing the existing by-law with a simplified and contemporary framework, the Municipality will improve public understanding of burning requirements, reduce administrative burdens associated with permit processing, and provide clearer enforcement tools for Fire Services and Municipal By-law Enforcement Officers.

Benefits of the Proposed By-law

The proposed by-law will:

- Improve public safety by establishing clear and consistent burning requirements;
- Support wildfire prevention efforts and align municipal regulations with provincial restrictions;
- Reduce confusion among residents regarding permitted burning activities;
- Improve enforceability through modernized definitions and compliance provisions;
- Reflect current outdoor burning technologies and recreational fire practices; and
- Provide a consistent regulatory framework across all areas of the municipality.

Financial Implications

There are no anticipated direct capital or operating budget impacts associated with the repeal of the existing by-law and adoption of the proposed by-law.

Any education, communication, or enforcement requirements associated with implementation are expected to be managed within existing departmental resources.

Strategic Alignment

The proposed by-law supports Council's objectives relating to:

- Public safety;
- Risk reduction and emergency preparedness;
- Environmental stewardship;
- Efficient municipal service delivery; and
- Regulatory modernization.

The by-law also supports Fire and Emergency Services' ongoing efforts to reduce preventable fires and improve community resilience to wildfire events.

Consultation

The proposed by-law has been developed through a review of:

- The existing CBRM Burning By-law B-400;
- Current provincial wildfire prevention legislation and restrictions;
- Nova Scotia Burn Safe Program requirements;
- Current fire service best practices; and

Alternatives

Council may:

1. Approve First Reading of the proposed by-law and proceed with the adoption process;
2. Direct staff to revise the proposed by-law prior to First Reading; or
3. Decline to proceed with the proposed by-law and retain the existing By-law No. B-400.

Conclusion

The existing Open Air Burning By-law has served the Municipality for more than twenty-five years. However, significant changes in fire prevention practices, provincial wildfire regulations, and public expectations warrant the adoption of a modernized regulatory framework.

The proposed Open Air Burning By-law provides clear, practical, and enforceable regulations that support public safety while allowing residents and property owners to continue appropriate outdoor burning activities. Repealing By-law No. B-400 and adopting the new by-law will ensure that municipal regulations remain current, consistent, and aligned with modern fire safety practices.

Attachments

1. Draft Open Air Burning By-law
2. Existing Open Air Burning By-law (By-law No. B-400)

Report Prepared by:

Stephen MacKenzie

Fire Prevention Officer

Cape Breton Regional Fire & Emergency Service

CAPE BRETON REGIONAL MUNICIPALITY

BY-LAW NUMBER _____

A By-Law Respecting Open Air Burning Within the Cape Breton Regional Municipality

1. SHORT TITLE

1.1 This By-Law may be cited as the “Open Air Burning By-Law”.

2. PURPOSE

2.1 The purpose of this By-Law is to regulate Open Air Burning within the Cape Breton Regional Municipality.

3. DEFINITIONS

3.1 In this By-Law:

3.1.1 “Accessory Building” means a detached subordinate structure located on the same property as a main building.

3.1.2 “Approved Device” means a Canadian Standards Association (CSA) or Underwriters Laboratories of Canada (ULC) approved appliance designed for outdoor burning or heating purposes.

3.1.3 “Brush Burning” means the outdoor burning of brush, branches, yard waste, or similar vegetative material.

3.1.4 “Burn Barrel” means a metal container designed for the controlled burning of dry wood.

3.1.5 “Burn Safe Map” means the Nova Scotia Burn Safe Map published by the Province of Nova Scotia.

3.1.6 “Campfire” means a small outdoor recreational fire used for warmth or cooking.

- 3.1.7 “Chiminea” means a freestanding outdoor fireplace or enclosed fire chamber, typically made of metal or clay, designed for outdoor burning or heating purposes.
- 3.1.8 “Combustible Material” means any material capable of igniting and burning.
- 3.1.9 “Dwelling” means a building or portion of a building used or intended to be used as a residence.
- 3.1.10 “Enforcement Officer” means a person appointed or authorized by the Municipality to administer and enforce this By-Law.
- 3.1.11 “Fire Bowl” means a portable or fixed outdoor receptacle designed to contain an open flame for recreational burning or outdoor heating.
- 3.1.12 “Fuel Source” means any propane cylinder, fuel tank, gas meter, fuel storage container, or other flammable fuel source.
- 3.1.13 “Industrial Burning” means burning associated with land clearing, forestry, commercial, industrial, or construction activities.
- 3.1.14 “Land Clearing” means the removal of trees, brush, stumps, or other vegetation from land for development, construction, or other purposes.
- 3.1.15 “Open Air Burning” means any fire set outdoors and includes recreational fires, Brush Burning, Burn Barrels, and Industrial Burning.
- 3.1.16 “Provincial Burn Ban” means any burn ban, restriction, or condition imposed by the Province of Nova Scotia, including those shown on the Burn Safe Map.
- 3.1.17 “Residential Burning” means recreational or backyard burning conducted on residential property.

4. GENERAL PROVISIONS

4.1 A person must not carry out Open Air Burning except in accordance with this By-Law.

4.2 An owner or occupier must not permit Open Air Burning on property owned or occupied by that person except in compliance with this By-Law.

4.3 A person must not carry out Open Air Burning in a manner that causes excessive smoke, sparks, ash, or odour so as to create a nuisance, danger, or unreasonable

interference with the use and enjoyment of neighbouring property.

4.4 The Municipality may impose temporary restrictions or a temporary prohibition on Open Air Burning where necessary for public safety, wildfire risk reduction, or emergency response.

4.5 Where a provision of this By-Law conflicts with another applicable law, regulation, or permit condition, the more restrictive provision governs.

5. RESIDENTIAL BURNING

5.1 Location Requirements

5.1.1 A person must not ignite or maintain Residential Burning except in compliance with this section.

5.1.2 Residential Burning must be located a minimum of 3 metres from:

5.1.2.1 any Dwelling;

5.1.2.2 any Accessory Building or other structure;

5.1.2.3 any Fuel Source; and

5.1.2.4 any Combustible Material.

5.1.2 A Fire Pit, Campfire, Chiminea, Fire Bowl, Stove, or Burn Barrel must not be located:

5.1.3.1 on a deck, or

5.1.3.2 on a combustible surface, unless the manufacturer specifically approves such use.

5.2 Fire Size Limits

5.2.1 A person must not ignite or maintain Residential Burning that exceeds:

5.2.1.1 0.6 metres in width; and

5.2.1.2 0.45 metres in height.

5.3 Approved Devices

5.3.2 A gas-fired device, including a propane or natural gas barbecue, fire bowl, stove, or patio heater, must:

5.3.2.1 be designed and certified for its intended purpose; and

5.3.2.2 be operated in accordance with the manufacturer's instructions.

5.3.3 A metal mesh screen with openings not exceeding 13 mm must be installed over the top opening of a wood-burning fire pit or appliance while it is in operation.

5.3.4 A person operating an Approved Device or other burning appliance must ensure that it:

5.3.4.1 is maintained in safe operating condition;

5.3.4.2 remains properly closed while in operation; and

5.3.4.3 has all screens securely installed.

5.4 Permitted Fuel

5.4.1 Only dry, seasoned wood is to be burned for Residential Burning.

5.5 Prohibited Materials

5.5.1 A person must not burn any of the following materials:

5.5.1.1 Garbage or household waste;

5.5.1.2 Food scraps;

5.5.1.3 Petroleum-based products;

5.5.1.4 Tires;

5.5.1.5 Cardboard;

5.5.1.6 Plastic;

- 5.5.1.7 Construction or demolition materials;
- 5.5.1.8 Wet or green wood; or
- 5.5.1.9 Any material that creates excessive smoke, sparks, or toxic emissions.

5.6 Supervision and Safety Requirements

- 5.6.1 A person must not leave Residential Burning unattended.

- 5.6.2 At least one person who is nineteen (19) years of age or older must be present at all times while Residential Burning is occurring.

- 5.6.3 A person carrying out Residential Burning must keep suitable fire suppression equipment readily available, including:
 - 5.6.3.1 a water source;
 - 5.6.3.2 a shovel; or
 - 5.6.3.3 other suitable extinguishing equipment.

- 5.6.4 A person must not ignite or maintain Residential Burning during:
 - 5.6.4.1 high winds;
 - 5.6.4.2 extreme dry conditions; or
 - 5.6.4.3 any other weather or site condition that makes burning unsafe.

5.7 Extinguishment

- 5.7.1 All Residential Burning must be fully extinguished before the site is left unattended.

- 5.7.2 The person responsible for Residential Burning must:
 - 5.7.2.1 apply sufficient water to the fire and ashes; and
 - 5.7.2.2 stir the ashes until all materials are cool to the touch.

5.8 General Residential Burning Provisions

5.8.1 No more than one Residential Burning fire is permitted on a property at any one time.

5.8.2 Residential Burning must comply with:

5.8.2.1 any Provincial Burn Ban in effect;

5.8.2.2 the Burn Safe Map; and

5.8.2.3 any burn times, seasonal restrictions, or fire bans established by the Municipality or the Province of Nova Scotia.

5.8.3 Burn Barrels are prohibited where prescribed by the Province of Nova Scotia.

6. INDUSTRIAL BURNING, LAND CLEARING, AND BRUSH BURNING

6.1 Setback Requirements

6.1.1 A person must not carry out Industrial Burning, Land Clearing, or Brush Burning within 15 metres of:

6.1.1.1 any Dwelling;

6.1.1.2 any Accessory Building;

6.1.1.3 any tree line; and

6.1.1.4 any property line.

6.2 Burning Limits

6.2.1 No more than two piles of Combustible Material are to be present on a property at one time for the purposes of Industrial Burning, Land Clearing, or Brush Burning.

6.2.2 Only one pile of Combustible Material is to be actively burned at any given time.

6.2.3 A person must not ignite or maintain a pile of Combustible Material that exceeds:

6.2.3.1 3 metres in diameter; and

6.2.3.2 2 metres in height.

6.3 Supervision Requirements

6.3.1 At least two persons who are nineteen (19) years of age or older must be present at all times during Industrial Burning, Land Clearing involving burning, or Brush Burning.

6.3.2 A person carrying out Industrial Burning, Land Clearing, or Brush Burning must keep adequate firefighting equipment available on site to control and extinguish the fire.

6.4 Permit Requirements

6.4.1 A person conducting Industrial Burning, Land Clearing, or Brush Burning must:

6.4.1.1 obtain all required permits issued by the Province of Nova Scotia or any other competent authority; and

6.4.1.2 comply with all applicable permit conditions, provincial requirements, and other legal requirements governing the burning activity.

6.5 Compliance with Provincial and Municipal Restrictions

6.5.1 Industrial Burning, Land Clearing, and Brush Burning must comply with:

6.5.1.1 the Burn Safe Map;

6.5.1.2 Provincial burn times; and

6.5.1.3 any municipal restriction or fire ban in effect.

7. ENFORCEMENT

7.1 Inspections and Compliance

7.1.1 An Enforcement Officer may, at any reasonable time and in accordance with law, enter upon property for the purpose of administering and enforcing this By-Law.

7.1.2 A person carrying out Open Air Burning must, upon request of an Enforcement Officer, provide any permit or other information reasonably required to determine

compliance with this By-Law.

7.2 Orders to Extinguish

7.2.1 An Enforcement Officer may order any Open Air Burning to be reduced, controlled, or extinguished immediately where, in the opinion of the Enforcement Officer:

7.2.1.1 the fire presents a safety hazard;

7.2.1.2 the fire creates excessive smoke or nuisance;

7.2.1.3 weather or site conditions make burning unsafe; or

7.2.1.4 the fire contravenes this By-Law, a permit condition, or any applicable law.

7.2.2 A person to whom an order is given under subsection 7.2.1 must comply with the order immediately.

7.2.3 Where a person fails to comply with an order under this By-Law, the Municipality may take such action as is reasonably necessary to carry out the order, at the expense of the person in default.

7.3 Offence and Penalty

7.3.1 A person who contravenes this By-Law or fails to comply with an order made under this By-Law is guilty of an offence and liable, on summary conviction, to a penalty as provided by law.

8. SEVERABILITY

8.1 If any provision of this By-Law is held by a court of competent jurisdiction to be invalid, that provision is severed and the remainder of the By-Law will remain in force.

9. EFFECTIVE DATE

9.1 This By-Law comes into force on the date adopted by the Council of the Cape Breton Regional Municipality.

PASSED AND ADOPTED by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on _____, 2026.

Cecil P. Clarke, Mayor

Christa Dicks, Municipal Clerk

THIS IS TO CERTIFY that the attached is a true and correct copy of the Open Air Burning By-Law of the Cape Breton Regional Municipality as adopted by Council on _____, 2026.

Christa Dicks, Municipal Clerk

ATTACHMENT: CURRENT BYLAW

BE IT ENACTED by the Cape Breton Regional Council that Bylaw _____ Respecting Open Air Burning is hereby enacted:

**CAPE BRETON REGIONAL MUNICIPALITY
BYLAW NUMBER B _____
RESPECTING OPEN AIR BURNING**

Title

1. This Bylaw shall be known as the “Cape Breton Regional Municipality Burning Bylaw”.

Definitions

2. In this Bylaw;

- a) “Fire Chief means , for the purposes of this Bylaw, the Captain or Chief Officer of “fire department” or “fire company”, or his designate, in and for the fire protection district of the Municipality in which the fire is proposed to be ignited;
- b) “Fire Protection District” means that area of the Municipality which a fire department or a fire company serves and for which it is responsible.
- c) “Municipality” means Cape Breton Regional Municipality;
- d) “Permit” means a Permit for burning in the open air issued by the Fire Chief under the authority of this Bylaw;
- e) “Suitably Equipped” means being in possession of tools or equipment, including without limitation, brooms, rakes, back-tanks, shovels, hoses and an adequate water supply, which may be used to contain and/or prevent the spread of a fire ignited in the open air;
- f) “Grate” means a metal rack supported on a non-combustible enclosure;
- g) “Open Air” means not within a building;

Area of Application

3. a) The Permitting provisions of this Bylaw shall apply to those areas of the Municipality listed in Schedule “A”.
- b) Burning is prohibited in the areas of the Municipality listed in Schedule “B”.

Prohibition

4. (1) Notwithstanding any other provision of this Bylaw, but subject to Section 4 (3) and (4), no person shall ignite a fire in the open air in any area of the Municipality identified in Schedule “B” attached to and forming part of this Bylaw.
- (2) Except as hereinafter provided, and while a Permit is in force, no person shall light, ignite or start to allow or cause to be lighted, ignited or started, a fire of any kind whatsoever in the open air without first having obtained a Permit to do so from the Fire Chief in the form set out at Schedule “C” attached to and forming part of this Bylaw.
- (3) Nothing in this Bylaw shall prohibit the making of a fire by a person travelling in the woods for the purpose of cooking or obtaining warmth or as a distress signal if the fire is made in a suitable place and precautions are taken against the spreading of the fire.
- (4) This Bylaw does not apply to fires made to cook food in barbecues, grates, or other cooking appliances.

Permit Application

5. (1) Any person who proposes to ignite a fire shall make application to the Fire Chief for a Permit.
- (2) The Fire Chief may issue a Permit where it is determined that the provisions of this Bylaw are met and that the proposed burning does not pose a hazard to persons or property.
- (3) In making a determination under subsection (2) the Fire Chief shall take into consideration the following:
 - a) the number of Permits issued on a particular day;
 - b) the velocity of the wind;

- c) the general weather conditions prevalent;
 - d) whether or not the applicant is suitably equipped to ensure the fire is maintained and under control;
 - e) the proposed manner and method of burning;
 - f) whether the applicant owns or is the occupant of the land upon which the burning is intended to occur, or has the written consent, produced prior to the issuance of the Permit, of the owner of the land upon which the burning will occur;
 - g) whether the applicant is 19 years of age or older and ensures that at least one other person, of 19 years of age or greater, suitably equipped to control the fire, will be present while the fire is burning or smouldering;
 - h) any other matter that the Fire Chief determines is relevant to safety.
- (4) A Permit issued under the authority of this Bylaw may be revoked by the Fire Chief at any time where it is determined that the proposed burning will pose a hazard to persons or property;
- (5) Where the Fire Chief determines that the proposed burning would be a hazard to safety or where there is a failure to meet the requirements of the Bylaw, the Fire Chief shall refuse to issue a Permit.
- (6) The Fire Chief may designate the location where and hours during which applications for Permits shall be received.
- (7) The Fire Chief may specify on the Permit the hours of the day and the number of days during which the Permit shall be valid, and in so doing, may distinguish between Permits issued for commercial or other uses, but no Permit shall be issued for a period exceeding two weeks.
- (8)
- a) A Domestic Permit may be issued to a landowner, or an occupant with the landowners permission, to burn Permitted material on a single lot.
 - b) A Domestic Permit may be issued to Permit burning of blueberry fields under two hectares.
 - c) An Industrial/Commercial Permit shall be required for:
 - I) blueberry burning in excess of 2 hectares
 - II) any burning that an individual or contractor has been paid to do
 - d) The fees for burning Permits shall be:

Domestic	Not Determined
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Industrial

- e) The fees for burning Permits will not be added to those already required from the Department of Natural Resources.
- (9) Taking into respect all other conditions, the issuing of a Permit to burn at any time of year, during our frequent periods of wet weather, may apply. i.e. grass, sticks, garden stumple, etc. may be piled and protected by a tarp until rainy weather.

Restrictions

6. The following requirements shall apply at all times to the making of the fire for which a Permit is issued:
- a) the holder of the Permit shall ensure that the Permit is available at the scene of the fire;
 - b) no person shall burn rubber tires, oil, plastic, petroleum products or other like materials;
 - c) all material to be burned shall be piled and placed at least 15 metres from other combustible material;
 - d) where two or more piles to be burned are situate on a single site, only one pile may be burned at a time;
 - e) no fire shall be ignited when the wind is blowing off sufficient velocity such that it may jeopardize the Permit holder's ability to control the fire;
 - f) the person to whom a Permit is issued shall ensure that the fire is not left unattended and that all smouldering embers are completely extinguished after burning is completed;
 - g) the person to whom a Permit is issued shall ensure that the method of burning and material burned is consistent with the information provided to the Fire Chief when the Permit was issued;
 - h) the fire department shall be notified immediately if the fire is or appears to be getting out of control;
 - i) no burning shall commence before 8:00 am and fires must be extinguished by 9:00 p.m. of the same day;

- j) The Permit Holder may be required to pay all expenses incurred in controlling or extinguishing any fire which may get beyond control or be in danger of doing so or extend to lands of others.

Penalty

- 7. (1) Any person who makes, lights, ignites, or starts or allows or causes a fire to be lighted , ignited or started in the open air without a Permit shall be liable to a penalty on conviction of not less than One Hundred Dollars (\$100) and not more than Five Thousand Dollars (\$5000) or in default of payment, to imprisonment for a period not exceeding thirty (30) days;
- (2) Any person to whom a Permit has been issued who fails to comply with any provision of this Bylaw or any Permit issued hereunder or any condition of such a Permit shall be liable to a penalty on conviction of not less than One Hundred Dollars (\$100) and not more than Five Thousand Dollars (\$5000) or in default of payment, to imprisonment for a period not exceeding thirty (30) days.

Compliance With Other Acts

- 8. Nothing in this Bylaw serves to exempt any person from obtaining any license, permission, Permit, authority or approval required by any other Bylaw or regulation of the Municipality or any statute or regulation of the Province of Nova Scotia.

Previous Bylaws Repealed

- 9. All Burning Bylaws or similar Bylaws adopted by the former municipalities of Cape Breton County to regulate and prohibit open air burning are hereby repealed and the provisions of this Bylaw substituted therefore.

***PASSED AND ADOPTED** by a majority of the whole Council at a duly called meeting of the Cape Breton Regional Municipal Council held on May 18th, 1999.*

MAYOR

CLERK

THIS IS TO CERTIFY that the attached is a true and correct copy of the Burning Bylaw of the Cape Breton Regional Municipality adopted by Council during a meeting held on May 18th, 1999.

BERNIE WHITE, CLERK

PUBLICATION DATE: May 28, 1999

SCHEDULE “A”

Burning in the open air is Permitted in the following areas of the Municipality as defined on (date of Bylaw):

Albert Bridge
Bateston
Big Pond
Birch Grove
Boisdale
Christmas Island
Coxheath
Donkin
East Bay
Florence
Frenchvale
Gabarus
George’s River

Grand Lake Road
Howie Centre
Marion Bridge
Mira Road
New Victoria
Northside East Bay
Port Morien
Reserve Mines
Scotchtown
South Bar
Southside Boularderie
Sydney River
Tower Road
Westmount

SCHEDULE “B”

Burning in the open air is prohibited in the following areas of the Municipality as defined on (date of Bylaw):

Dominion
Glace Bay
Louisbourg

New Waterford
North Sydney
Sydney
Sydney Mines

SCHEDULE "C"

**CAPE BRETON REGIONAL MUNICIPALITY
PERMIT TO BURN**

Issued to:	Telephone	Date
Address		Community
Civic Address of burn site	Valid from	Expires

DESCRIPTION OF PROPOSED BURNING

As holder of this Permit, I assume all responsibility for Complaints or damage resulting from the burning authorized by this Permit.	I am aware that an additional Permit may be required to Comply with the <i>Forest Act</i> .	I understand and agree to Comply with the terms and Conditions of the Bylaw and of this Permit.
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Signature of Permit holder

Date

Pursuant to Cape Breton Regional Municipality Burning Bylaw, permission is hereby granted to the above named to burn material at the site and during the time period specified, subject to the conditions set forth in the Bylaw and this Permit. (See Reverse)

This Permit may be revoked at any time.

Signature of Fire Chief of Designated Issuing Officer

Date

Fee Collected	Mailed to Prevention	Customer Service Centers xxx-xx-x-x---xxxx3700
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1. In determining whether or not to issue a Permit, the Fire Chief shall take into consideration the following:
 - (a) the number of Permits issued on a particular day;
 - (b) the velocity of the wind;
 - (c) the general weather conditions prevalent;
 - (d) whether or not the applicant is suitable equipped to ensure the fire is maintained under control;
 - (e) the proposed manner and method of burning
 - (f) whether the applicant owns or is the occupant of the land upon which the burning is intended to occur, or has the written consent, produced prior to the issuance of the Permit, of the owner of the land upon which the burning will occur;
 - (g) whether the applicant is 19 years of age or older and ensures that at least one other person, of 19 years of age or greater, suitable equipped to control the fire, will be present while the fire is burning or smouldering;
 - (h) any other matter that the Fire Chief determines is relevant to safety.

2. The following requirements shall apply at all times to the making of the fire for which a Permit is issued:
 - (a) the holder of the Permit shall ensure that the Permit is available at the scene of the fire;
 - (b) no person shall burn rubber tires, oil, plastic, petroleum products or other like materials
 - (c) all material to be burned shall be piled and placed at least 15 metres from other combustible material;
 - (d) where two or more piles to be burned are situate on a single site, only one pile may be burned at a time;
 - (e) no fire shall be ignited when the wind is blowing of sufficient velocity such that it may put at risk the Permit holder's ability to control the fire;

- (f) the person to whom a Permit is issued shall ensure that the fire is not left unattended and that all smoldering embers are completely extinguished after burning is completed;
- (g) the person to whom a Permit is issued shall ensure that the method of burning and material burned is consistent with the information provided to the Fire Chief when the Permit was issued;
- (h) the fire department shall be notified immediately if the fire is or appears to be getting out of control
- (i) all burning shall be conducted between the hours of 8:00 am and 9:00 p.m.

STAFF REPORT

To: Mayor and Council

Submitted by: Nancy Dove, Chief Financial Officer

Date: June 23, 2026

Subject: Commercial Development District Improvement By-law

Origin

In accordance with Section 71E of the *Municipal Government Act*, this Commercial Development District Improvement By-law shall be reviewed by the CBRM within four years of its coming into force and every four years thereafter.

Legislation and Related Policies

Municipal Government Act

- Section 71C and Section 71D of the *Municipal Government Act* outline the required process the amendments to the Commercial Development District By-law
- Section 205 of the *Municipal Government Act* outlines the required process for amendments to the Municipal Planning Strategy.

Municipal Planning Strategy

Commercial Development District Improvement By-law

Public Participation and Engagement Programs Policy

Background

The *Municipal Government Act* (MGA) restricts the ability of municipalities to provide tax breaks to a privately owned business. However, in the Spring 2016, the Minister of Municipal Affairs introduced Bill 177 in the Legislature to amend the MGA and the *Halifax Regional Municipality Charter* to create the ability for municipalities to phase in some commercial assessments for designated areas. Bill 177 ultimately passed and became Chapter 13 of the Acts of 2016.

The Province released the “Commercial Assessment Phase-in Tool: A Best Practices Guideline” in September 2016 to support municipalities with this new legislative tool. In accordance with this document, the commercial assessment phase in was designed to be a new tool for municipal units to attract investment to the downtown and support brownfield redevelopment. A brownfield site is often referred to as an urban site having had previous development on it. In some instance these sites are affected by real or perceived environmental contamination.

When this item was presented to Council in 2017, Staff recommended the By-law apply to CBRM's three largest downtown cores (Sydney, Glace Bay and North Sydney) with the option of also applying it to CBRM's three business parks (Sydport, Harbourside, and Northside). However, the direction of Council was for the By-law to apply to all our traditional, historic downtown cores (Sydney, Whitney Pier, New Waterford, Dominion, Glace Bay, Louisbourg, North Sydney and Sydney Mines) plus our three business parks (Sydport, Harbourside, and Northside). The Commercial Development District Improvement By-law was adopted by Council in September 2018.

Discussion

Municipal Government Act

Under the MGA, Council may establish Commercial Development Districts by by-law. Within these districts, municipalities can phase in increases to property taxes on eligible commercial or contaminated properties over a period of up to ten years. This allows property owners to gradually adjust to higher assessments resulting from improvements, redevelopment, or new investment.

The MGA requires districts to be identified in a Municipal Planning Strategy and located in areas serviced by both water and wastewater. The by-law may set a base year and formula to calculate phased-in increases, but owners must still pay at least 50% of the total increase during the phase-in period. Taxes payable under the by-law become a first lien on the property. The commercial tax rate for the area continues to apply.

Once Council adopts a By-law, it must be submitted to the Minister in accordance with the Municipal Government Act. Under the Act, a By-law does not come into force until the Minister has completed a review to confirm that it does not conflict with provincial legislation or provincial interests. The By-law takes effect only upon the Minister's determination or approval. Written notice of the Minister's decision will be provided to the Clerk for the Municipality's records.

Commercial Development District Improvement By-law

The Commercial Development District Improvement By-law contains provision requiring the By-law to be reviewed within four years of it coming into effect and every four years thereafter. The Commercial Development District Improvement By-law falls under the authority of the Finance Department for the CBRM in consultation with the Planning and By-law Department.

Since the adoption of the By-law, fourteen applications have been approved. While this demonstrates a measurable level of uptake, the question remains whether this level of participation represents the full potential of the program. Fourteen approvals may be viewed as a modest success, but it also suggests that greater efforts are needed to raise awareness and encourage investment within the designated districts. Clearer communication, targeted outreach, and stronger alignment with planning and economic development strategies will be important to ensure the program effectively directs new development and redevelopment to these areas.

While staff are not recommending additional Commercial Development District be added, a review of the current Commercial Development District boundaries should be undertaken. The boundaries of the Commercial Development Districts were based on the zone boundaries in the 2004 Land Use By-law. With the adoption of CBRM Forward, it is reasonable to review the current boundaries against the new zone boundaries associated with the Commercial Development Districts. Based on this, only one boundary is recommended to be amended, that being the boundary of the Harbourside Business Park.

The current boundary of the Harbourside Business Park found in the Commercial Development District By-law was initially based on the zoning for the 2004 Land Use By-law. With the adoption of the new Land Use By-law in 2023, the provisions associated with the Harbourside Business Park expanded. Therefore, as part of the review of the By-law, it is reasonable to expand the area associated with the Harbourside Business Park. Due to its proximity to downtown and the central Sydney commercial area, this location has long been considered an attractive option for development that can enhance and support the viability of existing commercial districts.

In addition to the recommended update to the Harbourside Business Park map boundary, Staff are also asking Council to consider a series of amendments to the text of the Commercial Development District Improvement By-law to improve its implementation. These amendments would provide options for phased development and would allow the program to begin in the first year following the issuance of an Occupancy Permit, rather than upon approval of a Building Permit. Staff will present these proposed amendments to Council when the results of the Public Participation Program are brought forward.

Municipal Planning Strategy

In accordance with the MGA, the Municipal Planning Strategy (MPS) contains a policy (ED-3) that acknowledges the Commercial Development District Improvement By-law.

Should council choose to proceed with considering amending the boundaries of the commercial development district identified in the Commercial Development District Improvement By-law a MPS amendment would be required. Amendments to the MPS would require approval of a public participation program and require council to hold a public hearing prior to making any decisions.

Conclusion and Financial Implications

Because the legislation requires that Commercial Development Districts be located in serviced areas (water and wastewater), these tools are intended to support growth where infrastructure already exists. They were not designed to apply universally across all commercial developments. For this reason, staff is not recommending the addition of new to the Commercial Development Districts to the By-law.

The original intent of this legislation was to provide a tool for revitalizing historic downtown cores. However, because the Act does not explicitly restrict CDDs to downtown areas, CBRM has discretion in how broadly it applies the program. Staff caution that expanding the districts

beyond targeted growth areas would dilute the tool's effectiveness and increase financial risk. Finally, any CDD By-law adopted by Council must still be submitted to the Minister for review and approval before it comes into effect.

As stated earlier, the tax rate itself does not change because of the adoption of a By-law. This means all the businesses in a designated area do not experience an adjustment, the phase in taxation opportunity only applies to an increase in assessment resulting from new construction or the expansion or renovation of eligible properties.

This tool is therefore best understood as a phased tax relief mechanism tied to increases in assessed property value, intended to encourage reinvestment and redevelopment in designated areas, not as a universal tax break.

From an administrative perspective, under its current configuration, existing staff resources are sufficient to manage the program. However, any significant amendment of the By-law to have additional districts or a larger number of eligible properties could increase the administrative burden and result in the need for additional staffing resources.

The adoption of a Commercial Development District By-law has direct impacts on municipal taxation and revenue. Because the tool phases in tax increases tied to higher property assessments, CBRM would collect reduced commercial tax revenue during the phase-in period compared to full taxation at the time of reassessment. While the municipality eventually realizes the full assessed tax value, the delay in revenue growth may affect annual budgeting and limit resources available for municipal services in the short to medium term.

If the By-law is applied too broadly, the revenue impact could be significant. Incentives could be captured by businesses or national chains whose development decisions are not influenced by the program, reducing the effectiveness of the tool while eroding the commercial tax base. This could result in a heavier relative tax burden on residential taxpayers if commercial revenues do not keep pace with service demands.

When applied strategically, however, the By-law can stimulate new investment that would not otherwise occur, ultimately expanding the tax base and generating long-term financial benefits for the municipality. The net impact therefore depends on careful designation of districts, effective communication of program intent, and alignment with planning and economic development priorities.

Community Engagement

A Public Participation Program is required in accordance with the *Municipal Government Act*. Staff will work with members of the Communication Department to determine the type of public engagement based on the requirements of CBRM's Public Participation and Engagement Programs Policy.

Comments will also be sought from abutting municipalities and First Nations Communities in

compliance with CBRM's Public Participation and Engagement Programs Policy.

Recommendation

It is recommended that Committee of the Whole recommend Council pass a motion directing staff to conduct a Public Participation Program to consider amendments to Policy ED-3 of the Municipal Planning Strategy to amend the boundary for the Harbourside Business Park.

Options

1. Keep the boundaries of Commercial Development District By-law. With this, there would be no changes to the geographic areas where the By-law applies. Staff would still be recommending Council consider text amendments to the By-law.
2. To expand the Commercial Districts within Commercial Development District Bylaw beyond what is recommended in this staff report. This would require extensive engagement with the public and would have significant financial risk to the municipality.

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

Report Prepared by: Nancy Dove

Commercial Assessment

Phase-in Tool

A Best Practice Guide

Amendments to MGA and HRM Charter, S.N.S. 2016, c. 13

September 2016

Ask your municipal advisor for help



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Introduction

In spring 2016, the Minister of Municipal Affairs introduced Bill 177 in the Legislature to amend the *Municipal Government Act* and the *Halifax Regional Municipality Charter* to create the ability for municipalities to phase in some commercial assessments. Bill 177 was ultimately passed and became Chapter 13 of the Acts of 2016¹.

In response to challenges identified by municipalities, these amendments allow a phase in of commercial assessment increases over a period not exceeding ten years in an area designated a commercial development district. Commercial assessment phase in was designed to be a new tool for municipal units to attract investment to the downtown and support brownfield redevelopment. The phase in assessment tool does not change property tax rates. Instead, it is designed to phase in commercial assessment increases either due to commercial investment or new construction, including brownfield remediation, for lower commercial property tax bills. These amendments acknowledge goal six of the Towns Task Force to provide new tools to increase economic growth in downtowns.

The amending Act that enables this tool directs a municipality to designate a commercial development district in accordance with its municipal planning strategy (MPS) and develop a by-law respecting the use of the tool in this area. The designated commercial development district must be serviced by water and wastewater infrastructure. Commercial properties within the designated commercial development district and meeting the criteria established by the municipality would be eligible for the phase in of assessment. A formula to phase in these increases annually cannot allow the municipality to forego more than 50% of the tax revenue generated by either the investment or redevelopment over a maximum of ten years.

In its by-law, council must identify the base year to which the by-law applies, the applicable phase in period, and a formula to be applied to any increase in the assessed value over the base year. It must also identify the parameters of the properties to be included, and it is encouraged that the threshold also be identified in the by-law. The municipality must review the by-law within four years or sooner of its coming into force and then every four years after.

Through this tool, municipalities have the opportunity to collect property tax on a modified phase in assessment. This can occur through less funds being collected from the business during the phase in period or through a partial refund of the incremental taxes paid in that tax year for eligible properties.

The information presented below provides guidance on how to use the phase in commercial assessment tool. It includes information on the process as well as on items your municipality should consider if it decides to develop a by-law to use the tool. This tool can be used to support a variety of objectives: focus economic development, encourage brownfield redevelopment, or stabilize increasing commercial property taxes. Council's objectives with this tool should determine how the by-law is developed. Examples are included in this guide to clearly identify how different phase in assessment formulas can impact commercial property taxes as well as municipal revenues.

Before moving forward to develop a by-law, your municipality is strongly encouraged to contact its Municipal Advisor for support.

¹ To read Chapter 13 of the Acts of 2016 go to <http://nslegislature.ca/legc/index.htm>

When to Consider

Prior to determining that the phase in tool should be used within a particular area, and identifying this area in the MPS, the municipality should review assessed commercial values in a desired area as well as any pending changes. By examining, at minimum, the past five years of commercial data and growth trends, the municipality can determine if the tool is appropriate for the area as well as the potential scope and impact on municipal revenues. Municipalities may wish to use the phase in assessment tool in a variety of ways to support economic growth linked to municipal planning priorities and to grow their tax base. The following examples will illustrate the three instances a municipality may want to use the phase in tool and items it should consider in these instances.

Support economic growth in areas of low annual assessment increase

A municipality may want to use the phase in assessment tool to support an area of low increases in annual assessment. This area may be a vacated downtown or area where business owners may be hesitant to invest in their properties' exteriors. In this instance, the municipality may consider triggering the phase in after a building permit application has been made as it encourages renovations and updates to the area. The municipality may also want to consider a low threshold and lengthy phase in period to ensure the taxation on increases in assessed values occur gradually and in keeping with returns on these investments.

Support commercial property owners in areas where upward assessment pressure is occurring

There may be areas of upward assessment pressure on businesses within a designated area due to investment in the surrounding area. In this instance, the municipality may want to consider an annual assessment threshold that reflects this upward pressure and trigger the phase in based on an annual review of the assessments in the designated area. The base year could be chosen to reflect the upward pressure. The phase in tool in this instance would provide stability to commercial enterprises that have not changed their business model but have upward pressure on their assessed value and therefore on their property taxes.

Support the development of brownfield sites

The municipality may use the phase in tool to support the development of brownfield (contaminated industrial) sites that are highly likely to have their assessed value increase after they have been developed. The municipality may want to trigger the phase in after the redevelopment has been completed and after a building permit has been issued. In this instance, the impact of the phase in on municipal revenues will likely be minimal due to the quantity of brownfield sites in the designated area as well as the resultant higher assessed value, compared to the base year. The phase in tool for brownfield sites should be designed to remove the disincentive to develop the property.

Municipalities may want to consider creating one by-law with different sets of criteria for these types of activities. Criteria for former brownfield sites can be different than those located in an area with overall low assessment increases and vacant storefronts.

Projected Commercial Tax Implications (\$ thousands)

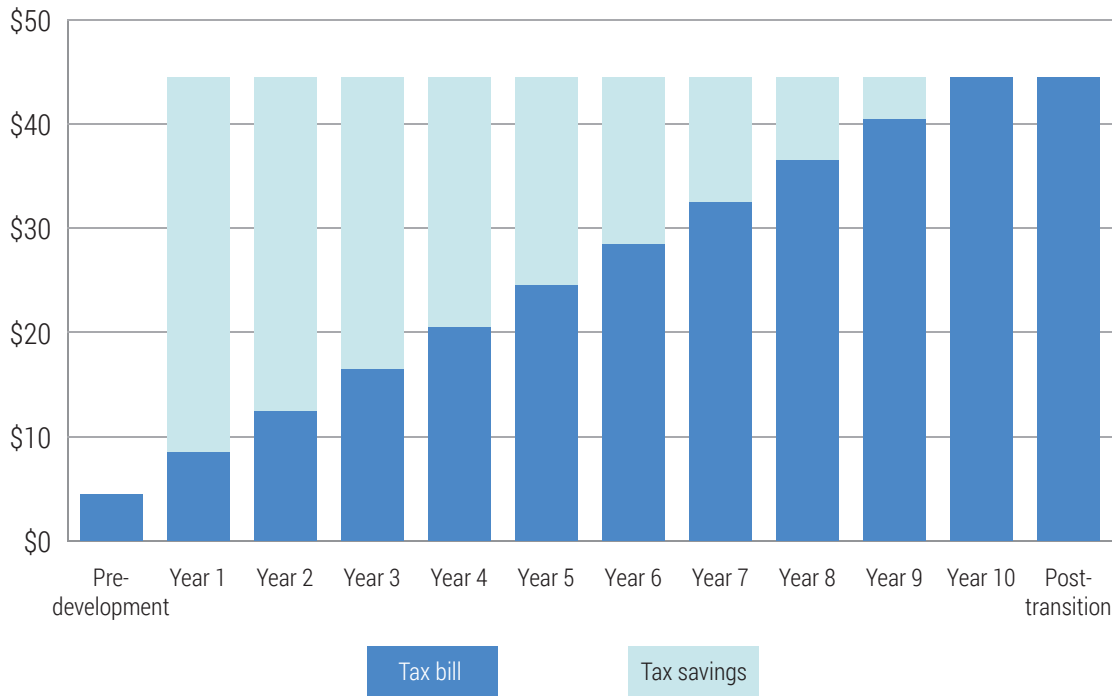


Figure 1. The tool is designed to allow for gradual increases in the tax bill of a commercial enterprise rather than allow for development or market forces to impact the property tax bill drastically. This tool allows the increase in property taxes after an investment to occur gradually and ideally in tandem with returns on the investment.

Currently, the Province of Nova Scotia along with all other provinces and territories is negotiating a modernization of the Agreement on Internal Trade. This modernized Agreement will be applicable to municipal units in a variety of areas nationally and restricts municipalities, and the provinces and territories, **from discriminating between businesses when providing incentives i.e. incentivizing some businesses and not others that are all qualified under the measure. The measure must not be enterprise² or industry specific³.** This tool has been designed to adhere to this Agreement and municipal units must design the by-law to adhere to the Agreement on Internal Trade. Broad exemptions cannot be industry or enterprise specific. The submission of the completed by-law to the Department of Municipal Affairs is designed to ensure the municipalities are adhering to the applicable internal trade agreement.

² A measure that targets a particular company or companies for incentives.

³ A measure that targets a particular sector or sectors for incentives.

The Process (Municipal Planning Strategy, By-Law, Implementation)

A municipality hoping to use this new tool:

1. **Must** identify the 'commercial development district', in accordance with the Municipal Planning Strategy.
 - May be defined in the by-law or MPS, provided the geographical boundaries are described and the district is not in conflict with the MPS;
 - This area **must** be serviced by water and wastewater;
 - Creating or amending a municipal planning strategy process is subject to public input and scrutiny;
 - All municipal planning strategies and their amendments are reviewed by the Department of Municipal Affairs to ensure they are consistent with provincial statements of interest

2. **Should** identify a threshold (if any) to be eligible for the phase in of assessment and designate it a commercial development district.
 - Eligible parameters to be eligible for the phase in (year to year % increases, \$ value increases, etc.);
 - e.g. 'Commercial properties that have an annual increase exceeding \$100,000 in assessment'
 - e.g. all commercial properties

3. **Must** create a municipal by-law respecting this designated area.
 - The by-law **should** clearly state the objective of the tool
 - The by-law **should** include:
 - eligibility criteria (new development, brownfield sites; all commercial properties);
 - parameters of the properties to be included, mimicking the MPS
 - triggers (e.g. automatic enrollment for eligible properties, building permit application, or completion of brownfield remediation);
 - the base year to which the by-law applies (typically the year in which a property meets the eligibility criteria);
 - determination of whether the base year will 'reset' if the property has a subsequent increase in assessment that is eligible (see *Special Cases* on page 20 for more detail)

- the applicable phase in period (**must** not to exceed 10 years);
 - a formula to be applied to any increase in the assessed value over the base year;
 - a schedule for assessment phase in
 - The mechanism for achieving the phase in (i.e. levying a reduced tax bill, or refunding a portion of the incremental tax increase).
4. **Must** submit the by-law to the Minister of Municipal Affairs via your Municipal Advisor for review and to determine if it affects provincial interest or conflicts with the law. This review will require a simultaneous submission of the MPS and the by-law developed and include an assessment of trade risks, completed by the Department of Municipal Affairs and the Department of Intergovernmental Affairs. If information in the by-law does not allow for this determination, municipal modifications may be required.
 5. **Must** Review the by-law four years after it comes into force and every four years thereafter.
 6. **Should** ensure commercial property owners are aware of the opportunities this tool provides.
 7. Implementation of the tool will require:
 - municipal staff to calculate the increase in assessment for all properties in the commercial development district that may be eligible;
 - continual application of the chosen formula to the properties currently within the program.

Each municipal unit is responsible for the administration of the by-law it creates. This includes tracking which properties are a part of the program, the modified assessment value, and any other information that is necessary to administer the phase in of the assessment increase.

Design Considerations

If the municipality is designing a phase in assessment tool, it should also consider the following:

- application to multiple commercial properties. This tool is not intended to be applied selectively to individual properties or industries. All properties within the designated commercial development district that meet the criteria will be eligible. Municipalities should therefore consider the budgetary impact of forgoing increased tax revenue in the short term, with the goal of growing their tax base over the long term.

- has there been a sustained increase in the PVSC commercial assessment in the designated area in the past or does the area fluctuate?
- does the municipality have a method to have properties not use the modified assessment if the municipality so desires or if the 50% threshold is exceeded?
- if the municipality believes there will be lot of fluctuation, an assessment schedule to try to phase in the increase with a short period of time to ensure the 50% minimum is met within a short time span
- what should be done if a property has been triggered into the phase in program when the modified assessment is already being used
- commercial properties may continually roll into the program
- there will be appeals of PVSC assessments

By-law Considerations

This phase in tool requires modifications to the MPS and the creation of a municipal by-law. The commercial development district as well as eligibility criteria for commercial properties should be identified in either the MPS or by-law. It is strongly encouraged that, as a matter of best practice, the information below also be included in the municipal by-law to facilitate understanding of the phase in of assessment by commercial property owners and interested citizens.

The items identified below should be included or considered as you develop your municipal by-law. A municipality may choose not to identify certain items in their by-law. The items should be ordered to ensure there is logical progression and are not required to mimic the order below.

Application and Term

- Area of designated commercial development district (with geographic specificity as outlined in the municipal planning strategy)
- Date of application of by-law and duration
- Date of application of phase in
- Triggers: Automatic enrolment? Building permit? Etc.

Properties

- Parameters of eligibility: New development? Brownfield redevelopment? % increase in assessed value? Minimum assessment value?
- Appeals to PVSC assessment

Phase in Schedule

- Identify schedule/formula: can only forego up to 50% of the total tax increase in assessed value over the entire phase in period
- Length of phase in (up to a maximum of 10 years)
- Base year (typically determined by the year a property undergoes an eligible increase)
- If chosen, the threshold that would have the increase in assessment phased in (% year to year changes and/or \$ threshold)
- How meeting multiple phase in thresholds will be dealt with

Phase in Tool Mechanism

- Administratively feasible with lead identified
- Reimbursement of difference between taxes paid and taxes owed with modified assessment OR decrease in the tax levied for the commercial property

Review

- When will the by-law and its effectiveness be reviewed
 - Must be done within 4 years or sooner of coming into force
 - Every four years afterwards
- What will be done with properties under this by-law when the term has expired

Phase In Calculations

Key Variables for Municipalities to Consider:

- Current commercial property tax rates and potential changes
- Phase in period
- Base year
- Changes in assessed value
- Number of properties phase in assessment may be applied to

Rule

The legislation states that the total increase in taxes payable during the phase in period should not be less than 50% of the total increase in taxes in absence of the phase in formula.

Example 1

A phase in period of three years with the following schedule:

- 20% of the increase in assessment included the first year
=> Commercial savings of 80% of the increase
- 20% of the increase in assessment the second year
=> Commercial savings of 80% of the increase
- 60% of the increase in assessment the third
=> Commercial savings of 40% of the increase
- Commercial tax rates do not change

The average of the commercial saving of the increase in assessment, regardless of what this number is, is $(80+80+40)/3 = 66.6$, which exceeds 50. This indicates that the foregone tax revenue is greater than the 50% benchmark allowed in the legislation. This schedule and formula *cannot be used by the municipality*.

Example 2

A phase in period of four years with no change in commercial taxes and the following phase in schedule:

Of the increase in assessment

- 40%
- 50%
- 60%
- 70%

This indicates the annual commercial savings of the increase in assessment are 60%, 50%, 40%, 30%. This averages out to 45 which does not exceed 50. This indicates that the foregone tax revenue is less than the 50% benchmark allowed in legislation. This schedule and formula *can be used by the municipality*.

Examples

Below are a series of examples to display how the phase in assessment tool can function. Each example uses a different phase in schedule. You may want to consider the impacts of the different schedules on annual municipal revenue as you develop a by-law for the designated area. The majority of data below has been taken from real municipalities in Nova Scotia and is solely being used for illustrative purposes. The identified time periods and threshold values should be determined by each municipality to accurately reflect individual context and not be guided by the examples on the next page.

Example 1

Municipal commercial tax rate= \$3 per \$100 of assessment from 2012 to 2016

Phase In Schedule		
Threshold: If the year to year assessed value of the commercial property increases by more than 15%, they will be eligible for the phase in.		
Year 1	Phase in 20% of the increase in assessment	Commercial savings of 80% of the increase
Year 2	Phase in 40% of the increase in assessment	Commercial savings of 60% of the increase
Year 3	Phase in 60% of the increase in assessment	Commercial savings of 40% of the increase
Year 4	Phase in 80% of the increase in assessment	Commercial savings of 20% of the increase
Year 5	Phase in 100% of the increase in assessment	No commercial savings
Rule of Thumb check indicates this schedule is acceptable.		$(80+60+40+20+0)/5= 200/5=40$

Designated Area

The municipality conducts a review of all of the properties in its designated area to assess year to year growth in assessment value. The following are the results:

Status Quo						
Commercial Property	A	B	C	D	E	F
2012 Value	\$134,300	\$152,300	\$214,100	\$499,200	\$110,500	\$ 193,900
2013 Value	\$129,200	\$151,400	\$210,200	\$509,500	\$108,700	\$194,400
2014 Value	\$130,100	\$176,800	\$355,900	\$492,300	\$107,500	\$378,900
2015 Value	\$268,200	\$185,400	\$352,400	\$472,600	\$112,000	\$368,400
2016 Value	\$ 258,300	\$179,100	\$344,400	\$478,300	\$110,000	\$ 365,800
Significant Increase	\$138,100	\$25,400	\$145,700	—	—	\$184,500
Significant Increase as a %	106%	16.78%	69.31%	—	—	94.91%
% Increase from 2012-16	92%	18%	61%	-4%	0%	89%

Property A to F exist in the same area designated by the municipality with the phase in commercial assessment tool. The municipality has outlined that the phase in of the increase in assessment will occur by an equal increment every year for a 5-year period, i.e. 20%.

Property D and E do not qualify for the phase in as the threshold of an increase of 15% from year to year has not been met for those particular properties.

With the assessment phase in schedule noted above, the following occurs:

Property Value	A		B		C		F	
	Original Assessment	Modified Assessment	Original Assessment	Modified Assessment	Original Assessment	Modified Assessment	Original Assessment	Modified Assessment
2012	\$134,300	\$134,300	\$152,300	\$152,300	\$214,100	\$214,100	\$193,900	\$193,900
2013	\$129,200	\$129,200	\$151,400	\$151,400	\$210,200	\$210,200	\$194,400	\$194,400
2014	\$130,100	\$130,100	\$176,800	\$156,480	\$355,900	\$239,340	\$378,900	\$231,300
2015	\$268,200	\$157,720	\$185,400	\$161,560	\$352,400	\$268,480	\$368,400	\$268,200
2016	\$258,300	\$185,340	\$179,100	\$166,640	\$344,400	\$297,620	\$365,800	\$305,100
2017		\$212,960		\$171,720		\$326,760		\$342,000
2018		\$240,580		\$176,800		\$355,900		\$378,900
2019		\$268,200						

Properties D and E do not have any changes and continue to be charged the commercial property tax based on the PVSC assessed value. Meanwhile, properties A, B, C, and F will be charged property tax based on the modified assessment.

Property A Modified Assessment Calculation

	Modified Assessment Property A	Calculation	Calculation Steps
Base Year for Assessment	\$130,100	PVSC Assessed Value	PVSC Assessed Value
Year 1	\$157,720	\$130,100 + \$27,620	\$130,100 + (0.2 x \$138,100)
Year 2	\$185,340	\$157,720 + \$27,620	\$130,100 + (0.4 x \$138,100)
Year 3	\$212,960	\$185,340 + \$27,620	\$130,100 + (0.6 x \$138,100)
Year 4	\$240,580	\$212,960 + \$27,620	\$130,100 + (0.8 x \$138,100)
Year 5	\$268,200	\$240,580 + \$27,620	\$130,100 + (1 x \$138,100)

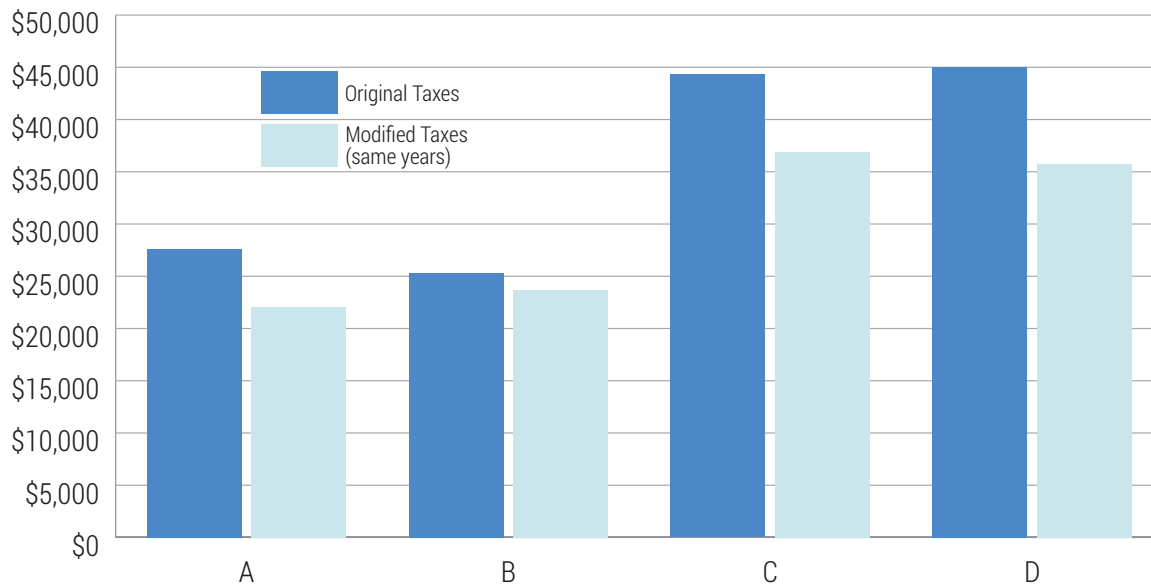
This calculation is applied to all properties that, based on the municipal by-law, have the increases in their assessment phased in over the five year time period.

Municipal Revenues

Assuming the commercial tax rate is \$3 per \$100 of assessment, the commercial property taxes collected by the municipality for these properties would be:

PVSC Assessment Value	A		B		C		F	
	Original Commercial Property Taxes	Phase In Commercial Property Taxes	Original Commercial Property Taxes	Phase In Commercial Property Taxes	Original Commercial Property Taxes	Phase In Commercial Property Taxes	Original Commercial Property Taxes	Phase In Commercial Property Taxes
2012	\$4,029	\$4,029	\$4,569	\$4,569	\$6,423	\$6,423	\$5,817	\$5,817
2013	\$3,876	\$3,876	\$4,542	\$4,542	\$6,306	\$6,306	\$5,832	\$5,832
2014	\$3,903	\$3,903	\$5,304	\$4,694	\$10,677	\$7,180	\$11,367	\$6,939
2015	\$8,046	\$4,731	\$5,562	\$4,846	\$10,572	\$8,054	\$11,052	\$8,046
2016	\$7,749	\$5,560	\$5,373	\$4,999	\$10,332	\$8,928	\$10,974	\$9,153
2017		\$6,388		\$5,151		\$9,802		\$10,260
2018		\$7,217		\$5,304		\$10,677		\$11,367
2019		\$8,046						

Commercial Property Taxes



Collected Municipal Property Taxes for Properties A, B, C, F:	
Original Taxes (2012-16)	\$142,305
Modified Taxes (2012-19)	\$192,645
Modified Taxes (2012-16)	\$118,430

In this case, the full dollar extent of foregone revenue is unknown as the phase in period extends to 2019; PVSC assessment values for 2017, 2018, and 2019 are unknown. From 2012 to 2016, the municipality foregoes \$23,875 in revenue. However, the tax savings for each commercial property owner vary, as seen below.



As the PVSC assessed value is unknown for 2017 and 2018, the commercial property taxes are unknown for those years. However, in 2014, 2015, and 2016, the phase in of the property taxes met the desired outcome.

Mechanism

The mechanism of reimbursement should be identified in the municipal by-law. If the municipality designs their by-law such that it reimburses the business after the property taxes are paid, then the municipality should calculate the taxes without the phase in and the taxes with the phase in. The difference between the two should be reimbursed to the commercial enterprise. Alternatively, the municipality could send a property tax bill based on the modified phase in assessment value.

Note the year the by-law comes into effect will impact the properties that have the increase in commercial assessment phased in, impacting municipal revenues. The year the by-law is applied should be clearly identified.

Example 2

This example is to display that a commercial property, or properties, may be in the phase in assessment period for prolonged periods of time if there is continuous growth in the designated area or significant annual investment in the property.



If the municipality's by-law states:

- Any increases of 50% or more annually of the assessed value allow a commercial property to join the phase in program.
- That subsequent increases are eligible
- Phase in assessed values will occur over a 3 year period
- The phase in will be 30% of the increase in assessed value in the first year, 50% in the second, and another 70% in the last year. This implies that in the fourth year, the market value will be adopted.

The increase in the assessed value is \$50,000, therefore the phase in increase each year will be \$15,000, followed by \$25,000, and \$35,000. From this, we see the following:

	PVSC Assessment	Y to Y Assessment Change	Initial Tax Bill	Modified Assessment	Commercial Tax Rate	Modified Tax Bill	Tax Bill Foregone
Initial Base Year	\$100,000	50%	\$3,000	\$100,000	\$3.00	\$3,000	\$0
Year 1	\$150,000	0%	\$4,500	\$115,000	\$3.00	\$3,450	\$1,050
Year 2	\$150,000	53%	\$4,500	\$125,000	\$3.00	\$3,750	\$750
Year 3	\$230,000	2%	\$6,750	\$159,000	\$3.00	\$4,770	\$1,980
Year 4	\$235,000	0%	\$7,050	\$175,000	\$3.00	\$5,250	\$1,800
Year 5	\$235,000	2%	\$7,050	\$191,000	\$3.00	\$5,730	\$1,320
Year 6	\$240,000	0%	\$7,200	Market Value	\$3.00		
Year 7	\$240,000		\$7,200	Market Value	\$3.00		

At the end of the three year period, we see that there has been another increase in the PVSC's assessed value by 53% from \$150,000 to \$230,000. This year to year increase triggers the phase in assessment tool again with an additional amount of \$80,000 to be phased in for three more years. The municipality has, in their bylaw, stated that phase ins will be stacked in instances such as this to ensure the modified assessment remains closely linked to the market assessment. See the cells in pink and green and the explanation and calculations below.

$$\text{Phase 2 Increase in Assessment} = \$230,000 - \$150,000 = \$80,000$$

The figure highlighted above in red is calculated based on both increases in assessment. It is:

$$\text{Initial base year assessment} + \left(\begin{array}{l} \text{phase in percent} \\ \text{for the year x the} \\ \text{initial increase} \\ \text{in assessment} \end{array} \right) + \left(\begin{array}{l} \text{phase in percent} \\ \text{for the year x the} \\ \text{second increase} \\ \text{in assessment} \end{array} \right)$$

$$\$100,000 + (\$50,000 \times 70\%) + (\$80,000 \times 30\%) = \$159,000$$

The Year 4 modified assessment will then be calculated as:

$$\$100,000 + (\$50,000 \times 70\%) + (\$80,000 \times 50\%) = \$175,000$$

The Year 5 modified assessment will then be calculated as:

$$\$100,000 + (\$50,000 \times 70\%) + (\$80,000 \times 70\%) = \$191,000$$

See *Special Cases* on page 20 for more detail on options a municipality may want to consider when a phase in for a property is triggered multiple times.

Example 3

This example highlights that municipalities should consider different phase in time periods and schedules prior to their designing a by-law. Manipulating existing assessment data will help identify areas that the municipality should consider and ensure the by-law is appropriate for the area.

Commercial Tax Rate: \$4.45 per \$100 of assessment
 Assessment Phase In Threshold: 20% increase year to year

Assessment Rule Options

	Y1	Y2	Y3	Y4	Y5	Y6
Option 1	30%	50%	70%	100%		
Option 2	20%	30%	50%	70%	80%	100%
Option 3	50%	50%	100%			
Option 4	50%	70%	100%			

Status Quo				
Commercial Property	A	B	C	D
2012 Value	90,100	56,100	216,900	511,500
2013 Value	92,000	57,200	381,300	507,800
2014 Value	93,800	74,200	412,100	306,500
2015 Value	35,900	65,200	294,000	389,100
2016 Value	42,200	65,200	294,500	378,900
Significant Increase	6,300	17,000	164,400	82,600

We see here that four properties are eligible to join the phase in program, but it does not appear that the increase in assessment has been sustained for some of them.

Modified Assessment Option 1				
Property	A	B	C	D
2012 Value	90,100	56,100	216,900	511,500
2013 Value	92,000	57,200	266,220	507,800
2014 Value	93,800	62,300	299,100	306,500
2015 Value	35,900	65,700	331,980	331,280
2016 Value	37,790	69,100	381,300	347,800
2017 Projected	39,050	74,200		364,320
2018 Projected	40,310			389,100
2019 Projected	42,200			

Modified Assessment Option 2				
Property	A	B	C	D
2012 Value	90,100	56,100	216,900	511,500
2013 Value	92,000	57,200	249,780	507,800
2014 Value	93,800	60,600	266,220	306,500
2015 Value	35,900	62,300	299,100	323,020
2016 Value	37,160	65,700	331,980	331,280
2017 Projected	37,790	69,100	348,420	347,800
2018 Projected	39,050	70,800	381,300	364,320
2019 Projected	40,310	74,200		372,580
2020 Projected	40,940			389,100
2021 Projected	42,200			

Modified Assessment Option 3				
Property	A	B	C	D
2012 Value	90,100	56,100	216,900	511,500
2013 Value	92,000	57,200	299,100	507,800
2014 Value	93,800	65,700	299,100	306,500
2015 Value	35,900	65,700	381,300	347,800
2016 Value	39,050	74,200		347,800
2017 Projected	39,050			389,100
2018 Projected	42,200			

Modified Assessment Option 4				
Property	A	B	C	D
2012 Value	90,100	56,100	216,900	511,500
2013 Value	92,000	57,200	299,100	507,800
2014 Value	93,800	65,700	331,980	306,500
2015 Value	35,900	69,100	381,300	347,800
2016 Value	39,050	74,200		364,320
2017 Projected	40,310			389,100
2018 Projected	42,200			

Based on these modified assessment values, we see instances where the modified assessment exceeds that of the PVSC assessment. In these instances, the municipality **must** levy property taxes based on the PVSC assessed value. As the increase in assessment was not sustained, Property B and C have the modified assessments higher than the status quo figure, see the pink cells below. The municipality should consider if this will trigger the property to leave the phase in program.

Property B					
	Status Quo	Option 1	Option 2	Option 3	Option 4
2012 Value	56,100	56,100	56,100	56,100	56,100
2013 Value	57,200	57,200	57,200	57,200	57,200
2014 Value	74,200	62,300	60,600	65,700	65,700
2015 Value	65,200	65,700	62,300	65,700	69,100
2016 Value	65,200	69,100	65,700	74,200	74,200
2017 Projected		74,200	69,100		
2018 Projected			70,800		
2019 Projected			74,200		

Property C					
	Status Quo	Option 1	Option 2	Option 3	Option 4
2012 Value	216,900	216,900	216,900	216,900	216,900
2013 Value	381,300	266,220	249,780	299,100	299,100
2014 Value	412,100	299,100	266,220	299,100	331,980
2015 Value	294,000	331,980	299,100	381,300	381,300
2016 Value	294,500	381,300	331,980		
2017 Projected			348,420		
2018 Projected			381,300		

Commercial Property Tax Bills (all years)				
	A	B	C	D
Status Quo	\$15,753	\$14,147	\$71,147	\$93,174
Option 1	\$20,966	\$16,919	\$60,997	\$122,744
Option 2	\$24,442	\$22,940	\$91,275	\$153,699
Option 3	\$19,228	\$13,768	\$49,355	\$107,267
Option 4	\$19,285	\$13,768	\$50,818	\$108,002

Municipalities should explore different rates and potential time periods as they design their municipal by-law. A municipality may wish to model their own existing historical data as they move forward as well as consider changes to their commercial tax rate in advance of creating the by-law. Please contact the Department of Municipal Affairs for support in modeling existing historical data.

Special Cases

What happens if the property decreases in value during the phase in?

If the assessed value falls below the phased-in value in a given year, using the phased-in value would result in a *higher* tax bill, which the amendments to the MGA and HRM Charter do not provide authority for. As a result, the by-law shall specify that the property will revert back to the assessed value in these cases.

What if there are additional eligible assessment increases during the phase-in period?

The by-law should specify how the formula addresses an additional increase from year to year. For example, consider Property E, in a municipality where the formula prescribes a 4 year phase-in, of the following increments (25%, 50%, 75%, 100%) for any annual increase greater or equal to \$10,000.

Property E	Status Quo	Option 1 – Ignore subsequent increases	Option 2 – Reset base year	Option 3 – Stack multiple phase ins
		The single increase in 2013 is phased in over 4 years	After the second increase, the base year resets and the second increase is phased in.	This results in the smoothest increase, but adds complexity
2012 Value	100,000	100,000	100,000	100,000
2013 Value	160,000 (60,000 is eligible)	$100,000 + (60,000 \times 25\%) = 115,000$	$100,000 + (60,000 \times 25\%) = 115,000$	$100,000 + (60,000 \times 25\%) = 115,000$
2014 Value	161,000 (1,000 is ineligible)	$100,000 + (60,000 \times 50\%) = 130,000$	$100,000 + (60,000 \times 50\%) = 130,000$	$100,000 + (60,000 \times 50\%) = 130,000$
2015 Value	201,000 (40,000 Increase is eligible)	$100,000 + (60,000 \times 75\%) = 145,000$	$161,000 + (40,000 \times 25\%) = 171,000$	$100,000 + (60,000 \times 50\%) + (40,000 \times 25\%) = 140,000$
2016 Value	201,000	$100,000 + (60,000 \times 100\%) = 160,000$	$161,000 + (40,000 \times 50\%) = 181,000$	$100,000 + (60,000 \times 75\%) + (40,000 \times 50\%) = 155,000$
2017 Projected	201,000	201,000	$161,000 + (40,000 \times 75\%) = 191,000$	$100,000 + (60,000 \times 100\%) + (40,000 \times 75\%) = 190,000$
2018 Projected	201,000	201,000	$161,000 + (40,000 \times 100\%) = 201,000$	$160,000 + (40,000 \times 100\%) = 200,000$

We see in Option 1 that a commercial property is allowed to have the increase in assessment phased in only once and that exiting the phase in to a higher assessment will not trigger the phase in again. This allows the municipality to more accurately assess their foregone revenue annually.

A municipality should consider how many times it wants a property to have the increase in assessment phased in, and if it should involve a municipal review if it is more than once. It should also consider if it allows the exiting from the phase in program to trigger the phase in again, i.e. if the modified to real assessment exceed the threshold amount or percent, the property can/cannot have this modified increase in assessment phased in over the designated schedule.

If a municipality has any questions or concerns when it is designing its by-law, it should contact the Department of Municipal Affairs through its Municipal Advisor for support.

Cape Breton Regional Municipality

By-law C-300

Commercial Development District Improvement By-law

Pursuant to Section 71C and Section 71D of Municipal Government Act, 1998, c. 18, s. 1.

WHEREAS Section 71C and 71D of *Municipal Government Act* enables the Cape Breton Regional Municipality, with the approval of the Minister of Municipal Affairs, to adopt this by-law;

WHEREAS it is desirable to permit the phasing-in, over a period of up to 10 years, of an increase to the taxable assessed value of certain commercial properties located in the Cape Breton Regional Municipality (CBRM) Commercial Development Districts and further to provide for the a partial rebate of taxes paid by the Owner during the phasing in period;

The Council of the Cape Breton Regional Municipality, under the authority of the *Municipal Government Act*, pursuant to Section 71C and subject to approval of the Minister in Section 71D, enacts the following By-law:

SHORT TITLE

- 1 This By-law shall be known as By-law No. C-300 and may be cited as the "Commercial Development District Improvement By-law" (also known as the 'CDD By-Law').

APPLICATION

- 2 This By-law shall apply to a property which meets the definition of an eligible property as defined in subsection 71C(1) of the *Municipal Government Act*, if that property is located within a Commercial Development District (CDD) as defined in the Cape Breton Regional Municipality's Municipal Planning Strategy and as depicted in the attached Appendix "A".

INTRODUCTION

- 3 The Development Support Program is established to provide assistance to owners of eligible property by providing the possibility of an annual partial rebate on taxes levied by the owner if the owner has undertaken development of their eligible property within a Commercial Development District. The rebates are designed to stimulate building construction and the expansion of the economy of the CBRM. Rebates will be processed by December 31st of the calendar year.
- 4 The Development Support Program may provide a participating owner with a partial rebate on taxes levied on an eligible property in the CDD by utilizing all or a portion of the "Rebate Eligible Assessment".
- 5 Prior to receiving the Development Support, an owner of an eligible property must enter into Phased-In Assessment Agreement with the CBRM.

DEVELOPMENT

- 6 An eligible property in the CDD must undergo development before the owner of the property can participate in the Development Support Program.

DEFINITIONS

- 7 **Development** means investment that, in the opinion of the CBRM, results in an increase in the productive use of an Eligible Property or a building on an Eligible Property, and includes, but is not limited to, construction of a new building, remediation of the property or the expansion or renovation of an existing building to realize more effective use of the Eligible Property's potential.
- 8 **Owner** means the person named on the assessment roll as responsible for the taxes for the eligible property in the CDD.
- 9 **Development Support Program** is a program designed to stimulate building construction and the expansion of the economy of the CBRM.
- 10 **Base Year Taxable Assessed Value** means the Taxable Assessed Value applicable for the taxation year in which a Phased-In Assessment Agreement is signed for the eligible property upon which development is to be constructed or completed.
- 11 **Actual Taxable Assessed Value** means the Taxable Assessed Value pursuant to the published assessment roll applicable for the taxation year in which the Rebate Eligible Assessment is to be determined, subject to any adjustments to taxes arising from assessment appeals or changes to the Taxable Assessed Value made by PVSC through requests for reconsideration.
- 12 **Rebate Eligible Assessment** means the amount calculated using the following formula
- Rebate Eligible Assessment = Actual Taxable Assessed Value - Base Year Taxable Assessed Value.
- 13 **Phased In Assessment Agreement** is an agreement signed by the parties, which provides specifics of the eligible property in the CDD and is written in substantially the same form as the Agreement set out in Appendix "B" of this By-law.

PHASED-IN ASSESSMENT AGREEMENT

- 14(1) As a condition of the Development Support Program, an owner of an eligible property must enter into an agreement with the CBRM (hereinafter referred to as the "Phased-In Assessment Agreement"). The Phased-In Assessment Agreement signed by the parties will be substantially the same as the form agreement attached as Appendix "B" to this By-Law and forming part of the By-Law.
- 14(2) A Phase-In Assessment Agreement is intended to compliment and provide specifics for the subject property. The eligibility criteria for the Development Support Program and the limits on the program are as established in this By-Law. In the event of a conflict between a Phased-In Assessment Agreement and the By-Law, the provisions of this By-Law shall prevail.

REBATE CALCULATION

15 For eligible properties where the increase in assessment is \$100,000 or greater, the development rebate shall extend over a ten year period (refer to Table One, below). For eligible properties where the increase is less than \$100,000 the development rebate shall extend over a period of five years (refer to Table Two, below). An annual development rebate amount shall be calculated each year as the following percentage of the equivalent of the Rebate Eligible Assessment:

Table One	
Year	Grant (as % of tax increment)
1	90
2	80
3	70
4	60
5	50
6	50
7	40
8	30
9	20
10	10
Table Two	
Year	Grant (as % of tax increment)
1	90
2	70
3	50
4	20
5	10

REBATE LIMITS

16 The total of development rebates provided to an owner over the term of participation in the program must not result in the calculation of the total increase in taxes payable during the phase-in period being less than fifty per cent of the total increase in taxes that would be payable during the same period in the absence of the application of the program formula.

ADJUSTMENTS

17 In the event there are any subsequent changes in the total taxes payable in any year due to reductions resulting from assessment appeals, and where such tax changes occur after rebate amounts have been paid, future year rebate entitlements may be reduced accordingly. Any overpayment of rebate amounts arising from subsequent assessment or tax reductions will be deemed to be a debt owing to the CBRM.

DURATION

- 18 Development rebates will only become payable to the owner after the eligible property is first reassessed by the PVSC to fully reflect the development that the owner is receiving the rebate for.
- 19 All rebates will cease if during the program term the building is demolished except to expand an eligible use. Rebate amounts that would have been payable in the year in which the demolition occurs will be adjusted on a pro-rated basis to reflect the date of the demolition and will cease thereafter

STAGED DEVELOPMENT

- 20 In the case of a staged development, where one portion of a property is developed in advance of others, each portion of the property will be treated as a separate eligible property. The first rebate payment of the component of the Development Support Program will be based on the Rebate Eligible Assessment arising from the increased assessment on the first portion of the development. As other portions of the eligible property are developed, and which result in further assessment increases, the property owner may apply to further participate in the Development Support Program based on the additional Rebate Eligible Assessment, subject to the continued availability of the Development Support Program and the owner's ability to meet the eligibility requirements and rebate entitlements in place at that time.

CONDOMINIUMS

- 21 If a development of an eligible property is condominiumized, each commercially assessed condominium unit will be treated as a stand-alone eligible development and must be able to meet all eligibility requirements of the Development Support Program, independent of other condominium units.

REPEAL

- 22(1) In the event that this By-Law, or any portion thereof, is repealed, any owner who has been accepted to participate in the Development Support Program prior to the date of repeal, will benefit from the Development Support Program, as applicable, in accordance with this By-Law, despite its whole or partial repeal.
- 22(2) In the event of a repeal in (1). for the owners who are accepted into the program as of the date of the repeal, this By-law will continue to be considered to be in force and effect only for the limited purpose of providing for the continuation of the Development Support Program for those owners until the ten year or five year maximum term is completed or the owners participation in the Development Support Program is discontinued.

OTHER CONDITIONS

- 23 An owner's application to the Development Support Program must be made subsequent to the issuance of the first building permit for the development on the eligible property.

- 24 All proposed development must conform to all Provincial laws, CBRM by-laws, policies, and processes and all improvements must be made pursuant to an approved Building Development Permit and applicable zoning requirements and development approvals.
- 25 The applicant must be the owner of the eligible property or have the owner's written authorization to apply for the Development Support Program.
- 26 The owner of an eligible property must not be in arrears of property taxes or other fees and charges on any property in CBRM legally registered in the name of the applicant on the date that the Phased-In Assessment Agreement is signed.

PAYMENT

- 27 Rebates may be provided once annually, in the last quarter of the year, provided that:
 - A. there are no outstanding taxes, water rates, or other sums owed to the CBRM with respect to any property within the CBRM that is legally registered in the name of the applicant;
 - B. there are no outstanding work orders and/or orders or requests to comply from any municipal or provincial entity; and
 - C. all other eligibility criteria and conditions are met.
- 28 Development rebates will not be applied as tax credits against property tax accounts.
- 29 In case of an assessment appeal, the CBRM reserves the right to withhold any forthcoming Development Rebates pending final disposition of the appeal.
- 30 For applicants on preauthorized payment arrangements, once a rebate has been processed, the total taxes levied, net of the rebate for the taxation year must be paid no later than March 31. Failing this condition, the rebate shall be reversed and interest will be assessed on the balance owing.

REVIEW

- 31 In accordance with Section 71E of the Municipal Government Act, this By-law shall be reviewed by the CBRM within four years of its coming into force and every four years thereafter.

THIS IS TO CERTIFY THAT this By-law was passed by the Council of the Cape Breton Regional Municipality at a duly constituted meeting of said Council held the 18th day of September, 2018.

Signed by the Mayor and Municipal Clerk on this 21st day of September 2018.

Cecil P. Clarke
Mayor

Deborah Campbell Ryan
Municipal Clerk

APPENDIX "A"

MAPS



DOWNTOWN DOMINION

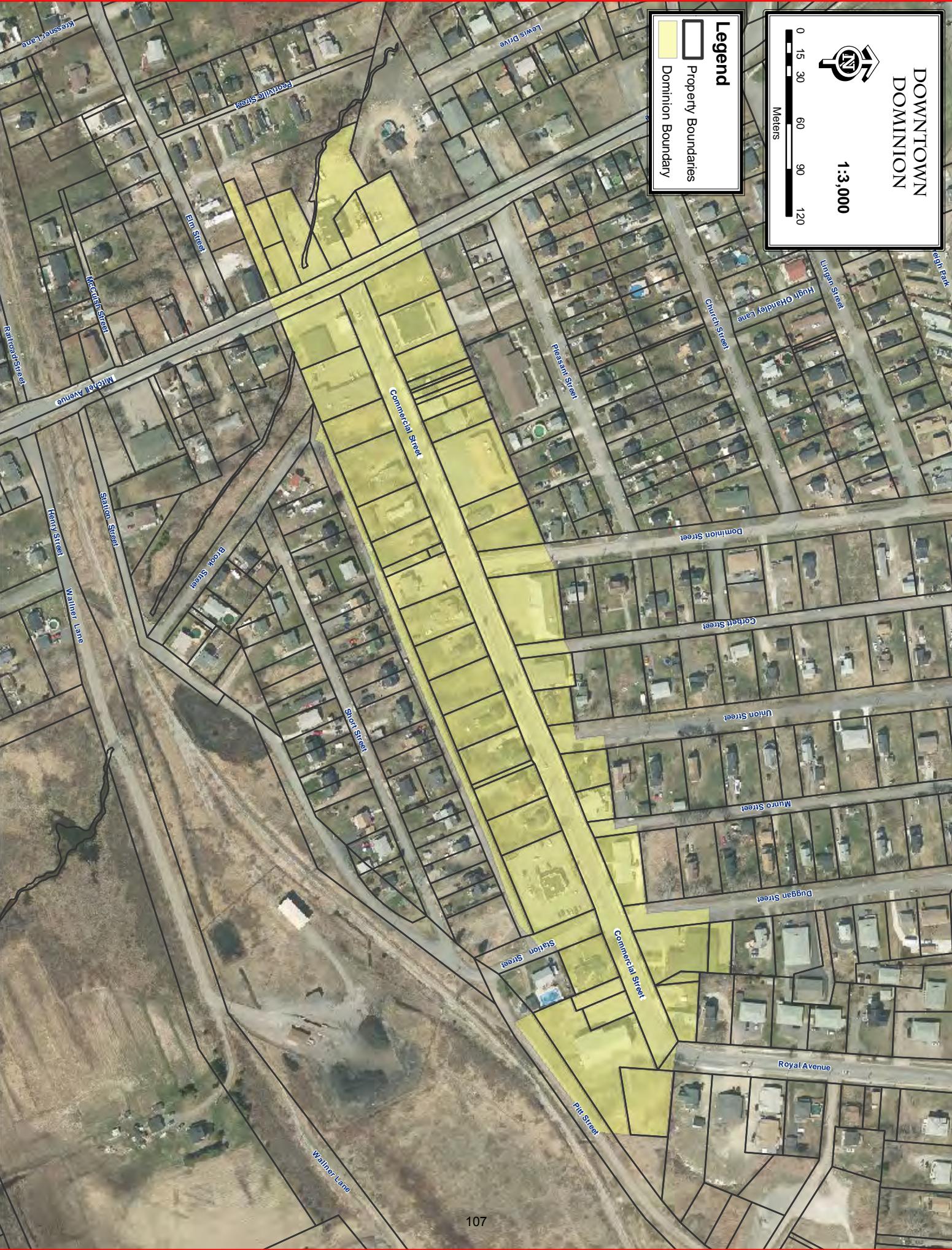


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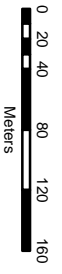
-  Property Boundaries
-  Dominion Boundary



DOWNTOWN
NORTH SYDNEY



1:5,000



Legend

- Property Boundaries
- North Sydney Boundary





DOWNTOWN
SYDNEY MINES

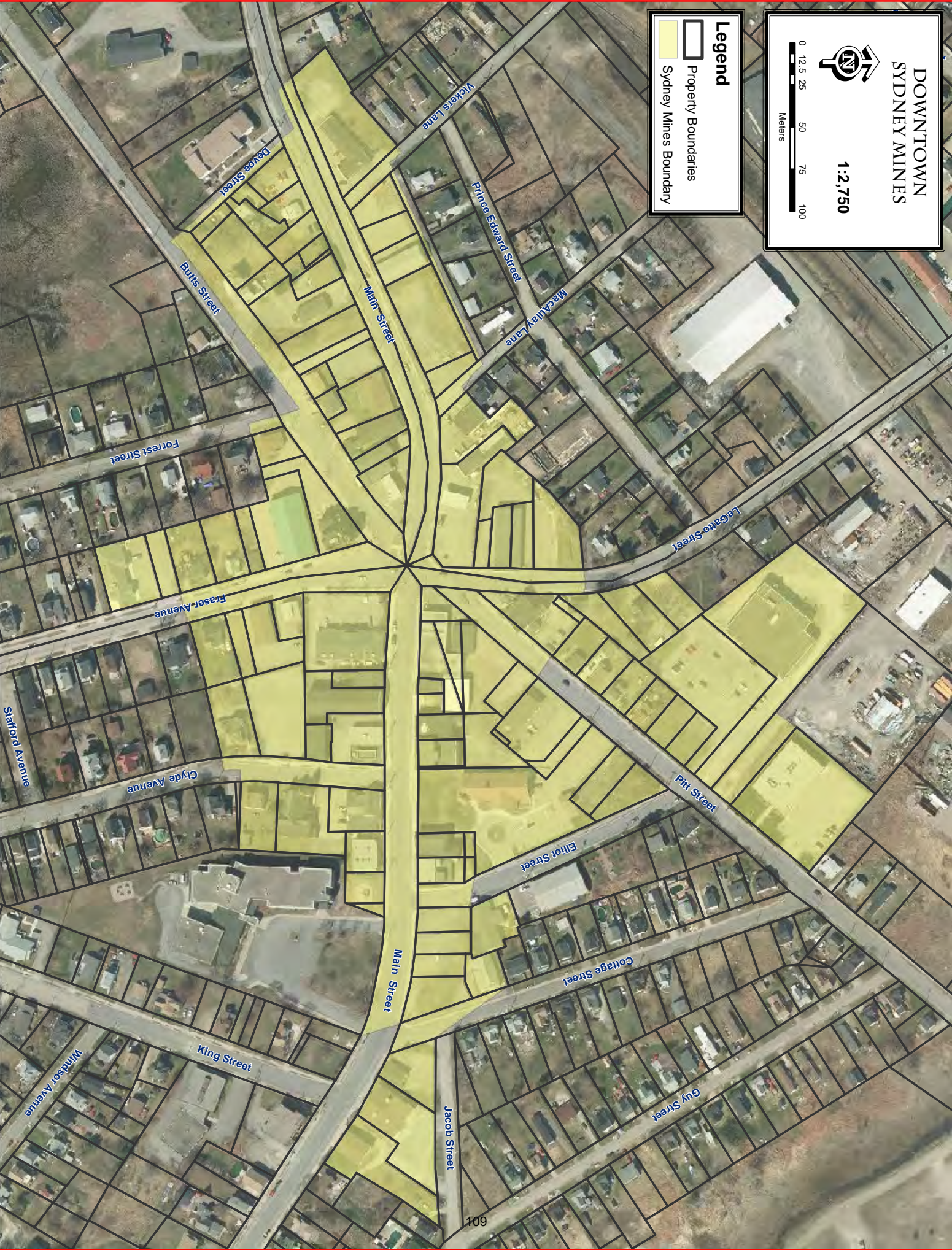


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Legend

-  Property Boundaries
-  Sydney Mines Boundary



DOWNTOWN
GLACE BAY

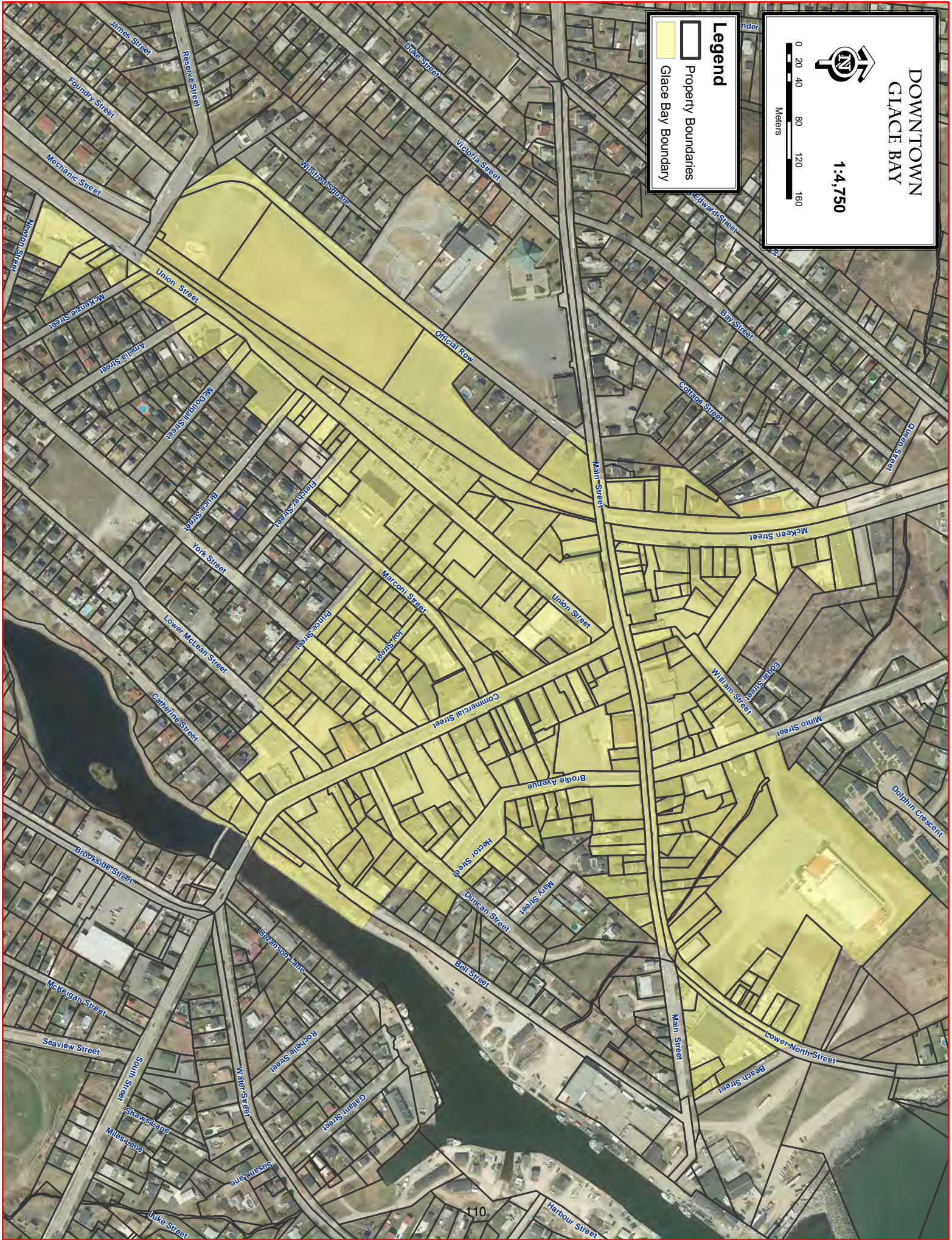


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Legend

- Property Boundaries
- Glace Bay Boundary







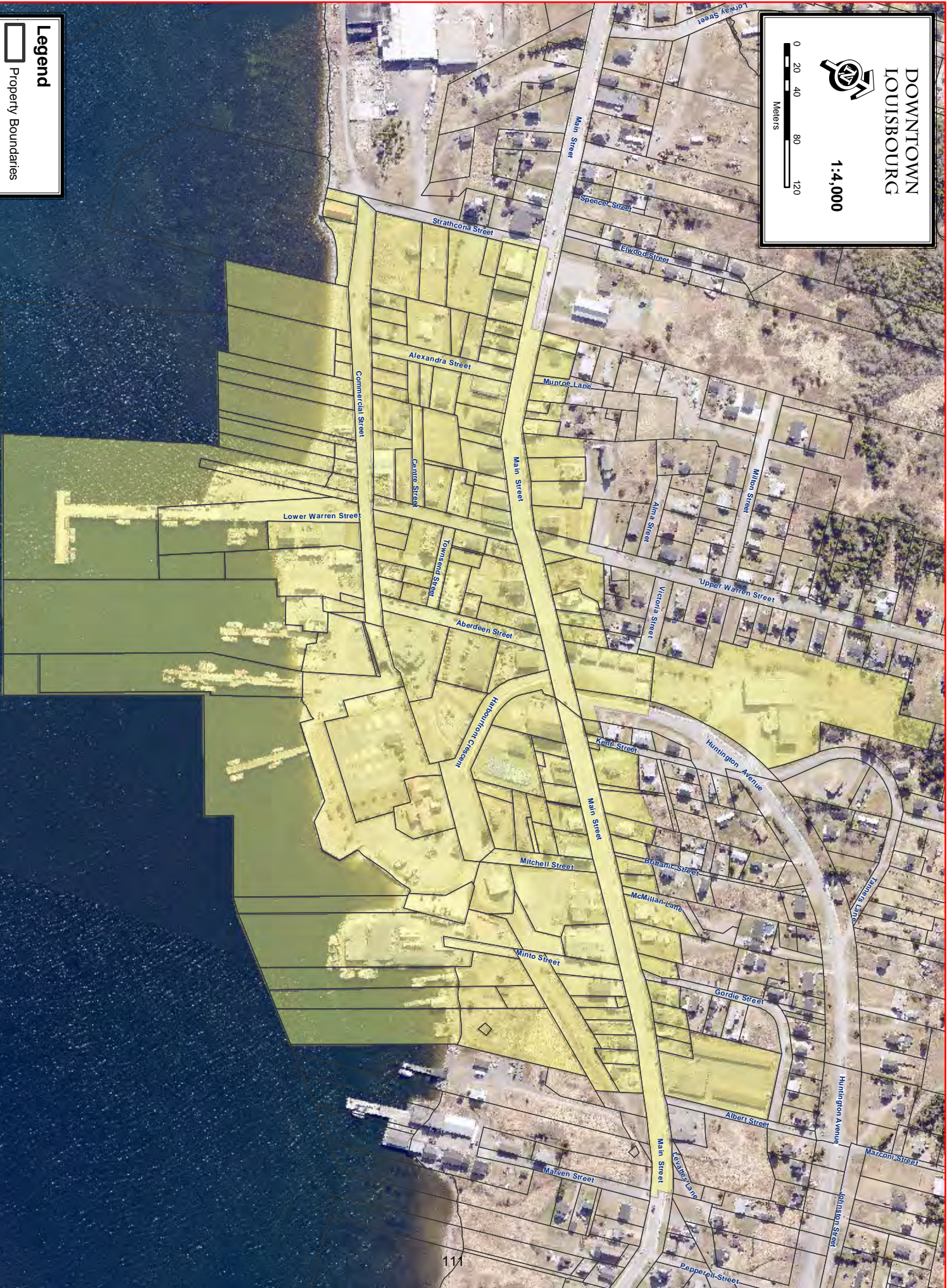
DOWNTOWN LOUISA BURG

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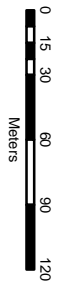
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-  Louisa Boundary



DOWNTOWN
NEW WATERFORD

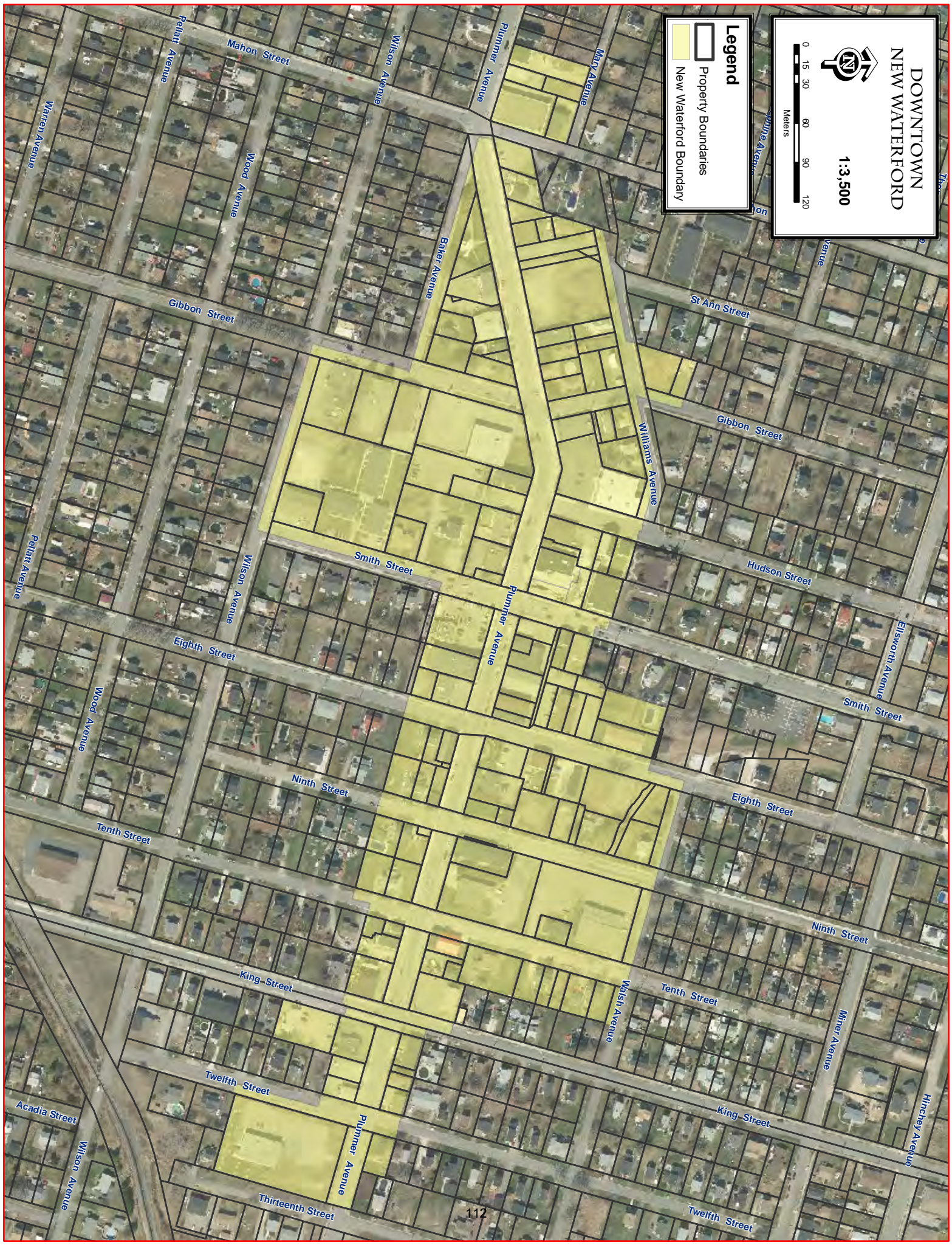


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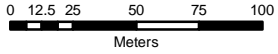
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- New Waterford Boundary



DOWNTOWN
WHITNEY PIER

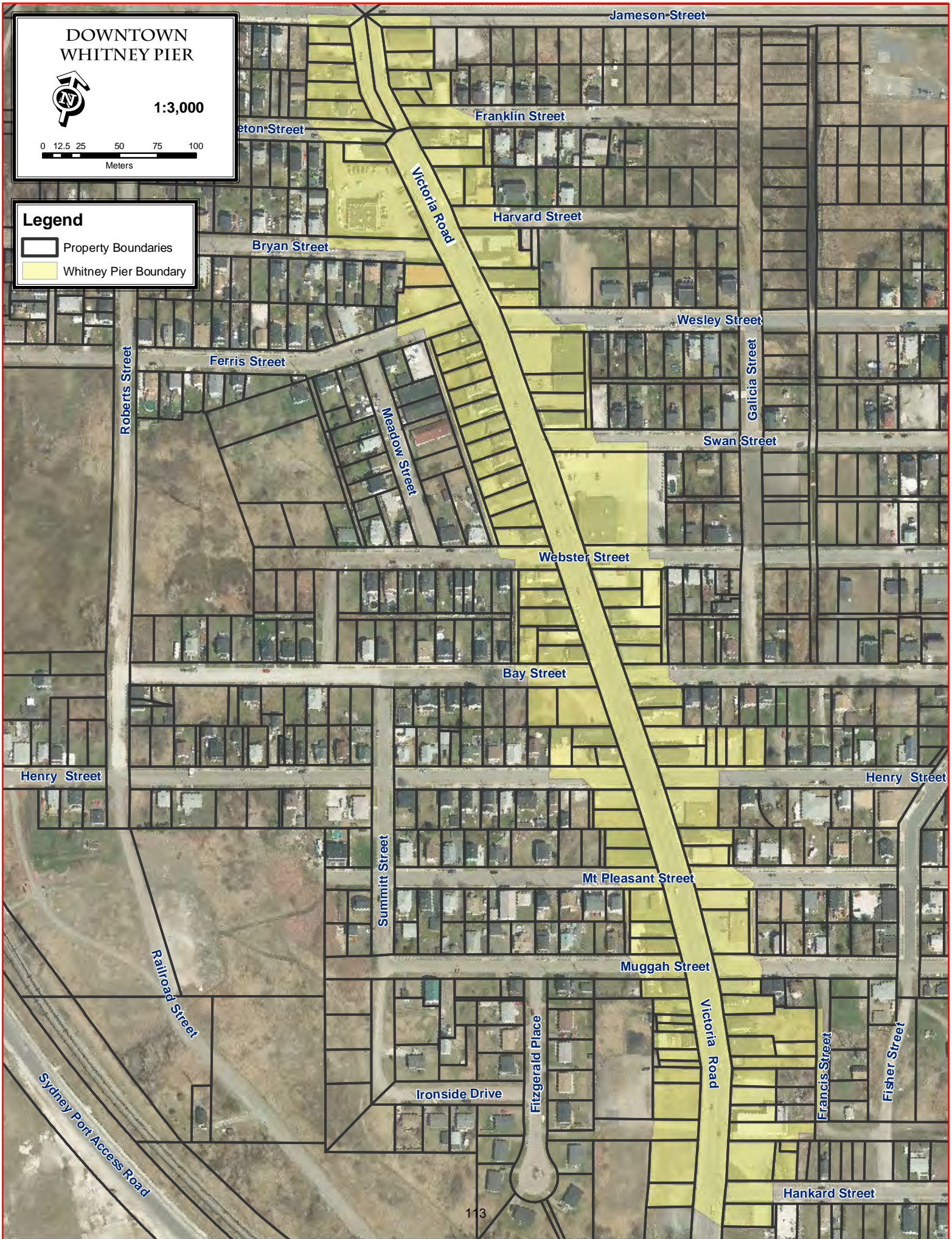


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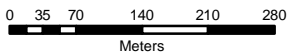
- Property Boundaries
- Whitney Pier Boundary



HARBOURSIDE INDUSTRIAL PARK

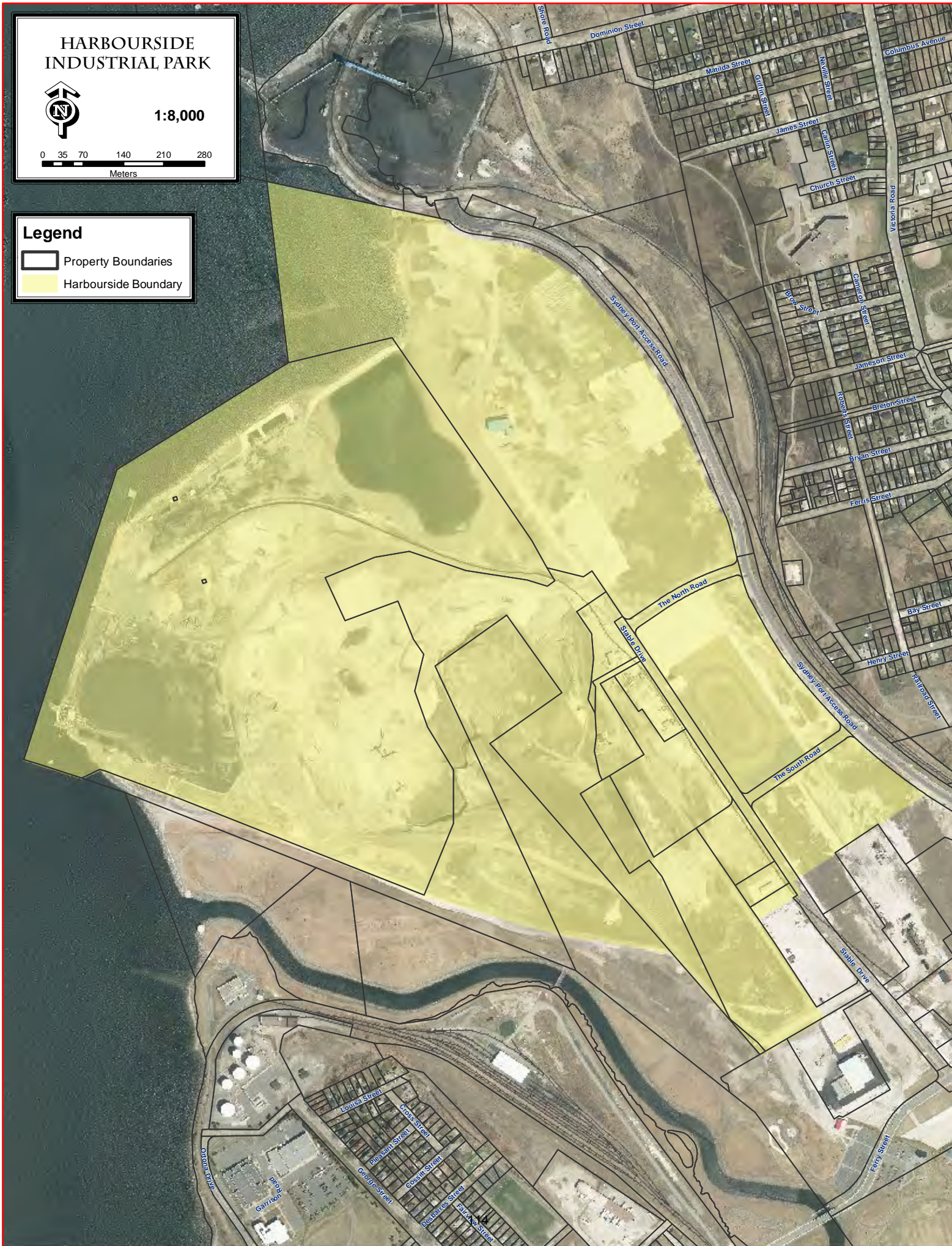


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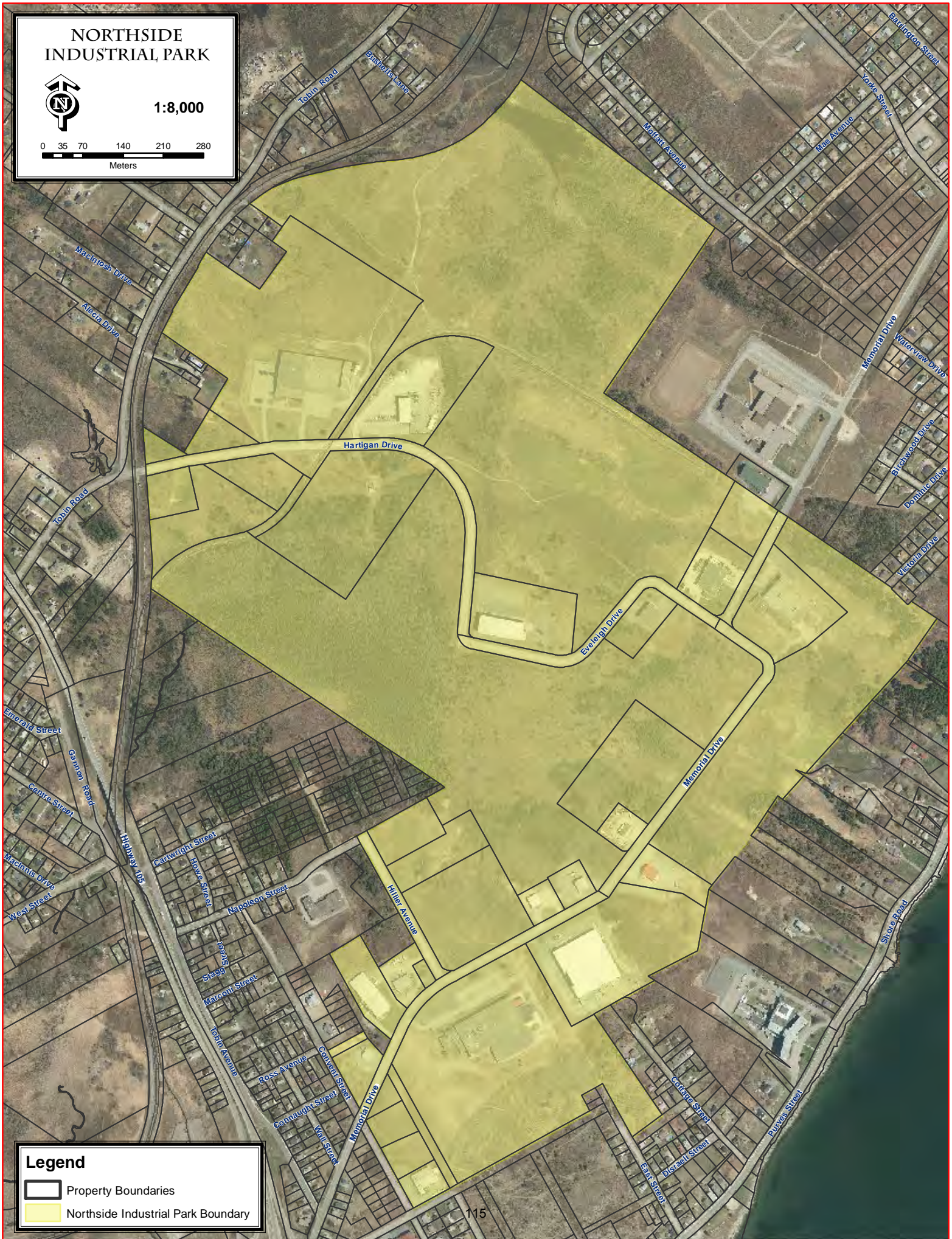
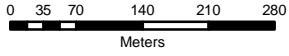
- Property Boundaries
- Harbourside Boundary





NORTHSIDE INDUSTRIAL PARK



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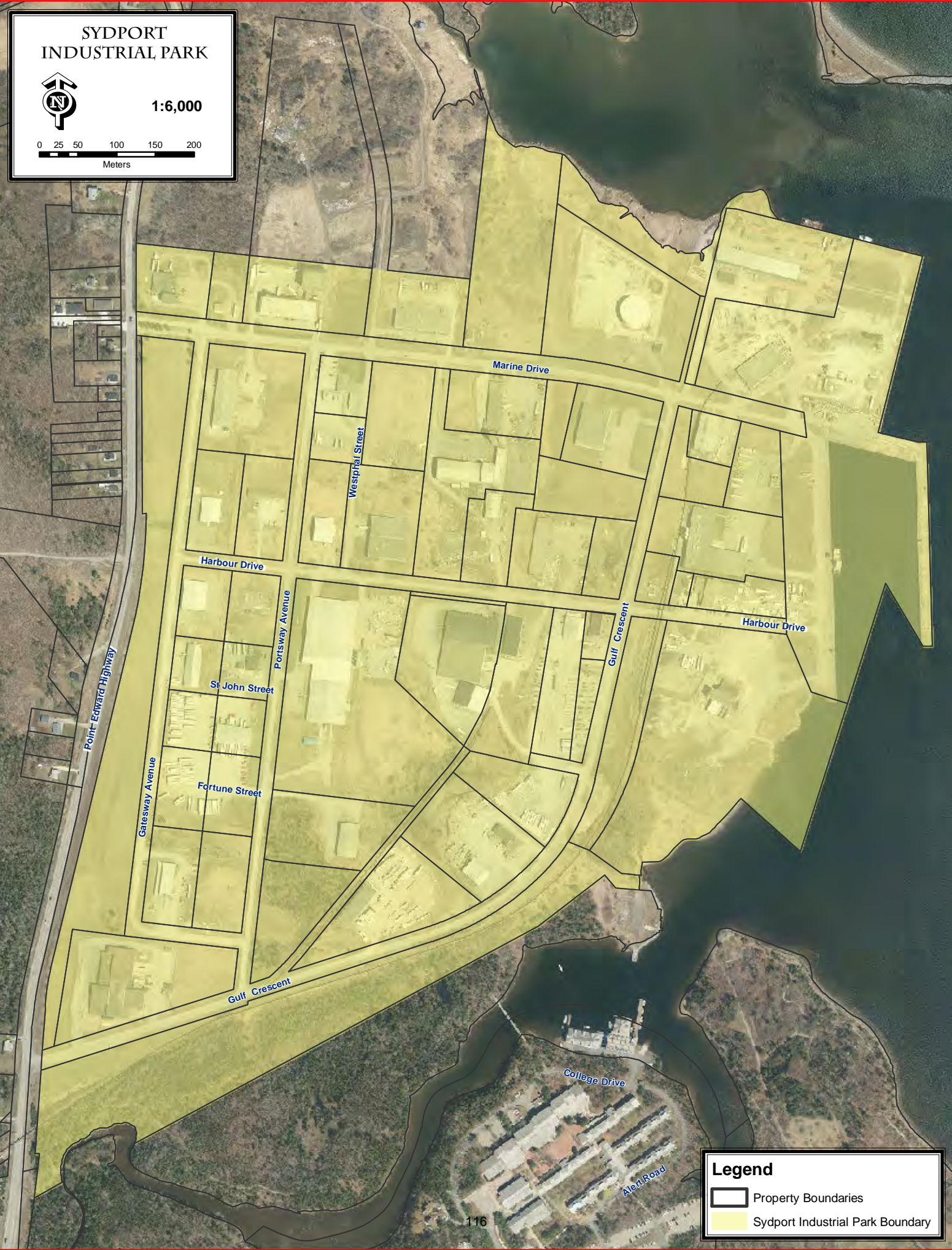
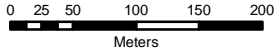
Legend

-  Property Boundaries
-  Northside Industrial Park Boundary

SYDPORT INDUSTRIAL PARK



1:6,000



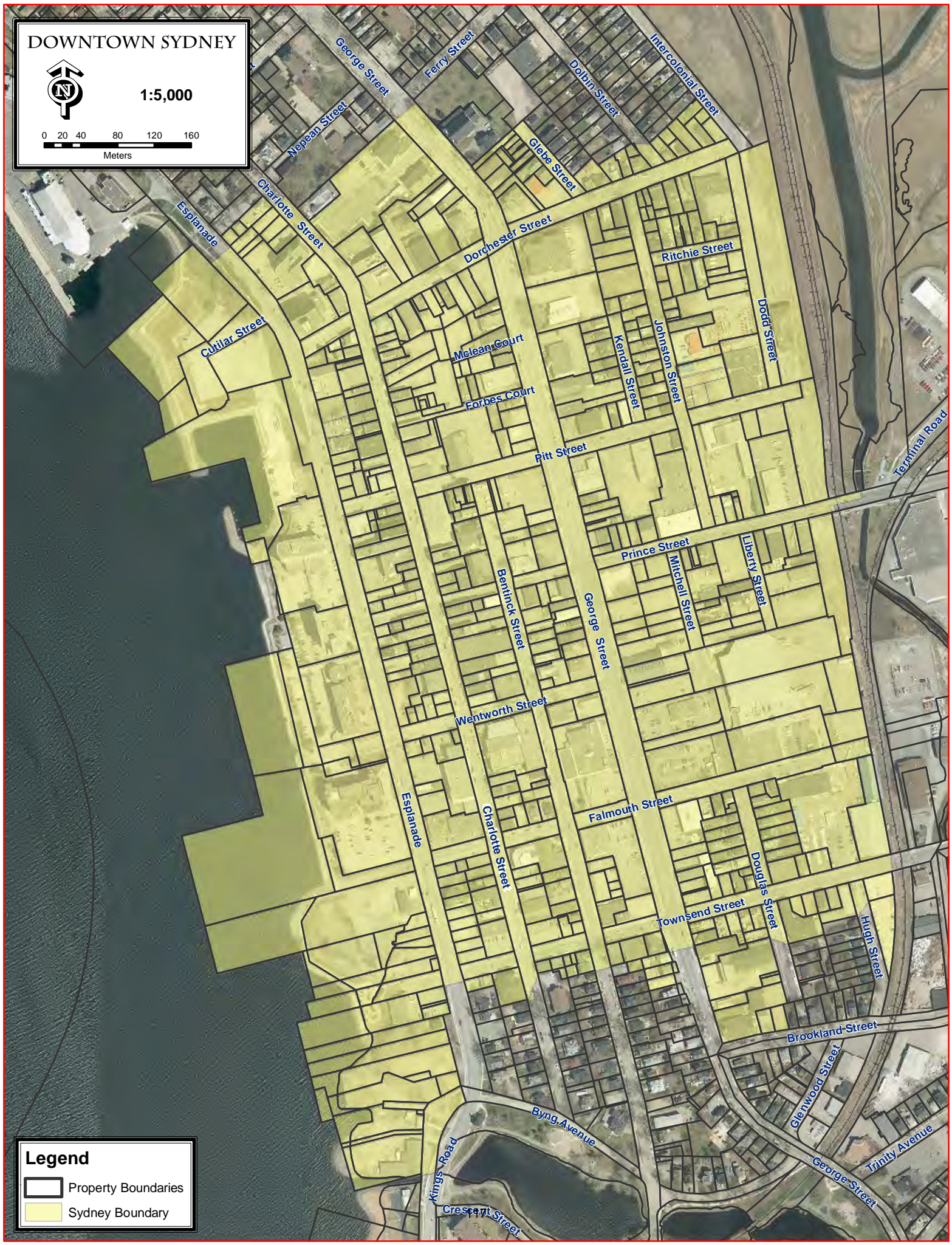
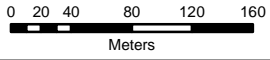
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- Property Boundaries
- Sydport Industrial Park Boundary



DOWNTOWN SYDNEY



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Legend

-  Property Boundaries
-  Sydney Boundary

APPENDIX "B"
Cape Breton Regional Municipality Phased In Assessment Agreement

THIS AGREEMENT made as of the day of _____, 20__

BETWEEN:
(the "Applicant")

– and –

CAPE BRETON REGIONAL MUNICIPALITY
(the "CBRM")

WHEREAS the CBRM adopted By-Law _____, cited as the "Commercial Development District Improvement By-law" (also known as the 'CDD By-law'), a partial rebate program consisting of annual rebates to participating owners who undertake development on eligible property in a Commercial Development District as defined by the Municipal Planning Strategy.

AND WHEREAS the Applicant is the registered owner or the person having the owner's authorization, of an eligible property which is located within a Commercial Development District and has applied to the CBRM for participation in the Development Support Program for the Property described below in Section 1 of this Agreement; (the "Property");

AND WHEREAS the CBRM requires that a Phased-In Assessment Agreement be entered into between the Applicant and the CBRM;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the premises, covenants and agreements hereinafter contained on the part of the Applicant to be observed, fulfilled and performed as hereinafter required and the approval of the Applicant's application for participation in the Development Support Program by the CBRM, subject to and in accordance with, the terms and conditions of this Agreement, the parties covenant and agree as follows:

1 PROPERTY INFORMATION:

- Applicant:
- Name of registered Property Owner:
- Address of Property:
- Property Identification Number(s):
- Mailing Address of Owner:
- Name of Agreement Recipient:
- Mailing Address of Recipient:

2 DEFINITIONS

Save and except as may be otherwise defined in this Agreement, the definitions of terms used in this Agreement shall be the same as the definitions for those terms as set out in the CDD By-law (By-law No. ____), and Section 71C of the *Municipal Government Act*, C18 of the Acts of 1998.

Please note: the terms Actual Taxable Assessed Value, Base Year Taxable Assessed Value, Development, Rebate Eligible Assessment are defined in the CDD By-law.

The following terms shall have the meanings set out below:

- 2.1 **Agreement** means this Phased-In Assessment Agreement which is entered into between the parties pursuant to sections 71C and 71D of the *Municipal Government Act*, and the CDD By-law enacted by the Council of the CBRM and as amended from time to time.
- 2.2 **Applicant** means the owner, of the property, or a person having the owner's authorization to apply for the Development Support Program.
- 2.3 **CAO** means the Chief Administrative Officer of the CBRM. The CAO is the approving authority for purposes of this Agreement where authority is not required to come from Council.
- 2.4 **CFO** means Chief Financial Officer of the CBRM.
- 2.5 **Development Support Program** means program established by the CDD By-law for a maximum period of 10 years.
- 2.6 **Development Rebate** means annual rebate amount calculated each year as set out in section 15 of the CDD By-law.
- 2.7 **Eligible Use** means uses permitted as set out in the CBRM Municipal Planning Strategy and Land Use By-Law on a commercial assessed property located within the Commercial Development District.
- 2.8 **Owner** means the registered owner(s) of the Property at the date this Agreement is signed.
- 2.9 **Property** means the Property described in Section 1 and Schedule "A" of this Agreement.
- 2.10 **Recipient** means the Applicant, authorized to receive a development rebate.
- 2.11 **CBRM Solicitor** means the lawyer appointed by the CBRM for the purpose of registering this Agreement in the Registry of Deeds or under the Land Registration System, whichever is applicable.

3 PARTICIPATION IN DEVELOPMENT REBATES PROGRAM

- 3.1 The Applicant's participation in the Development Support Program is conditional on the Applicant ensuring that at all times the following conditions are met:
- (a) the objectives and participation requirements of this Agreement and the CDD By-law, attached as Schedule "B" to this Agreement, are met from year to year;
 - (b) all applicable Provincial and CBRM requirements, policies and procedures are met;
 - (c) the Applicant is in compliance with all of the terms and conditions of this Agreement and is in conformance with all Building Development Permits and other regulatory approvals pertaining to the Property; and
 - (d) the property has undergone development.

4 DEVELOPMENT REBATE FUNDING CALCULATION

- 4.1 A development rebate is calculated by the CFO as a percentage of the Rebate Eligible Assessment as shown in Schedule "E" to this Agreement.
- 4.2 Prior to the commencement of the Development Support Program, the CFO shall determine the Base Year Taxable Assessed Value used to calculate the Annual Rebate Eligible Tax Assessment and the corresponding annual development rebate payable for development. Following this determination, Schedule "E" will be amended annually to show the Actual Taxable Assessed Value, the Rebate Eligible Taxes, and the annual development rebate amount payable as determined by the CFO.
- 4.3 The Applicant shall have an opportunity to review the CFO's calculation of the Base Year Taxable Assessed Value prior to the finalization of Schedule "E", however, the CFO's determination as to the calculation of the Base Year Taxable Assessed Value, and the amount of the development rebate, shall be final.
- 4.4 In calculating the annual Development Rebate payable for the development, the Rebate Eligible Assessment shall be calculated annually from the first year that the subject Development Rebate is payable, or the first year that the Owner elects to make the Annual Taxable Assessed Value election in accordance with this Agreement CDD By-law.
- 4.5 The Development rebate will be reduced by the CFO for the year in which a development rebate is paid, to reflect the amount of any rebate(s) of municipal taxes paid to the Owner, including but not limited to rebates to reflect charitable status tax rebates related to the development. Any such reductions shall be in an amount reflecting the product of the municipal portion of taxes rebated and the development rebate percentage level applicable to that year.
- 4.6 The total of development rebates paid over a ten year or five year maximum term of the program must not result in the calculation of the total increase in taxes payable during the phase-in period being less than fifty (50%) percent of the total increase in taxes that would be payable during the same period in the absence of the application of the formula.

Rebate Eligible Assessment

- 4.7 Subject to sections 4.9 and 4.10 of this Agreement, the Base Year Taxable Assessed Value shall remain fixed for the duration of the Development Support Program.
- 4.8 The Rebate Eligible Assessment will be amended by the CFO, as necessary, to reflect changes to the total Municipal Property Taxes payable in any year, as a result of successful assessment appeals, requests for reconsideration by PVSC, equity changes, gross errors or other changes to Actual Taxable Assessed Value that have the effect of changing the amount used to calculate the Actual Taxable Assessed Value.
- 4.9 Where the Rebate Eligible Assessment is amended in accordance with section 4.8, future development rebates shall be adjusted accordingly for the duration of the Development Support Program period. Such adjustments may reflect any overpayment of development rebate arising from successful assessment appeals that occur subsequent to the commencement of payment of development rebates.
- 4.10 If at any time the Owner appeals any assessment relating to the development that, in the opinion of the CAO, may impact the calculation of the Rebate Eligible Assessment, the CBRM shall withhold any or all of the development Rebate that would otherwise be paid for the development, based on a reasonable estimate of the reduction in assessment being sought, pending final disposition of the appeal. If as a result of the decision of the appeal body, the Actual Taxable Assessed Value is reduced below the amount determined in calculating the Rebate Eligible Assessment, then the reduced Rebate Eligible Assessment shall be the basis for determining the development rebate payable under this Agreement.
- 4.11 Where sections 4.9 and 4.10 apply, any overpayment of a development rebate arising from subsequent assessment or tax reductions will be deemed to be a debt owing to the CBRM which the Owner shall pay forthwith together with the same interest charged for overdue accounts by the CBRM.
- 4.12 If at any point after the development is complete, additional work is proposed on the Property that is not part of the original Program application, but may serve to further increase the current year tax assessed value, such additional work shall not be included in the calculation of the development rebate in this Agreement, but may be the subject of a further Development Support Program application, subject to the continued availability of the Development Support Program and the eligibility requirements and rebate entitlements in effect at that time.

5 FUNDING PAYMENT

- 5.1 Subject to Section 6 of this Agreement, development rebate payments to a maximum of ten (10) annual payments will commence being paid the first taxation year in which the Rebate Eligible Assessment is capable of being determined.
- 5.2 Development rebates cannot be applied as tax credits against the Property tax account.

6 CONDITIONS OF PAYMENT

- 6.1 The CAO shall determine whether the Applicant has satisfied the participation requirements of this Agreement and the Schedules attached hereto.
- 6.2 A development rebate will only become payable after the property is first reassessed by the PVSC to fully reflect the development for which the Applicant might receive a rebate.
- 6.3 A rebate can only be paid once annually, in the last quarter of the year, provided that:
- (a) there are no outstanding taxes, water rates, or other sums owed to the CBRM with respect to the property and other properties in the CBRM legally registered in the name of the applicant;
 - (b) there are no outstanding work orders and/or orders or requests to comply from any municipal or provincial entity; and
 - (c) all other required criteria and conditions are met.

7 OWNERS OBLIGATIONS

Compliance with Rebate Application

- 7.1 The Applicant shall undertake the development in accordance with the Development Support Program.

Compliance with CBRM Directives

- 7.2 The Applicant shall strictly comply with and observe all material requirements, stipulations, guidelines and directives related to the Development Support Program as required by the CBRM, and shall undertake all necessary courses of action to ensure compliance.

Compliance with Legislation

- 7.3 The Applicant agrees that the development shall be completed in compliance with all required Building Development Permits, and constructed in accordance with the Nova Scotia Building Code Act and all applicable Land-Use By-law requirements, Municipal requirements and other approvals required at law.

Demolition/Conversion

- 7.4 The Applicant covenants to the CBRM that the development will not be demolished, in whole or in part or converted to an ineligible use, in whole or in part, prior to the advance of all of the payments over the term of this Agreement unless such demolition is required to enable Property enhancement approved by the CBRM under the terms of this Agreement.
- 7.5 The Applicant shall ensure that the Property is maintained in its redeveloped condition in accordance with this Agreement and is in compliance with all applicable Municipal policies and By-laws.
- 7.6 The Applicant further covenants that if at any time during the Development Support Program the building which underwent development is demolished, in whole or in part, or

converted to an ineligible use, in whole in part, the CAO, in his or her sole discretion will cease to advance future development rebates or reduce the amount of future development rebates on a pro-rated basis to reflect the date of the demolition or conversion.

Payment of Costs

- 7.7 The Applicant acknowledges that without limiting the generality of the other provisions of this Agreement:
- (a) the onus and responsibility is upon the Applicant at all times to assume all costs of development and to apply for and obtain, at the Applicant's expense, all approvals and permits required from the CBRM and all other agencies including but not limited to all Municipal Planning Strategy Amendments, Land Use By-law amendments, minor variances, site plan approval and building development permits in accordance with all applicable legislation; and
 - (b) the Owner remains responsible at all times for the payment in full of all amounts in respect of property taxes, water and any other charges that may be levied by the CBRM relating to the Property as and when they fall due.

Building Development Permits

- 7.8 Applications for Development Support Program must be made after the issuance of the first Building Development Permit for the development.

8 ASSIGNMENT

- 8.1 The Applicant covenants to the CBRM that if the Owner intends to sell, transfer or assign the Property or if for any reason the Property ceases to be registered in the Owner's name prior to the advance of all of the development rebate payments, the Applicant will immediately notify the CAO in writing of such change or proposed change of ownership.
- 8.2 The payment of development rebates shall cease upon the sale, transfer or assignment of the Property, unless, prior to the completion of such sale, transfer or assignment, the Owner and the new owner enter into an agreement with the CBRM, in a form and content satisfactory to the CAO and the CBRM Solicitor, in which it is agreed that the new owner shall have the right to participate in the Development Support Program.
- 8.3 Where the Applicant wishes to assign the right to receive the development rebates to a recipient, who is not a new owner, the CAO, in the CAO's sole discretion, may agree to the assignment provided that the Recipient with the written consent of the owner enter into an agreement with the CBRM, in a form and content satisfactory to the CAO and the CBRM Solicitor, acting reasonably, in which it is agreed, that such assignment shall not relieve the Applicant of any of the Applicant's obligations and responsibilities under this Agreement, nor shall it affect in any way the CBRM's rights under this Agreement.
- 8.4 It is the responsibility of the Applicant or Owner to provide in writing to the CAO change in Recipient. It is at the discretion of the CAO to determine if an adjustment to the development rebate identification of a new Recipient by the Applicant.

9 CBRM RIGHTS

No Representation

9.1 Nothing in this Agreement shall be construed to be a representation by the CBRM regarding compliance of the Property with any applicable legislation, regulations, policies, standards, permits, approvals or by-laws.

No Claim for Compensation or Reimbursement

9.2 In the event that any of the conditions of this Agreement are not fulfilled and a development rebate is not advanced, or required to be repaid, or the development rebate payments cease, or are delayed, the Applicant and Owner agrees that notwithstanding any costs or expenses incurred by the Applicant or Owner, the Applicant or Owner shall not have any claim for compensation or reimbursement of these costs and expenses against the CBRM and that the CBRM is not liable to the Applicant or Owner for losses, damages, interest, or claims which the Applicant or Owner may bear as a result of the lapse of time (if any) where the CBRM is exercising its rights herein to either delay a payment pending the Applicant or Owners' compliance with this Agreement, or to terminate this Agreement.

10 DEFAULT AND REMEDIES

10.1 Subject to section 10.3, on the occurrence of a Default under this Agreement, the CBRM shall be entitled to all available remedies to terminate or enforce this Agreement, including, but not limited to:

- (a) immediate termination and cessation or delay of the release of a development rebate otherwise payable to the Applicant; and
- (b) requiring the Applicant or Owner to immediately repay to the CBRM all or a portion of any development rebates paid to the Applicant or Owner together with interest at the established CBRM Rate.

10.2 A default under this Agreement ("Default") shall be deemed to occur upon the failure of the Applicant or Owner to perform any of the obligations of the Applicant or Owner contained in this Agreement or to comply with all of the terms and conditions contained in this Agreement, including, but not limited to, the following:

- (a) failure by the Applicant or Owner to satisfy the minimum requirements as set out in this Agreement and the CDD By-law;
- (b) failure by the Applicant or Owner in any material respect, to perform any of the obligations contained in this Agreement;
- (c) failure by the Applicant or Owner to pay and keep in good standing all real property taxes with respect to the Property and all other charges against the Property in favour of the CBRM, including but not limited to development charges, special assessments, local improvement charges, sewer and water and utility rates.
- (d) the making of an assignment by the Applicant or Owner for the benefit of creditors, or if the Applicant or Owner assigns in bankruptcy or takes advantage of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of

- bankrupt or insolvent debtors; receipt of a receiving order against the Applicant or Owner, or if the Applicant or Owner is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Applicant or Owner under any mortgage or other obligation, or if the Property or the interest of the Applicant or Owner in the Property is taken or sold by any creditors or under any writ of execution or other like process;
- (e) failure by the Applicant or Owner to remain in contact with the CBRM such that the CBRM is unable to contact the Applicant or Owner for a period of time exceeding one (1) year.
 - (f) any representation or warranty made by the Applicant or Owner in this Agreement or the Development Support Program is incorrect in any material respect.
 - (g) willful defaults by the Applicant or Owner in the payment of moneys to any contractor, supplier or creditor, who has undertaken the works that are the subject of this Agreement,
- 10.3 If a Default occurs, the CBRM shall give written notice to the Applicant or Owner specifying the nature of the Default. The Applicant or Owner shall then have sixty (60) days, or such additional time as may be agreed to by the CBRM, acting reasonably, from the receipt of such notice of Default to rectify the Default, during which time all Development rebate payments may, in the CAO's sole discretion, be suspended, provided that if the Default is such that it cannot with due diligence be wholly rectified within sixty (60) days, or such additional period of time as may be agreed to by the CAO, and the Applicant or Owner has commenced and continues diligently working to correct the Default, the Applicant or Owner shall not be deemed to be in default of this Agreement so long as it proceeds with due diligence to rectify the Default. If the Applicant or Owner fails to rectify the Default within the sixty (60) day time period or such additional time as may be agreed to by the CAO, and provided that the Applicant or Owner has not commenced and continued diligently working to correct the subject Default, the CAO shall have the option, in the CAO's sole discretion, to exercise the remedies under Subsection 10.1.
- 10.4 Wherever in this Agreement the CBRM requires repayment of all or part of any Development rebate and the Applicant or Owner fails to repay as required the unpaid amounts shall be deemed to be a debt owing to the CBRM, and may constitute a lien on the property, together with interest at the CBRM rate.

11 INDEMNITY

- 11.1 The Applicant or Owner shall indemnify, save, defend and keep harmless from time to time and at all times, the CBRM and its elected officials, officers, employees and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly:
- (a) in respect of any failure by the Applicant or Owner to fulfill its obligations under this Agreement; and
 - (b) in respect of any loss, damage or injury (including death resulting from injury) to any person or property, however caused, directly or indirectly, resulting or sustained by

reason of any act or omission of the Applicant or Owner or any person for whom the Applicant or Owner is in law responsible in connection with any of the purposes set out in this Agreement or the failure by the Applicant or Owner to fulfill its obligations under this Agreement;

This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement.

12 ADDITIONAL PROVISIONS

Term

12.1 This Agreement shall remain in effect from the date of its execution by the CBRM to the earlier of:

- (a) the Applicant informing the CBRM in writing prior to the first development rebate payment that it has decided not to accept any development rebates;
- (b) subject to the provisions of section 10 of this Agreement, the CBRM informing the Applicant or Owner in writing that due to the nonfulfillment of a required condition or due to Default, this Agreement is at an end;
- (c) the expiry of the Development Support Program period after 10 years; and
- (d) the Applicant informing the CBRM in writing at any point after receiving the first development rebate payment, that it no longer wishes to receive development rebates.

Time of the Essence

12.2 Time shall be of the essence with respect to all covenants, agreements and matters contained in this Agreement.

Extension of Time

12.3 Where a time limit or deadline is provided for under this Agreement, the CAO, acting reasonably, may extend such time limit or deadline without an amendment to this Agreement.

Schedules

12.4 The following Schedules are attached to and form part of this Agreement:

- Schedule "A" Example of Development Rebate Calculation
- Schedule "B" CDD By-law
- Schedule "C" Development Support Program
- Schedule "D" List of Development Plans
- Schedule "E" Development Rebate Calculation

Survival of Covenants

12.5 Any terms or conditions of this Agreement that require performance by the CBRM or the Applicant or Owner after the expiration or other termination of this Agreement remain enforceable notwithstanding such expiration or other termination of this Agreement for any reason whatsoever.

Notice

12.6 Any notice required to be given by either party to the other shall be given in writing and delivered in person or by facsimile transmission to:

- (a) In the case of the CBRM to:
Attn: Chief Administrative Officer, CBRM,
320 Esplanade
Sydney, Nova Scotia
B1P 7B9
- (b) In the case of the Applicant to:
- (c) In the case of the Owner to:

Notice shall be deemed to have been received on the day of personal delivery or facsimile transmission if such day is a business day and delivery is made prior to 4:00 p.m. and otherwise on the next business day. The parties agree to notify each other immediately, in writing, of any changes of address from those set out above.

Entire Agreement

12.7 This Agreement and the Schedules attached to it constitute the entire Agreement between the parties and there are no agreements collateral to it other than as referred to herein and no representations or warranties, express or implied, written or verbal, statutory or otherwise, other than as expressly set forth or referred to in this Agreement.

Municipal Government Act

12.8 Nothing in this Agreement limits or fetters the CBRM in exercising its statutory jurisdiction under the *Municipal Government Act*, or under any other legislative authority or By-law and in the event that the CBRM decides to grant or deny any request or oppose or appeal any decision made pursuant to any such legislation, such action by the CBRM is not in any manner affected or limited by reason of the CBRM entering into this Agreement.

Governing Law

12.9 This Agreement will be exclusively governed, construed and enforced in accordance with the laws of the Province of Nova Scotia and the Owner agrees to attorn to the jurisdiction of the Province of Nova Scotia.

Waiver and Consent

12.10 No consent or waiver, express or implied, by either party to or of any breach or Default by either party of any or all of its obligations under this Agreement or any amendment of this Agreement will:

- (a) be valid unless it is in writing and stated to be a consent or waiver pursuant to this Agreement;
- (b) be relied upon as a consent or waiver to or of any other breach or Default of the same or any other obligation;
- (c) constitute a general waiver under this Agreement, or
- (d) eliminate or modify the need for a specific consent or waiver pursuant to this section in any other instance.

Headings

12.11 The division of this Agreement into articles, sections, subsections and schedules and the insertion of headings are for convenience of reference only and shall not affect the construction or interpretation of this Agreement. The articles, section, subsection and schedule headings in this Agreement are not intended to be full or precise descriptions of the text to which they refer and should not be considered part of this Agreement.

Extended Meanings

12.12 Words expressed in the singular include the plural and vice-versa and words in one gender include all genders.

Severability

12.13 If any provision of this Agreement is invalid, illegal or unenforceable, it shall not affect the validity, legality or enforceability of any other provision of this Agreement.

Further Assurances

12.14 The parties agree that they shall each execute, deliver or cause to be made, done, executed and delivered all such further acts, deeds, assurances and things as may be required or as the other party may reasonably request in order to give full effect to this Agreement.

Force Majeure

12.15 If either party is prevented or delayed from performing any of the obligations on its part to be performed hereunder by reason of an Act of God, strike, labour dispute, lockout, threat of imminent strike, fire, flood, interruption or delay in transportation, war, acts of terrorism, insurrection or mob violence, requirement or regulation of government, or statute, unavoidable casualties, shortage of labour, equipment or material, plant breakdown or failure of operation, equipment or any disabling cause (other than lack of funds), without regard to the foregoing enumeration, beyond the control of the parties which cannot be overcome by the means normally employed in performance, then and in every such event, any such prevention or delay shall not be deemed a breach of this Agreement but performance of any of the said obligations or requirements shall be suspended during such period or disability and the period of all such delays resulting from any such causes shall be excluded in computing the time within which anything required or permitted by either party to be done is to be done hereunder, it being understood and agreed that the time within which anything is done, or made pursuant thereto shall be extended by the total period of all such delays.

Successors and Assigns

12.16 The terms and provisions of this Agreement shall ensure to the benefit of and be binding upon the parties and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties have executed this Agreement by their duly authorized representatives effective this _____ day of, _____ 20_____

CAPE BRETON REGIONAL MUNICIPALITY

Name:
Title: Chief Administrative Officer

Authorized pursuant to Section 71C and
Section 71D of *Municipal Government Act*.
1998, c. 18, s. 1.)

Name:
Title:

I have authority to bind the corporation.

SCHEDULE "A"
EXAMPLE OF DEVELOPMENT REBATE CALCULATION
(note: this example is for a ten year phase in period)

A. Pre-Development Base Year Taxable Assessed Value:

(1)

Base Year	Base Year Taxable
2007	\$150,000

B. Post-Development Actual Taxable Assessed Value:

(2)

(3)

Year	Rebate Year	Actual Taxable Assessed Value	Current Commercial Municipal Tax
1	2008	\$350,000	3.78
2	2009	\$350,000	3.98
3	2010	\$375,000	4.21
4	2011	\$375,000	4.52
5	2012	\$325,000	4.52
6	2013	\$325,000	4.52
7	2014	\$325,000	4.51
8	2015	\$325,000	4.45
9	2016	\$300,000	4.39
10	2017	\$300,000	4.31

C. Development Rebates:

(4)

(5)=(2-1)

(6)=(5x3)

(7)=(6x4)

(8)

Years	Rebate %	Rebate Eligible Assessment	Rebate Eligible Taxes	Rebate Amount \$	Cumulative % Payable
1	90	\$200,000	\$7,560.00	\$6,804.00	90
2	80	\$200,000	\$7,960.00	\$6,368.00	85
3	70	\$225,000	\$9,472.50	\$6,630.75	80
4	60	\$225,000	\$10,170.00	\$6,102.00	75
5	50	\$175,000	\$7,910.00	\$3,955.00	70*
6	50	\$175,000	\$7,910.00	\$3,955.00	67
7	40	\$175,000	\$7,892.50	\$3,157.00	63
8	30	\$175,000	\$7,787.50	\$2,336.25	59
9	20	\$150,000	\$6,585.00	\$1,317.00	54*
10	10	\$150,000	\$6,465.00	\$ 646.50	50*
Totals (9) & (10):		\$79,712.50	\$41,271.50		
Re-calculate:		50%	\$1,415.25		
Total Allowable Rebate:		\$39,856.20	\$39,856.25		

* Reset calculated in Year Five (5) and Year Nine (9) to identify any over/underpayment of Rebate. Total Allowable Development Rebates over the program period cannot exceed 50%.

SCHEDULE "B"
CDD By-law (By-law No. C-300)

SCHEDULE "C"
DEVELOPMENT SUPPORT PROGRAM

SCHEDULE "D"
LIST OF DEVELOPMENT PLANS & DRAWINGS

SCHEDULE "E"
DEVELOPMENT REBATE CALCULATION
 (note: this example is for a ten year phase in period)

Address:

Property Identification No.:

A. Pre-Development Base Year Taxable Assessed Value:

(1)

Base Year	Base Year Taxable

B. Post-Development Actual Taxable Assessed Value:

(2)

(3)

Year	Rebate Year	Actual Taxable Assessed Value	Current Commercial Municipal Tax
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

C. Development Rebates:

(4)

(5)=(2-1)

(6)=(5x3)

(7)=(6x4)

(8)







Years	Rebate %	Rebate Eligible Assessment	Rebate Eligible Taxes	Rebate Amount \$	Cumulative % Payable
1	90				90
2	80				85
3	70				80
4	60				75
5	50				70*
6	50				67
7	40				63
8	30				59
9	20				54*
10	10				50*
Totals (9) & (10):					
Re-calculate:		50%			
Total Allowable Rebate:					

* Reset calculated in Year Five (5) and Year Nine (9) to identify any over/underpayment of Rebate. Total Allowable Development Rebates over the program period cannot exceed 50%.

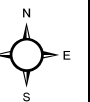
CAPE BRETON REGIONAL MUNICIPALITY

MUNICIPAL PLANNING STRATEGY

COMMERCIAL DEVELOPMENT DISTRICT IMPROVEMENT BYLAW : SYDNEY & WHITNEY PIER SCHEDULE C

-  Service Boundary
-  Road
-  Parcel
-  Waterbody
-  Commercial District Improvement Bylaw Zone - Downtown
-  Commercial District Improvement Bylaw Zone - Industrial Park

SCALE 1:20,000

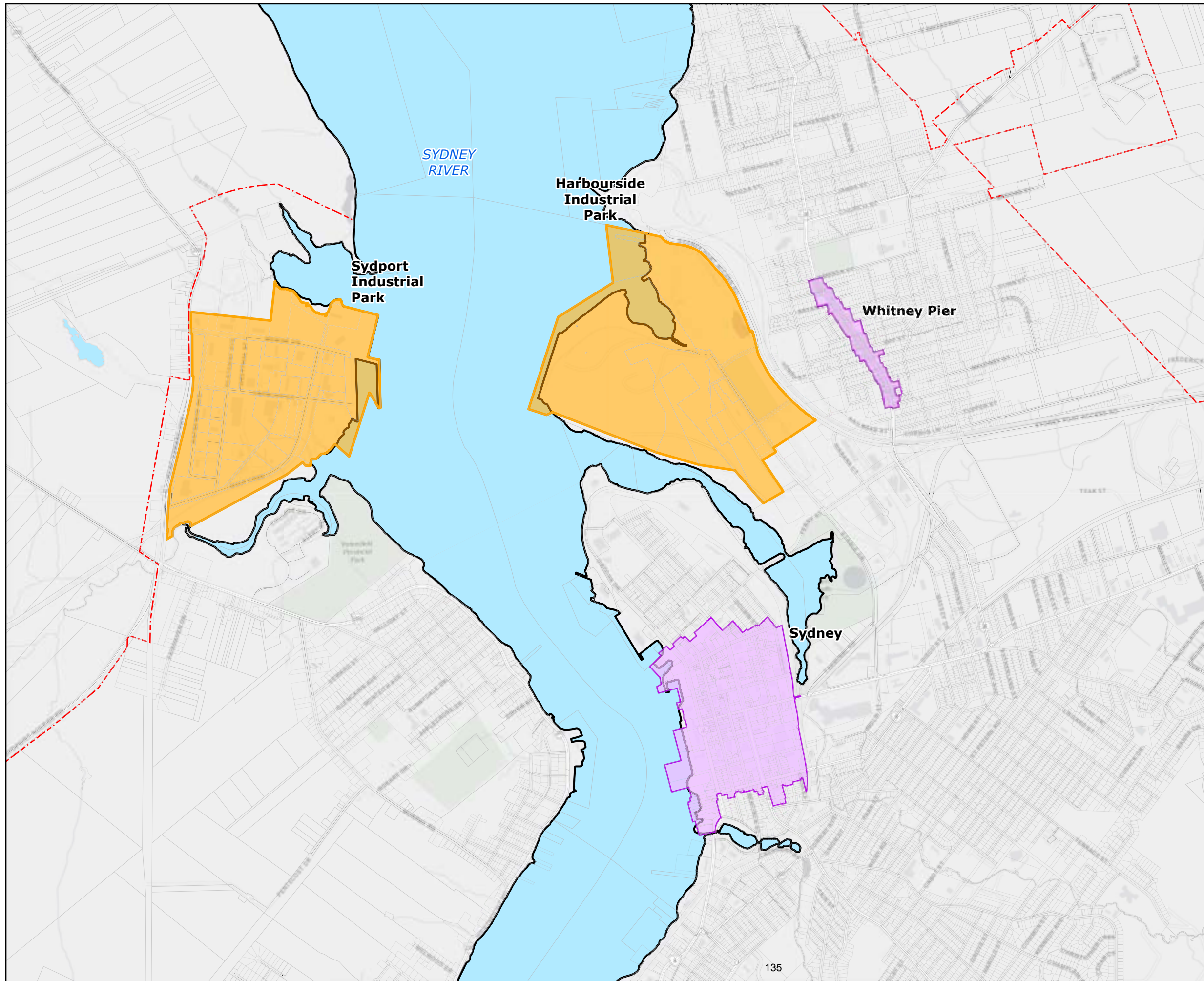


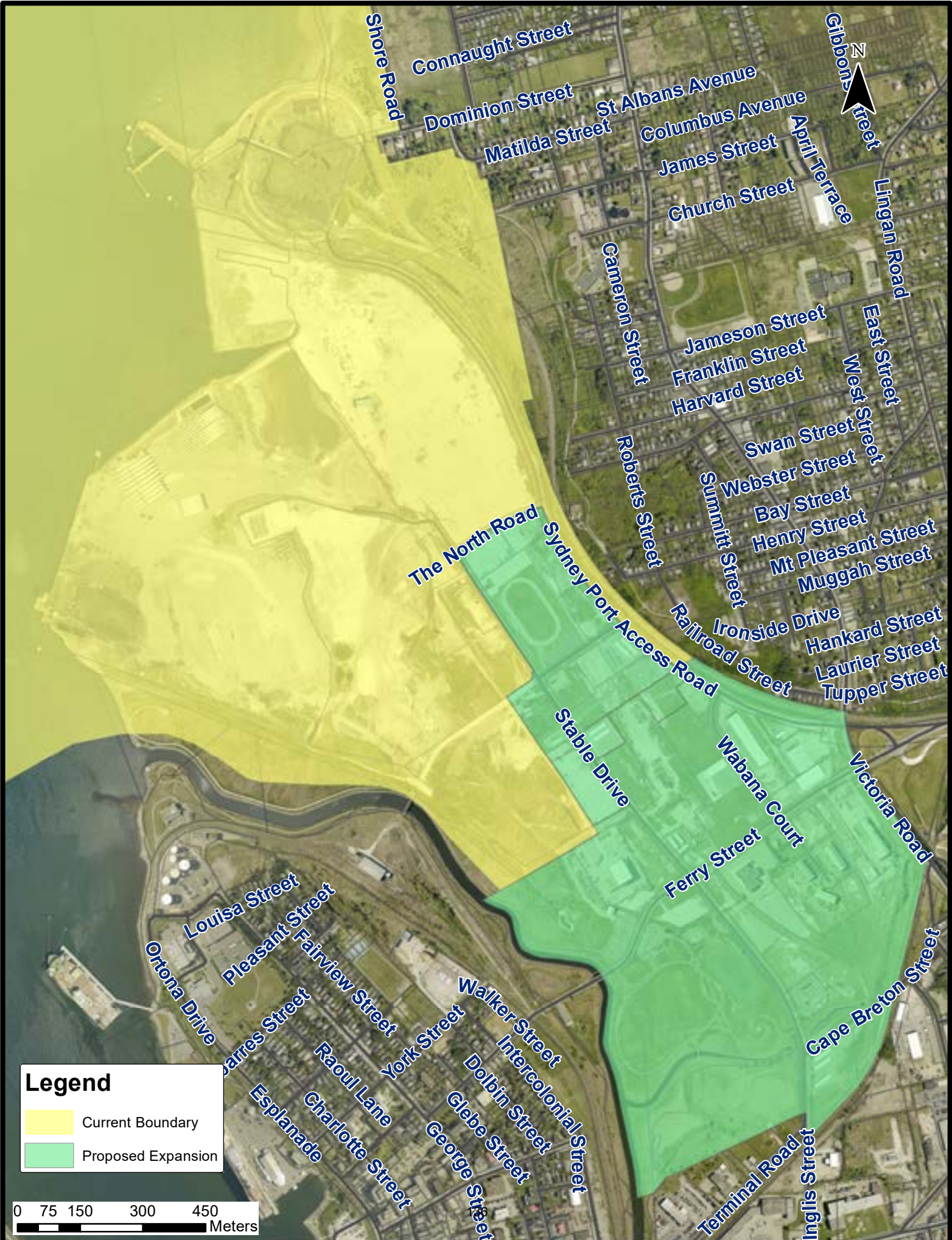
MAP DRAWING INFORMATION:
DATA PROVIDED BY GEONOVA, CAPE BRETON REGIONAL MUNICIPALITY

MAP CREATED BY: HF
MAP CHECKED BY: JB
MAP PROJECTION: NAD 1983 CSRS UTM Zone 20N



PROJECT: 23-5473
STATUS: DRAFT
DATE:





Legend

- Current Boundary
- Proposed Expansion



Excerpts from the Municipal Planning Strategy

8.3.1. Economic Development Capacity Policies

ED-3 Council shall evaluate the implementation of Commercial Development District Improvement By-law in accordance with the Municipal Government Act. This By-law allows for the phasing in of commercial tax increases in all eight historic downtown cores (Sydney, Glace Bay, North Sydney, Sydney Mines, New Waterford, Dominion, Whitney Pier and Louisbourg) as well as the three business parks (Sydport, Northside and a portion of Harbourside) as shown on the attached maps.

Commercial development district

71C (1) In this Section,

- (a) "commercial development district" means a district, established by a by-law made pursuant to subsection (2), that comprises one or more eligible properties;
- (b) "eligible commercial property" means a commercial property, except the forest property owned by a person who owns fifty thousand acres or more of forest property in the Province;
- (c) "eligible contaminated property" means a property or part thereof that
 - (i) was an eligible commercial property,
 - (ii) is designated as a contaminated site pursuant to subsection 87(1) of the Environment Act, and
 - (iii) is the subject of an agreement entered into pursuant to clause 89(1)(b) of the Environment Act;
- (d) "eligible property" means an eligible commercial property or eligible contaminated property.

(2) Notwithstanding subsection 57(2) but subject to Section 71D, where a council considers it necessary or advisable, the council may, by by-law, provide for

- (a) the phasing-in of an increase in the taxable assessed value of an eligible property located in a commercial development district over a period not exceeding ten years; and
- (b) the cancellation, reduction or refund of taxes paid as a result of the phasing-in of the increase.

(3) Subject to subsection (4), a by-law made pursuant to subsection (2) must establish, in accordance with a municipal planning strategy, one or more commercial development districts.

(4) A commercial development district may only be established in an area that is serviced by wastewater facilities and a water system.

(5) Subject to subsection (6), a by-law made pursuant to subsection (2) may

- (a) where the taxes paid in the current year in respect of an eligible property exceed the taxes payable in respect of the eligible property under the by-law, authorize the refund of the amount by which the taxes paid exceed the taxes payable under the by-law;
- (b) prescribe a base year for the purpose of a formula authorized by clause (c); and
- (c) prescribe a formula to be applied to any increase in the taxable assessed value in a year above the taxable assessed value in the base year for the purpose of calculating the taxes payable.

(6) A formula prescribed by clause (5)(c) must not result in the calculation of the total increase in taxes payable during the phase-in period being less than fifty per cent of the total increase in

taxes that would be payable during the same period in the absence of the application of the formula.

(7) Notwithstanding subsection 57(2), where a by-law is made pursuant to subsection (2), the owner of an eligible property to which the by-law applies shall pay taxes with respect to the eligible property in accordance with the by-law instead of the taxes otherwise payable pursuant to this Act.

(8) Taxes payable in respect of an eligible property under a by-law made pursuant to subsection (2) are a first lien upon the eligible property.

(9) Nothing in this Section authorizes the application of a commercial tax rate to an eligible property other than the commercial tax rate set by the council pursuant to subsection 73(1) for the area of the municipality determined to be an urban area receiving an urban level of services. 2016, c. 13, s. 1.

Review by Minister

71D (1) Where a council makes a by-law pursuant to subsection 71C(2), the clerk shall submit a certified copy of the by-law to the Minister.

(2) The Minister shall review the by-law and determine whether the by-law appears to affect a provincial interest or conflict with the law.

(3) Where the Minister determines that the by-law appears to affect a provincial interest, the Minister shall

- (a) approve the by-law;
- (b) approve the by-law with such amendments as the Minister considers necessary or advisable; or
- (c) refuse to approve the by-law.

(4) Where the Minister determines that the by-law appears to conflict with the law, the Minister shall

- (a) approve the by-law with such amendments as the Minister considers necessary or advisable to resolve the apparent conflict with the law; or
- (b) refuse to approve the by-law.

(5) The by-law is of no force and effect until the Minister

- (a) determines that the by-law does not appear to affect a provincial interest or conflict with the law; or
- (b) approves the by-law, with or without amendments,

and provides written notice to the clerk of the Minister's determination or approval.

Quadrennial review

71E A by-law made pursuant to subsection 71C(2) must be reviewed by the municipality within four years of its coming into force and every four years thereafter.

STAFF REPORT – COUNCIL

To: MAYOR CLARKE AND COUNCIL

Submitted by: Sheila Kolanko, Property Manager

Date: June 23rd, 2026

**Subject: Application to Purchase Lot 18-20 Northside Business Park
PID 15895923**

Origin

This report has been prepared in response to a request received from Gouthro’s Commercial Trailer Depot Inc. (“the applicant”) to purchase Lot 18-20 in the Northside Business Park. The applicant is seeking authorization for development to extend beyond the required 12-month timeline as required by the Northside Business Park Land Pricing and Sales Conditions Policy (hereinafter referred to as “Policy”). Lot 18-20 is outlined in yellow on the attached map (Attachment “A”).

Recommendation/Options

Council provide direction to the CAO and staff regarding whether an exception to the Policy should be granted to permit the sale of Lot 18-20 with modified development timelines. Council has 4 options:

1. Approve the sale subject to amended development timelines, as determined by Council and defer the fee option to coincide with the amended timelines.
2. Approve the sale subject to amended development timelines, as determined by Council and maintain the fee option in accordance with CBRM’s standard Buy-Back and Right of First Refusal Agreement.
3. Approve the sale subject to compliance with the existing policy and timelines.
4. Decline the sale.

Background

The Municipality has received an application from the applicant to purchase Lot 18-20 within the Business Park for the purpose of developing a cross-dock facility on the subject property. The company currently owns and operates a trailer depot business adjacent to the proposed development site. The applicant's properties are identified on the attached map (Attachment "A") as PID 15895915 and 15577424 and outlined in blue.

The proposed development would establish a cross-dock facility, for which the applicant has identified significant market demand. The applicant has advised that one of the region's larger companies has expressed interest in utilizing the facility and becoming a customer upon completion. The applicant has also indicated that additional negotiations with other companies are ongoing; however, the applicant is unable to formally commit to these opportunities until ownership of the property is secured.

The subject property (Lot 18-20) consists of approximately 2 acres and presents significant site preparation challenges. The applicant's proposed development requires a substantial amount of fill prior to construction, with depth variations ranging from approximately 20 feet to 40 feet. Estimated fill costs are expected to exceed \$150,000. The applicant has indicated that while they are committed to proceeding with the project, the availability and acquisition of the required volume of fill material will impact the ability to complete development within the standard 12-month timeframe. The applicant has further indicated a strong desire to start site preparation immediately in order to take advantage of the current construction season and the increased availability of fill material during the summer months.

INTERNAL REVIEW/EVALUATION:

The policy provides the Chief Administrative Officer (CAO) with authority to negotiate matters that are not in specific conflict with the policy. As the applicant is unable to comply with the mandatory development timelines established by the policy, the request represents a specific conflict with the policy requirements. As such, the matter cannot be addressed through the CAO authority and therefore requires Council direction.

It should be noted that CBRM did receive a previous interest in this lot; however, the prospective purchaser did not proceed due to the substantial fill requirements and associated development costs.

Legislative Authority

The municipality has the authority to sell the subject property pursuant to Section 50 and Section 218 of the Municipal Government Act.

The Municipality's Northside Business Park Land Pricing and Sales Condition Policy require purchasers to apply for a development permit within 365 days (12 months) of the property's closing date and to complete development within 24 months thereafter.

Financial Implications

The sale of the property would result in revenue to the Municipality; however any development timeline extension would create short-term loss of revenue of property taxes until the development is complete.

The Buy Back and Right of First Refusal Agreement required for the sale of lots within the Northside Business Park provides protection to the Municipality by allowing commercial taxes to be levied should the project extend beyond the standard development period. A "fee option" on the property would apply for such time as development is completed. The fee option is a fee equal to the sum of commercial taxes levied on the property as if it had complied with the original Minimum Construction Value listed on the application, less annual property tax on the vacant lot.

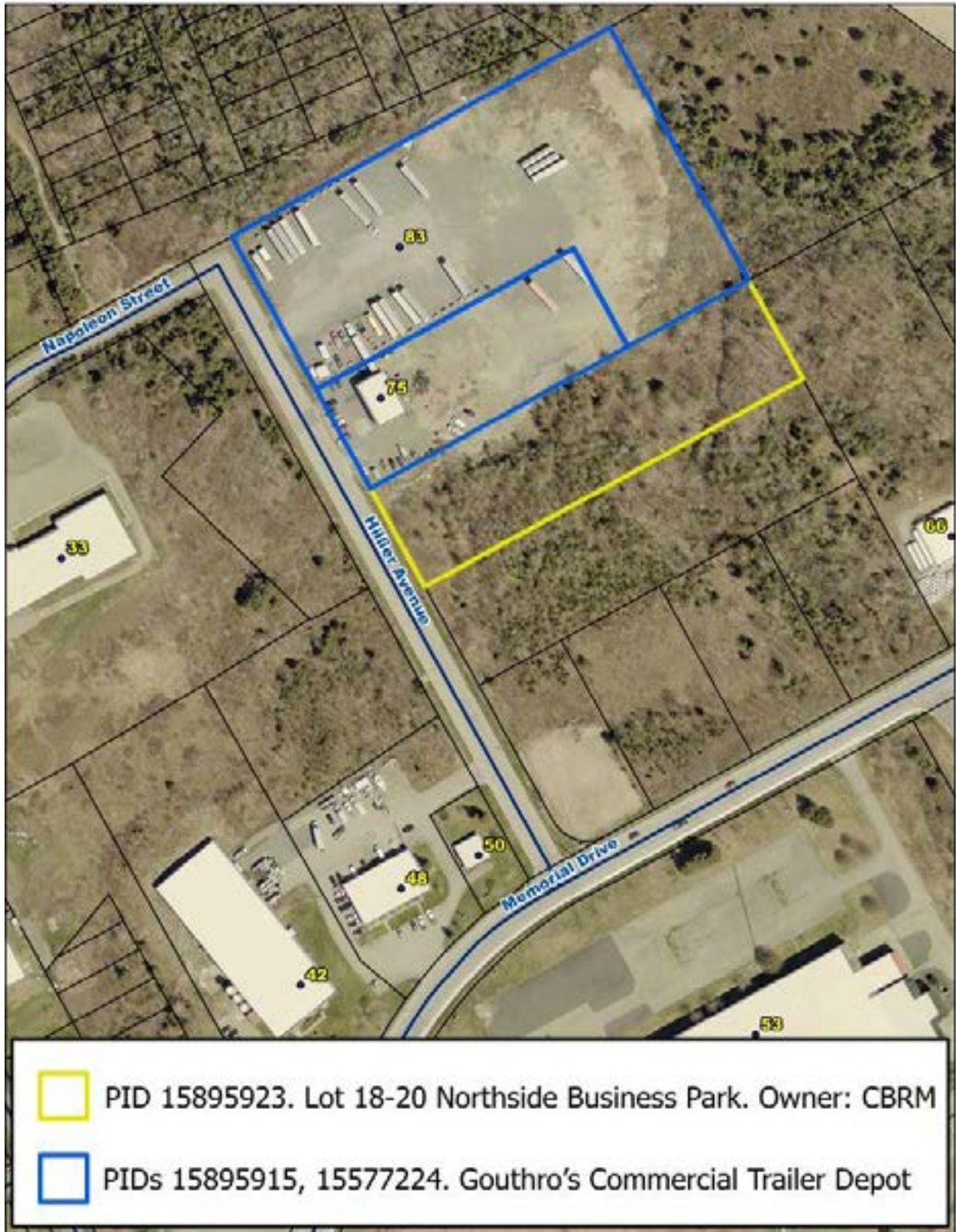
Attachments

Attachment A – Municipal Property Lot 18-20 (PID 15895923)

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

Report Prepared by: Sheila Kolanko, Property Manager

ATTACHMENT "A"



TO: Mayor Clarke and CBRM Council
FROM: Demetri Kachafanas, Chief Administrative Officer
DATE: June 16, 2026
SUBJECT: **Research Project – Housing Affordability & Secondary Markets**

INFORMATION REPORT

ORIGIN

June 19, 2023, CBRM Council motion (Item No. 2):

MOVED by Councillor Paruch, seconded by Councillor Bruckschwaiger:

To direct staff to submit a Housing Action Plan, including the initiatives listed in Appendix A of the Issue Paper dated June 15, 2023, and any other required documentation to the Canada Mortgage and Housing Corporation as part of the Municipality's application for the Housing Accelerator Fund (HAF).

MOTION PUT AND CARRIED.

July 15, 2025, CBRM Council motion (Item No. 3.1):

MOVED by Councillor MacMullin, seconded by Councillor Paruch:

THAT CBRM Council adopt the CBRM Housing Strategy, which is included in the Attachment A of the agenda package, and to direct staff to evaluate the recommended actions and present options for Council's consideration at a future session of Council.

MOTION PUT AND CARRIED.

BACKGROUND

The Housing Accelerator Fund project included intent to work with Cape Breton University (CBU) in its proposal and workplan on targeting housing affordability. This memo is the resulting proposed agreement with CBU and one of their professors (Jan Hancock) to conduct research on this behalf.

Through policy development, grant implementation, and collaboration with developers to advance

new housing projects in the Cape Breton Regional Municipality (CBRM), gaps in current data availability have been consistently identified as a key challenge. The purpose of this sponsored research is to address these gaps by developing up-to-date and comprehensive information on housing affordability, availability, quality, and suitability. Strengthening the local evidence base in this way will support a clearer and more accurate understanding of current housing conditions and needs in CBRM.

DISCUSSION

This project targets questions outside of the housing needs assessment planned for later this year by reaching out to all CBRM citizens to take part in foundational knowledge to ensure builders have a precise view of community needs.

Current CMHC datasets collect comprehensive housing data for areas designated as Central Metropolitan areas, which for Nova Scotia, is Halifax. The remaining areas only collect partial housing data from the primary rental market, which is defined as tenants living in purpose-built rental buildings containing 3 or more units.

After reviewing other perspective partnership options with CBU, Jan Hancock's research in partnership with Town House Glace Bay Citizens Service League, came forward as an opportunity to scale up to cover the full scope of the region.

This research will enhance the quality and relevance of information available to both municipal staff and developers as they develop and refine policies related to residential development. By providing more localized and up-to-date data, it will support better-informed decision-making and more targeted policy interventions. For developers, this improved evidence base will help align projects more closely with actual market needs, rather than relying on broad indicators such as general market trends, comparisons to other regions, or high-level demographic statistics. Ultimately, this approach will encourage development that is more responsive to the specific housing demands within CBRM.

FINANCIAL IMPLICATIONS

The expected cost associated with the research is \$35,000. Staff have reviewed the estimated costs associated with each component of the project and find them to be reasonable for an initiative designed to reach all households within CBRM. The associated budgetary components were considered as part of the Housing Accelerator Fund.

Non-monetary resource implications include staff time required for the review of questionnaires, community engagement activities, and project planning. These efforts are currently supported through funding provided by the Housing Accelerator Fund.

ATTACHMENTS

None.

A copy of the proposed Sponsored Research Agreement is available upon request.

Report Prepared by: Travis Radtke, Housing Coordinator, Planning Department 902-574-5301

STAFF REPORT

To: CBRM Mayor and Council

Submitted by: Demetri Kachafanas, CAO

Date: June 11th, 2026

Subject: Case #001101 – Text Amendment to CBRM’s Land Use By-law

ORIGIN

Initiated by citizen request to amend Section 4.2 of the Land Use By-law (LUB), regarding Accessory Dwelling Units.

RECOMMENDATION

It is recommended that Council retain the existing provisions for Accessory Dwelling Units, within the CBRM Forward Land Use By-law, as set out in Attachment A of this report.

BACKGROUND

Staff have received a request from an applicant to amend the maximum permitted floor area for an Accessory Dwelling Unit (ADU), which is currently set at 72 square metres (Attachment B).

With the adoption of CBRM Forward in 2023, a wide range of housing options were addressed, including a new housing type in the form of an accessory dwelling unit (ADU). ADUs enable a gentle increase in density without altering the streetscape.

The Land Use By-law defines an ADU as “one dwelling unit accessory to a one-unit dwelling, two-unit dwelling, semi-detached dwelling and intended as an independent and separate living unit which contains its own sleeping, living, cooking and sanitary facilities, and its own entrance. An accessory dwelling unit is detached from main dwelling, unlike a secondary suite.”

It is important to note that this is a separate independent unit from the main dwelling in its own detached building. This differs from a Secondary suite which is contained wholly within the Main Dwelling.

DISCUSSION

The maximum floor area for accessory dwelling units was determined by consultants working for the CBRM based on their professional experience. The 72 m² standard was adopted to ensure that ADUs function as small, subordinate residential units that remain clearly accessory to the main building.

Jurisdictional Review

As part of this review, Staff completed a jurisdictional scan of ADU regulations across Nova Scotia. The scan indicates that the municipality's current 72 m² maximum places us in the middle of the range of permitted ADU sizes. Some municipalities allow smaller units, while others permit larger ones, but the 72 m² standard reflects a balanced, moderate approach consistent with common practice.

Through this scan it is important to also note that ADU's are not yet common across all Municipalities. Many Municipalities have not yet adopted LUB provisions around these housing types, or they have only recently been adopted.

Review of Recent Applications

Staff have also reviewed several Building and Development permit applications for the development of ADUs since their implementation within the CBRM Forward LUB in 2023. Since then, permit data indicates the average size of approved ADUs is approximately 60m².

Discussion of Proposed Amendments

ADUs remain a relatively new housing form within the Municipality and across Nova Scotia. Their long-term impacts on neighbourhood character, servicing, parking, and enforcement are not yet fully observed. Because this form of development is still emerging, Staff believe it is reasonable to retain the current size limit of 72m² while monitoring uptake and performance over the next several years before considering any expansion of the permitted floor area.

For these reasons, Staff recommend that Council maintain the existing 72 m² maximum floor area for ADUs. This approach provides stability, while the municipality gains experience with this new housing form, and it avoids applying standards designed for a different type of residential unit.

While Staff is recommending maintaining the current provisions, Staff is also presenting an alternative for Council's consideration. Council could choose to align the maximum ADU size with the floor area provisions for secondary suites under the Nova Scotia Building Code. It is important to note that Secondary Suites and ADUs are not the same building type. A Secondary Suite is located within the main building, sharing structural systems, services, and fire separations with

the principal dwelling. An ADU, by contrast, is a detached, stand-alone building situated elsewhere on the lot. These differences in location, construction, servicing, and land-use impact mean that the Building Code's secondary suite size limits do not translate directly to the ADU context. However, staff have found some other jurisdictions in Nova Scotia that use the same standards for Secondary Suites and ADUs in their Land Use By-laws.

Excerpts from the Building Code related to secondary suites are provided in Attachment C. For ease of implementation, the 80 square metres referenced in subsection one of the Code provisions is presented as the alternative recommendation for Council's consideration. A draft Amending By-law reflecting this change in size can be found in Attachment D.

FINANCIAL IMPLICATIONS

The applicant has paid the application fee in accordance with CBRM's Fee Policy Planning, Development and Building.

ALTERNATIVES

Council may choose to give First Reading to consider approval of the proposed amendments to the CBRM Forward Land Use By-law, as set out in Attachment D, and schedule a Public Hearing at an upcoming Council Meeting.

LEGISLATIVE AUTHORITY

Section 210 of the *Municipal Government Act* (MGA) outlines the required process for amendments to the Land Use By-law. An excerpt of the applicable MGA provisions is provided as Attachment E.

ATTACHMENTS

Attachment A:	Excerpt from the LUB regarding Accessory Dwelling Units (ADU)
Attachment B:	Request from Applicant for Proposed Amendments to LUB
Attachment C:	Excerpts from Building Code Related to Secondary Suites
Attachment D:	Proposed Alternative - Amendments to LUB
Attachment E:	Excerpt of Municipal Government Act

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

Attachment A

4.2. ACCESSORY DWELLING UNITS

A lot containing a one or two unit dwelling may also contain an accessory dwelling unit as a secondary use in a separate building subject to the following:

- a) The accessory dwelling unit suite shall not exceed a maximum gross floor area of 72 square metres;
- b) The height of an accessory dwelling unit shall not exceed the height prescribed for an accessory building in Section 4.1 of this By-law;
- c) Unless the accessory building existed legally prior to the adoption of the Land Use By-law, the accessory dwelling unit shall be in the rear yard of the main building;
- d) The accessory dwelling unit shall be of a similar appearance and design as the main building;
- e) Each lot is limited to one accessory dwelling unit; and
- f) Subdivision of an accessory dwelling unit to create a flag lot is prohibited.

ATTACHMENT B

Peter E. Vandermeulen

From: Madison McGillivray <Madison.McGillivray@dal.ca>
Sent: May 14, 2026 1:07 PM
To: PlanningConsult
Subject: Land Use By-law Amendment
Attachments: COW.pdf; COI.pdf; Karen Court Plot Plan McGillivray.pdf; Madison Mc Gillivray Karen Lynn Court Lingan.pdf; 2708-24-Aug9-LC.pdf

Some people who received this message don't often get email from madison.mcgillivray@dal.ca. [Learn why this is important](#)

To Whom It May Concern:

I am writing to formally request an amendment to the current Land Use By-law that limits accessory dwelling units to a maximum size of 72 square meters. I have explored various avenues before resorting to this, including being granted a variance, however this situation does not qualify as a "hardship" and was therefore denied.

My situation is somewhat unique. My existing home, located at 16 Karen Lynn Court, River Ryan (PID #15650427), is approximately 844 square feet and was constructed with the long-term plan of building a second dwelling on the same property. This intention was part of the original vision for the property from the beginning.

When I applied for and received the permit for the existing home, I was advised that these specific by-law restrictions would not apply to my property, as it was understood to fall under county regulations rather than municipal limitations. Based on this information, I proceeded in good faith with the current size and layout of the home.

The proposed dwelling would be located in front of the existing home and would be a two-storey residential home of approximately 2,000 square feet. Due to the presence of an on-site septic system, I cannot subdivide the property, as doing so would result in lot sizes that do not meet current environmental requirements. However, I have consulted with multiple engineers who confirmed that the existing septic system could adequately support both dwellings.

I want to emphasize that this was not an intentional disregard of the by-law. Had I been aware that the 72 square meter restriction would apply, I would have made different decisions regarding the size and design of the existing dwelling.

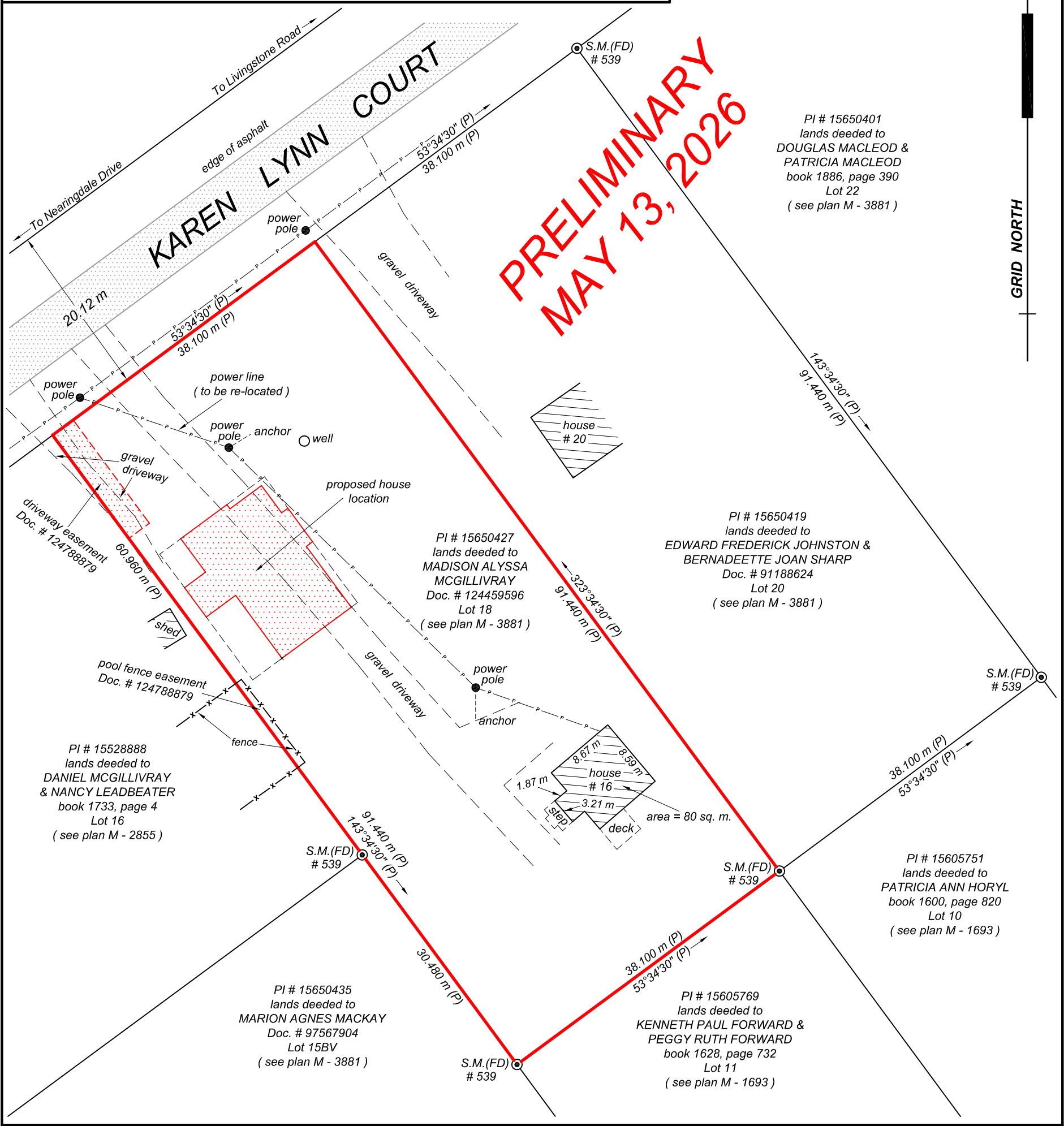
I have attached the required site plan as well as final well and septic reports. If you require any other information, please let me know.

Thank you for your time and consideration.

Madison McGillivray

[902-565-0176](tel:902-565-0176)

PLOT PLAN



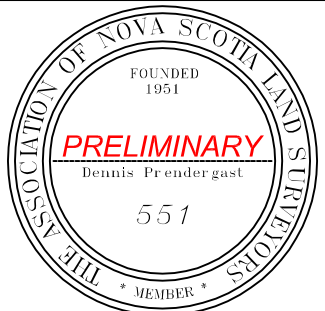
CERTIFIED TO: Madison Alyssa McGillivray
16 Karen Lynn Court, River Ryan,
Cape Breton Regional Municipality, N.S.

NOTE: Clearances shown are perpendicular to the boundary and are to the closest corners of the facing of the structure. Clearances are defined to a tolerance of 0.3 m. Deed (D), Measured (M), Plan (P) Survey Marker (S.M.), Iron Bar (I.B.) Wooden Stake Set ----- sk

I, Dennis Prendergast, Nova Scotia Land Surveyor, hereby certify that this Surveyors Location Certificate was prepared under my supervision and in accordance with the Land Surveyors Act, Regulations and Standards made there under. Dated this 13th day of May, 2026.
_____, N.S.L.S. no. 551

I have supervised an inspection of the subject lands and have caused such measurements to be made as I deemed necessary to certify that:

- (1) The proposed house shown here is located entirely within the boundaries of the subject lands as said boundaries are defined by deed : see document # 124459596 on file at The Registry of Deeds, Sydney, N.S.
 - (2) Cultural features shown heron are located to plotting accuracy unless specifically dimensioned.
 - (3) All easements, documented in the deed recorded on document # 124459596 in the County of Cape Breton, are reflected hereon.
- No further certification or assurance is implied by or to be inferred from this document.
This Surveyors Location Certificate is not to be used for boundary definition or as a reference document for the preparation of legal descriptions.



PRENDERGAST SURVEYS LIMITED NOVA SCOTIA LAND SURVEYORS

646 MAIN STREET, GLACE BAY,
CAPE BRETON REGIONAL MUNICIPALITY, N.S.,
PHONE: (902) 849-7228
WEBSITE : www.nslandsurveyor.com

FIELD SURVEY: 6 May 2026
PLAN DATED: 13 May 2026

SCALE:
1 : 500

SLC #
00000

Part 9

Housing and Small Buildings

Section 9.1. General

9.1.1. Application

9.1.1.1. Application

1) The application of this Part shall be as described in Subsection 1.3.3. of Division A. (See Note A-9.1.1.1.(1) regarding application to seasonally and intermittently occupied *buildings*.)

9.1.2. Limits on Floor Area

9.1.2.1. Floor Area Limits for Secondary Suites

- 1) The total *floor area* of all *storeys* of a *secondary suite* shall be not more than the lesser of
- 80% of the total *floor area* of all *storeys* of the other *dwelling unit*, excluding the garage *floor area* and common spaces serving both *dwelling units*, and
 - 80 m².

Section 9.2. Definitions

9.2.1. General

9.2.1.1. Defined Words

- 1) Words in italics are defined in Article 1.4.1.2. of Division A.

Section 9.3. Materials, Systems and Equipment

9.3.1. Concrete

9.3.1.1. General

1) Except as provided in Sentence (2) and Articles 9.3.1.6. and 9.3.1.7., unreinforced and nominally reinforced concrete shall be designed, mixed, placed, cured and tested in accordance with the requirements for “R” class concrete stated in Section 9 of CSA A23.1, “Concrete materials and methods of concrete construction.”

2) Unreinforced and nominally reinforced site-batched concrete shall be designed, mixed, placed and cured in accordance with Articles 9.3.1.2. to 9.3.1.9.

3) Except as provided in Sentence (4), reinforced concrete shall be designed to conform to the requirements of Part 4.

ATTACHMENT D

By-law

of the Cape Breton Regional Municipality

amending the

Cape Breton Regional Municipality's Land Use Bylaw

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

THAT: Council amends Subsection 4.2 a) of CBRM's Land Use Bylaw, increasing the maximum gross floor area of Accessory Dwelling Units to 80m².

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

MAYOR

CLERK

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

Christa Dicks, CLERK

Repeal of planning documents

209 Planning documents may be repealed and the procedure for repealing them is the same as the procedure for adopting them. 1998, c. 18, s. 209.

Amendment of land-use by-law

210 (1) An amendment to a land-use by-law that

(a) is undertaken in accordance with the municipal planning strategy; and

(b) is not required to carry out a concurrent amendment to a municipal planning strategy,

is not subject to the review of the Director or the approval of the Minister.

(2) The procedure for the adoption of an amendment to a land-use by-law referred to in subsection (1) is the same as the procedure for the adoption of planning documents, but a public participation program is at the discretion of the council and the amendment may be adopted by a majority of votes of the council members present at the public hearing.

(3) Upon the adoption of an amendment to a land-use by-law referred to in subsection (1), the clerk shall either place a notice in a newspaper circulating in the municipality, or post a notice, including the date the notice is posted, on the municipality's website for at least fourteen days, stating that the amendment has been adopted and setting out the right of appeal.

(3A) Upon the adoption of an amendment to the land-use by-law referred to in subsection (1) and the provisional approval of a development agreement or amendment to a development agreement under Section 225B, the clerk shall either publish a notice in a newspaper circulating in the municipality or post a notice on the municipality's website for at least fourteen days stating

(a) the date the notice is published or posted;

(b) that the amendment to the land-use by-law has been adopted; and

(c) that the development agreement or amendment to the development agreement has received provisional approval and will be approved on the date that the amendment to the land-use by-law takes effect.

(3B) Upon adoption of an amendment to a land-use by-law, the adoption of a supporting amendment to the municipal planning strategy and the provisional approval of a development agreement or an amendment to a development agreement under Section 225C, the clerk shall either publish a notice in a newspaper circulating in the municipality or post a notice on the municipality's website for at least fourteen days stating

(a) the date the notice is published or posted;

(b) that the amendment to the land-use by-law has been adopted;

(c) that the amendment to the municipal planning strategy has been adopted; and

(d) that the development agreement or amendment to the development agreement has received provisional approval and will be approved on the date that the land-use by-law and municipal planning strategy amendments come into effect or, where the land-use by-law and municipal planning strategy amendments come into effect on different dates, on the later of the two dates.

(4) When notice of an amendment to a land-use by-law referred to in subsection (1) is published, the clerk shall file a certified copy of the amending by-law with the Minister.

(5) Within seven days after a decision to refuse to amend a land-use by-law referred to in subsection (1), the clerk shall notify the applicant in writing, giving reasons for the refusal and setting out the right of appeal.

(6) Where the council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use by-law referred to in subsection (1), commenced the procedure required for amending the land-use by-law by publishing or posting the required notice of public hearing, the application is deemed to have been refused.

(7) Within seven days after an application to amend a land-use by-law, referred to in subsection (1), being deemed to be refused, the clerk shall notify the applicant in writing that the application is deemed to have been refused and setting out the right to appeal.

(8) An amendment to a land-use by-law referred to in subsection (1) is effective when

(a) the appeal period has elapsed and no appeal has been commenced; or

(b) all appeals have been abandoned or disposed of or the amendment has been affirmed by the Board. 1998, c. 18, s. 210; 2004, c. 7, s. 13; 2024, c. 3, s. 87.

Certain amendments by policy

211 (1) A council may, by policy, adopt amendments to

(a) the engineering specifications in a subdivision by-law;

(b) the processing fees set out in a land-use by-law or in a subdivision by-law;

(c) a subdivision by-law resulting from an amendment to the provincial subdivision regulations.

(2) An amendment referred to in subsection (1) is not subject to the review of the Director or the approval of the Minister. 1998, c. 18, s. 211.

Municipal planning strategy

212 (1) A council shall adopt one or more municipal planning strategies in accordance with the requirements of this Section.

STAFF REPORT

TO: Mayor Clarke and CBRM Council

FROM: Demetri Kachafanas, Chief Administrative Officer

DATE: June 11, 2026

SUBJECT: **Green Municipal Fund, Safe and Active School Routes - Whitney Pier**

ORIGIN

Fiscal Year 2025-26 – CBRM Staff applied for funding under the Green Municipal Fund to support adoption of active transportation in Whitney Pier specifically in alignment with project #5 on the top ten list of projects identified in CBRM in Motion (see Attachment E, for selections from GMF application details).

March 26, 2026 – Council deferred Active Transportation Program spending due to uncertain funding levels, with all allocations to be reassessed once funding approvals are confirmed (See Attachment C).

April 28th 2026 – Executive decision letter received on Safe and Active School Routes funding application (See attachment A).

RECOMMENDATION

It is recommended that CBRM Council approve one third (1/3) matching capital funding for the Green Municipal Fund Application up to a total of \$125,000 between fiscal years 2026-27, 2027-28 and 2028-29 to allow completion of “safe and active school routes” associated projects in Whitney Pier.

BACKGROUND

In 2022, CBRM in Motion, CBRM's Active Transportation (AT) Plan was adopted by Council. The plan outlined a broad range of Active Transportation (AT) projects and established ten priority projects. Among these, Project #5, Lingan / Hankard / Victoria Bike Lane in Whitney Pier, specifically targets enhanced active transportation connectivity within the Whitney Pier community. (Selected excerpts provided in Attachment B)

In 2023, a new community pump track was installed in Whitney Pier, expanding local active recreation opportunities and marking the first bike specific recreation park in CBRM. This track is well used by local youth in the community.

In 2024, CBRM secured funding to advance the Whitney Pier Bike Lane Project at this time cyclo-zone flex-posts were purchased and the Engineering Department retained WSP for the Street design. WSP recommended piloting improvements on Victoria Road north of Neville Park. The funding to implement this project has been granted an extension to the Fall of 2026. (See Attachment A),

In 2025, CBRM received additional funding to re-establish an interdepartmental working group to advance implementation of CBRM in Motion priorities and support tactical urbanism (quick build solutions) to support the development of active transportation within CBRM. This funding has also been granted an extension to the Fall of 2026. (See Attachment A),

In 2025 October, CBRM Council requested an evaluation of speed humps, speed bumps, and other traffic calming measures to reduce dangerous driving and lower traffic speeds in residential areas. This request was brought forward by Kim Shepherd-Campbell.

Community engagement and mobilization activities were undertaken in Whitney Pier over the last couple years, including walkabouts on the heritage trail and through community walking paths proximate to both Whitney Pier Memorial Middle School and Harbourside Elementary School. This exercise allowed for a better understanding of local walkability conditions, opportunities, and transportation challenges.

Through the Safe and Active School Routes Program, discussions were initiated between CBRM departments and community partners in Whitney Pier regarding opportunities to improve active transportation connections and accessibility within the region (See attachment D). A proposed trail extension connecting Church Street and Jameson Street through Neville Park was identified as a potential AT improvement. This proposed path follows a well-worn informal path currently used by members of the community.

In March 2026 the province of Nova Scotia Cancelled the Provincial Connect2 Program. This shift in funding resulted in revisions to the proposed project scope. As proposed, staff recommend that council shift the project approach by incorporating committed improvements that are in alignment within the overall project scope, including intersection improvements at Jameson Street and Victoria Road, and the Bike Lane Pilot along the northern section of Victoria Road.

DISCUSSION

The proposed Safe and Active School Routes Project contains both the Bike Lane Pilot project along the northern section of Victoria Road, as well as a trail extension within Neville Park. These proposed improvements represent an important investment in community connectivity, safety, accessibility, and youth wellbeing within one of CBRM's historically significant and culturally diverse neighbourhoods. The project responds directly to existing gaps in pedestrian and cycling infrastructure between the north and south sections of Whitney Pier. These areas

are used by the community, including a local school population of nearly 700 students, to access schools, transit, recreation, community facilities and residential areas. Current routes rely on travelling along Victoria Road and Lingan Road, which accommodate a high-volume of vehicles. In recent years, there have been documented vehicle and pedestrian collisions involving youth along these roads, see Attachment D for additional information regarding collisions.

The project builds upon the goals of CBRM's Active Transportation Plan by creating a safer and improved option for walking and cycling to school and recreation assets. As proposed, the project will proceed concurrently with the Bike Lane Pilot, along the northern half of Victoria Road, and the development of an improved trail extension in Neville Park. Together, these improvements will ensure increased connectivity between northern sections of Whitney Pier and amenities located in southern portions of the community, including Neville Park.

The proposed trail extension will follow existing informal paths already used by residents and students, demonstrating a clear community need for improved connections between destinations. By completing the project using an accessible trail surface and a new pedestrian bridge the project addresses longstanding mobility barriers for residents, including those in the nearby residential areas off Church Street.

In addition to transportation benefits, the project creates opportunities for recreation, placemaking, community interpretation, and youth engagement through partnerships with local schools and organizations such as ACAP. The inclusion of tactical urbanism and traffic calming components will further support safer streets around school properties. Specific project outcomes in these areas include safety improvements at Jameson Street and Victoria Road, as well as the mid block crossings between Whitney Pier Memorial Middle School and the Whitney Pier Boys and Girls Club.

This proposed initiative demonstrates a strong collaborative approach between CBRM departments, schools, community organizations, and local stakeholders. It also positions CBRM to pilot new approaches to active transportation infrastructure that may inform future projects across the municipality.

Overall, the Safe and Active School Routes Project aligns with Council's broader goals around community wellness, accessibility, climate action, youth retention, and neighbourhood revitalization while advancing the long-term objectives of the municipality's Active Transportation Plan.

FINANCIAL IMPLICATIONS

Staff is seeking a commitment from Council to approve a matching capital contribution of one third, up to a total of \$125,000, over the 3-year project lifespan.

Total project cost is estimated to be approximately \$400,000. Project funding is made up of a mix of confirmed provincial funding (Connect2 funding from 2024/25, 2025/26, See Attachment A), funding from the Federation of Canadian Municipalities (Green Municipal Fund), CBRM Capital Contributions, in kind partner contributions, CBRM staff time, and deployment of equipment already owned by CBRM.

Completion of the project requires a combination of new construction and streetscape improvements, some of which are already captured in the current operating and capital budgets. Additional opportunities for funding to further expand the benefits or reduce costs to CBRM are being explored.

ALTERNATIVES

- 1) CBRM Council Approve 1/3 project funding up to a maximum \$125,000 in a single fiscal year.
- 2) CBRM Council choose not to move forward with project and forgo the \$125,000 Green Municipal Fund project contribution.

ATTACHMENTS

Attachment A: Correspondence regarding GMF and Connect 2
Attachment B: Excerpt from CBRM AT Plan
Attachment C: Excerpt form CBRM Capital Budget Presentation 2026/27
Attachment D: AT Connectivity Mapping in Whitney Pier
Attachment E: Excerpts from GMF Safe and Active School Routes - Work Book

Report Prepared by: William Roy, Community Development Coordinator, 902 574 7588

Attachment A: Correspondence regarding GMF and Connect 2



April 28, 2026

**President
Présidente**
Rebecca Bigh

Councillor
City of Vancouver, BC
Conseillère municipale
Ville de Vancouver (C.-B.)

**First Vice-President
Premier vice-président**
Tim Tierney

Councillor
City of Ottawa, ON
Conseiller municipal
Ville d'Ottawa (Ont.)

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Municipalities, MB

Présidente
Association of Manitoba
Municipalities
(Man.)

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Troisième vice-président**
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City of Dorval, QC

Maire
Cité de Dorval (QC)

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Vice-présidente hors cadre**
Amy Coady

President
Municipalities
Newfoundland
and Labrador, NL

Présidente
Municipalities
Newfoundland
and Labrador
(T.-N.-L.)

**Chief Executive Officer
Cheffe de la direction**
Carole Soab
Ottawa, ON

24 rue Clarence Street
Ottawa, Ontario, K1N 5P3

T. 613-241-5221

fcm.ca

His Worship Mayor Cecil Clarke
and Members of Council
Cape Breton Regional Municipality
320 Esplanade
Sydney, Nova Scotia
B1P 7B9

Project Title: SAASR – Improving safe routes for walking and wheeling in Whitney Pier, Cape Breton, NS
Application Number: CORE-25-0695

Dear Mayor Cecil Clarke and Members of Council:

On behalf of the Green Municipal Fund (GMF) Council and FCM's Executive Committee, I would like to congratulate Cape Breton Regional Municipality on its successful funding application for the above-noted initiative.

It is my pleasure to confirm that Cape Breton Regional Municipality has been approved for a grant in the amount of up to \$125,000.

In the near future, Tharsa Sriranganathan will contact Cape Breton Regional Municipality to finalize the agreement for this funding. FCM's obligation to fund the above-noted initiative will only become binding once the agreement is signed.

FCM, in partnership with the Government of Canada, oversees public announcements regarding GMF-supported initiatives. Until our media relations team (media@fcm.ca) contacts the lead applicant or municipality to facilitate a media announcement, discussion of the application or the funding must remain private, except if reporting to municipal council. We kindly ask you to refrain from statements or any public form of communication related to the status of the application or funding until a media announcement led by FCM and the Government of Canada is complete.

1/2





**Communities, Culture, Tourism and Heritage
Office of the Minister**

1741 Brunswick Street, PO Box 456, Halifax, Nova Scotia, Canada B3J 2R5
Telephone 902-424-4889 • Fax 902-424-4872 • novascotia.ca

File Number:
5030418

May 7, 2024

William Roy
Cape Breton Regional Municipality
320 Esplanade
Sydney NS B1P 7B9

Dear William Roy:

The Department of Communities, Culture, Tourism and Heritage is pleased to advise you that Cape Breton Regional Municipality will be receiving a contribution of \$89,833 to assist with Bicycle Lane Pilot Implementation.

An electronic copy of the grant contribution agreement is attached. Please sign and return a copy of the terms and conditions agreement to us. The agreement details reporting requirements, a final report, and a financial statement.

As stated in the agreement, all work under this grant must be completed by March 1, 2025. For all projects, funding disbursements will begin once the contract is signed by both parties, the remaining contributions are confirmed (in-kind or matching funding), and your organization has provided evidence of reasonable project progress, in accordance with the Connect2 program guidelines. Please contact Connect2 Program Coordinator at connect2@novascotia.ca with any questions.

I would ask that you not share this provincial funding approval publicly until we are able to collectively coordinate a public announcement.

Congratulations on your successful application. We look forward to the results of your work and extend our appreciation for your efforts in furthering active transportation in your community.

Sincerely,

Allan MacMaster
Minister
Communities, Culture, Tourism and Heritage



**Communities, Culture, Tourism and Heritage
Office of the Minister**

1741 Brunswick Street, PO Box 456, Halifax, Nova Scotia, Canada B3J 2R5
Telephone 902-424-4889 • Fax 902-424-4872 • novascotia.ca

File Number: 5033275

April 24, 2025

Cape Breton Regional Municipality
William Roy
320 Epslanade
Sydney NS B1P 7B9

Dear William Roy:

The Department of Communities, Culture, Tourism and Heritage is pleased to advise you that Cape Breton Regional Municipality will be receiving a contribution of \$28,000 to assist with Building Momentum for Active Transportation in CBRM.

An electronic copy of the grant contribution agreement is attached. Please sign and return a copy of the terms and conditions agreement to us. The agreement details reporting requirements, a final report, and a financial statement.

As stated in the agreement, all work under this grant must be completed by March 31, 2026. For all projects, funding disbursements will begin once the contract is signed by both parties, the remaining contributions are confirmed (in-kind or matching funding), and your organization has provided evidence of reasonable project progress, in accordance with the Connect2 program guidelines. Please contact Connect2 Program Coordinator at connect2@novascotia.ca with any questions.

I would ask that you not share this provincial funding approval publicly until we are able to collectively coordinate a public announcement.

Congratulations on your successful application. We look forward to the results of your work and extend our appreciation for your efforts in furthering active transportation in your community.

Sincerely,

Dave Ritcey
Minister

Attachment B: Excerpt form CBRM AT Plan

THE 2022 AT PLAN OVERVIEW

The 2022 AT plan aims to build on the successes of the 2008 AT Plan by focusing directly on improving the health and quality of life of residents by expanding AT infrastructure in populated areas. Overall, the plan works to link population centres to schools, downtowns, business centres, shopping areas, and other communities.

This plan lays out the next 20 years of AT investment within the municipality, focusing on locations able to:

- Increase AT participation and reduce residents' reliance on cars
- Create greater social equity and improve peoples lives in measurable ways
- Leverage the economic benefits and reduce municipal costs of traditional transportation network expansion and maintenance
- Improve safety for vulnerable populations like youth and seniors.

A key priority for this plan is to shift private vehicle-based commuting to forms of active transportation. Since commuting is measured in the national census every 5 years, progress can be tracked.

AT is most widely used when the trip distances do not exceed 5km for walking (about a 1 hour walk) and 15-20 km for cycling (about a 1 hour bike ride). As a result, this 2022 plan focuses more specifically on projects within CBRM's various urban communities. The specific communities have been carefully selected by the project stakeholders and local residents. The primary focus is reducing vehicle reliance in exchange for safer AT routes connected to key, routine destinations within CBRM's populated communities (including Sydney, Sydney River, Sydney Mines, North Sydney, Glace Bay, New Waterford, and Louisbourg).

In the more rural areas of CBRM, this plan is supported by the continued expansion of the provincial Blue Routes, implemented by the Province of Nova Scotia.

CBRM AT VISION

The consultants worked closely with local residents, businesses, academic institutions, and CBRM's staff and council to develop a vision statement and goals for the next important phase of CBRM's Active Transportation plan.

CBRM's Active Transportation Plan update will improve the lives of vulnerable and every day municipality's residents with the provision of more equitable transportation options, safer routes for students, healthier commuting options, and improved connective infrastructure within CBRM's densest, growing areas.

WORK COMMUTING TARGETS FOR THE AT PLAN

The commuting targets of this 20-year plan aim to change the modal split in CBRM by:

- Doubling the walking commuting from 4.1% in CBRM to 8%
- Increasing cycling or assisted mobility commuting from 0.2% to 6%
- Increasing transit commuting from 2.7% to 7%
- Increasing the % ride share from 8.4% to 12% of all private vehicle trips.
- Decreasing private vehicle trips from 82% to no more than 70%

STUDENT COMMUTING AT TARGETS

The Cape Breton-Victoria Regional Centre for Education (CBVRCE) oversees the education of 12,000 students, with 60% of those students take the bus. The remaining 40% are a combination of walkers/cyclists, parent drivers, and student drivers for high schools. CBVRCE estimates that driving traffic for students is large, but the figure remains untracked.

This AT Plan sets the following student commuting targets:

- To reduce bus use from 60% to 55% by increasing the radius for middle and high school students from 2km to the provincial standard of 2.5km. Elementary student radius will remain at 1km (vs the 1.5km provincial standard).
- To ensure walking/cycling students are no less than 30% of the population. This target will require a way to track how students get to school (driving vs walk/cycling).

PHASES TOTALS

The High priority projects were assumed to be completed in the first 10 years of the AT Plan. The Medium priority in years 10-15, and the low priority in years 15-20. Generally this works out to about \$1.15m per year but this does not include capital improvements needed on streets to make some of these projects work (e.g. road widening and moving curbs and gutters, moving storm sewers, new crosswalks, etc).

- Phase 1 Total (no tax) - \$14.1m
- Phase 2 Total (no tax) - \$5.2m
- Phase 3 Total (no tax) - \$3.7m

ANNUAL BUDGET CHANGE

The cost of additional capital works improvements needed to make the AT infrastructure work could be as high as an additional 25% of the overall cost, plus annual inflation and possibly some land acquisition costs, so we recommend increasing the \$1m per year budget to \$1.5m. That would increase CBRM's portion from \$330k per year to \$500k per year.

4.2 TOP 10 AT PRIORITY PROJECTS

While Chapter 3 sets out the proposed AT projects in each community and the priorities of each project (high, medium and low), there are a number of potentially high profile projects that could kick start this 2022 AT Plan. These projects are based on the scoring criteria results **Table 1-1**, what we heard from the community and stakeholders, and the project's potential to raise the profile of AT in CBRM.

1. **Sydney River Multi-use trail** - This trail was one of the highest requested items in the public engagement and extends Sydney's waterfront for locals and tourists alike. Its implementation would likely be one of the most signature AT projects in CBRM raising the profile of active transportation.
2. **The Prince and Upper Price Bike Lanes** - This connection will connect downtown Sydney and the waterfront to the MaryAnn Corbett Trail and the Mayflower Mall through a densely populated part of Sydney.
3. **The King Street Bike Lanes** - These lanes would connect a densely populated area of North Sydney with the North Sydney Mall, and the North Sydney waterfront.

4. **The Grand Lake Road sidewalk** - This very busy commercial area needs sidewalks on the north side of the street as soon as possible.
5. **Lingan / Hankard / Victoria Bike Lane in Whitney Pier** - This bike lane will link up to the existing Blue Route already constructed north of Whitney Pier.
6. **The Kings Road Multi-use trail** - Connecting Sydney River under the 125 highway and connecting to Sydney.
7. **The Maryann Corbett Trail** - extension to downtown Glace Bay. This 6km extension is the next phase of this important multi-use trail and has provincial and municipal jurisdiction.
8. **The Ellsworth / Heclan / Emerald / Union Bike Lanes** - connects the future Blue Route in New Waterford through downtown.
9. **Esplanade / Kings / George Bike Lanes** - This proposal will extend the George Street bike lanes and will link much of downtown Sydney and the waterfront with new AT infrastructure.
10. **The Washbrook Creek Greenway** - This important greenway will link several schools through some dense neighbourhoods in Sydney.

AT SUITABILITY CRITERIA

The new 2022 Plan recognizes the significant potential for CBRM's residents to adopt AT commuting in the forthcoming years due to the increased availability of micromobility options. Micromobility includes electric-assisted personal mobility, improved integrated mobility with buses, support from higher levels of government with new funding programs, and greater use as the network grows throughout CBRM.

AT infrastructure can be costly to build and maintain. As such, it is important to focus spending in the areas that will see the greatest use. Additionally, the success of the network is tied closely to its overall connectivity; having numerous small, unconnected facilities is counter-productive to increasing AT adoption. The more interconnected the network, the much greater the chance it will be used. When embarking on building out the AT network, it requires significant investment before adoption reaches a tipping point.

CBRM's current rate for AT adoption for commuting is less than 5%. However, the Law of Innovation of Diffusion sets out that mass adoption doesn't usually happen until about 16% adoption (Innovators are the first group at 2.5%, followed by early adopters in the next 13.5%). Considering this, AT use among CBRM's residents is in its infancy, and will require further implementation and outreach to reach its full potential.

In a large regional municipality, we understand there will be pressures to make changes to the priorities or to the locations of the proposed facilities; however, it is vital to remain as consistent as possible to the proposed plan to ensure the contiguity of the network. The plan has been designed to address the local needs of the community and to increase AT adoption as rapidly as possible.

Costs for AT facilities can be substantially reduced when they are built as part of planned street capital improvements. Since these programs fluctuate from year to year based on funding availability from higher levels of government, it is hard to predict when they might happen in CBRM. Consequently, there will be inherent changes in the AT priorities based on future street upgrades. On the same token, a high AT priority project might increase the priority of a future capital improvement project.

The municipal AT components of this plan are geared towards municipal owned roads and lands. The Province will address their contribution to the plan through the Blue Routes. Any additional AT projects on provincial roads must be developed as a formal partnership between the Province and CBRM.

Based on the feedback the team received throughout this process, the following ranking of criteria are listed below:

1. Projects should be able to assure a high degree of use by the local community (e.g. hundreds of user per day vs dozens of users per day) by linking dense population centres to high desirable destinations (work, school, parks, etc.).
2. Each project should be able to measurably reduce people's reliance on motor vehicle transportation in CBRM. The intent is to reduce vehicle commuting and increasing AT use or transit use for commuting to work, school, or to complete day-to-day activities that might otherwise require travel by car. Projects should decrease traffic congestion and promote a modal shift to transit and active transportation in CBRM.
3. Projects should promote social equity amongst CBRM's vulnerable populations (youth, seniors, those in poverty, those with disabilities) reducing the requirement for car ownership to participate in society, education, or the local economy.
4. Projects that extend or improve upon the existing AT network to increase the connectivity of the network should be a priority.
5. Projects should ensure travel by active transportation is easier, safer, more convenient and more enjoyable than travelling by car.
6. Projects that can be coordinated with future public works capital investments to create new complete streets should be prioritized.
7. Projects should focus on the needs of local residents first - but if the goals complement tourism, it would be considered an added bonus.
8. Projects should improve the design of complete communities in CBRM.

These criteria are listed in relative importance for prioritizing future AT investment and were part of the criteria for assessing new projects proposed in this AT Plan. A scoring matrix (Table 1-1) was developed to assess future projects that might veer from the recommended plan. In the matrix, each project should be evaluated and scored by multiplying each **criteria score** by its **sub-criteria score**. Where multiple sub-criteria apply, each should be scored as well. The total of all the sub-total scores gives the overall project score. Projects that score:

- > 50 points have a high priority
- 30-50 points have an intermediate priority
- 20-30 points have a low priority
- < 20 should not be built without a logical rationale.

FIGURE 2.22 Collisions Data 2007-2018

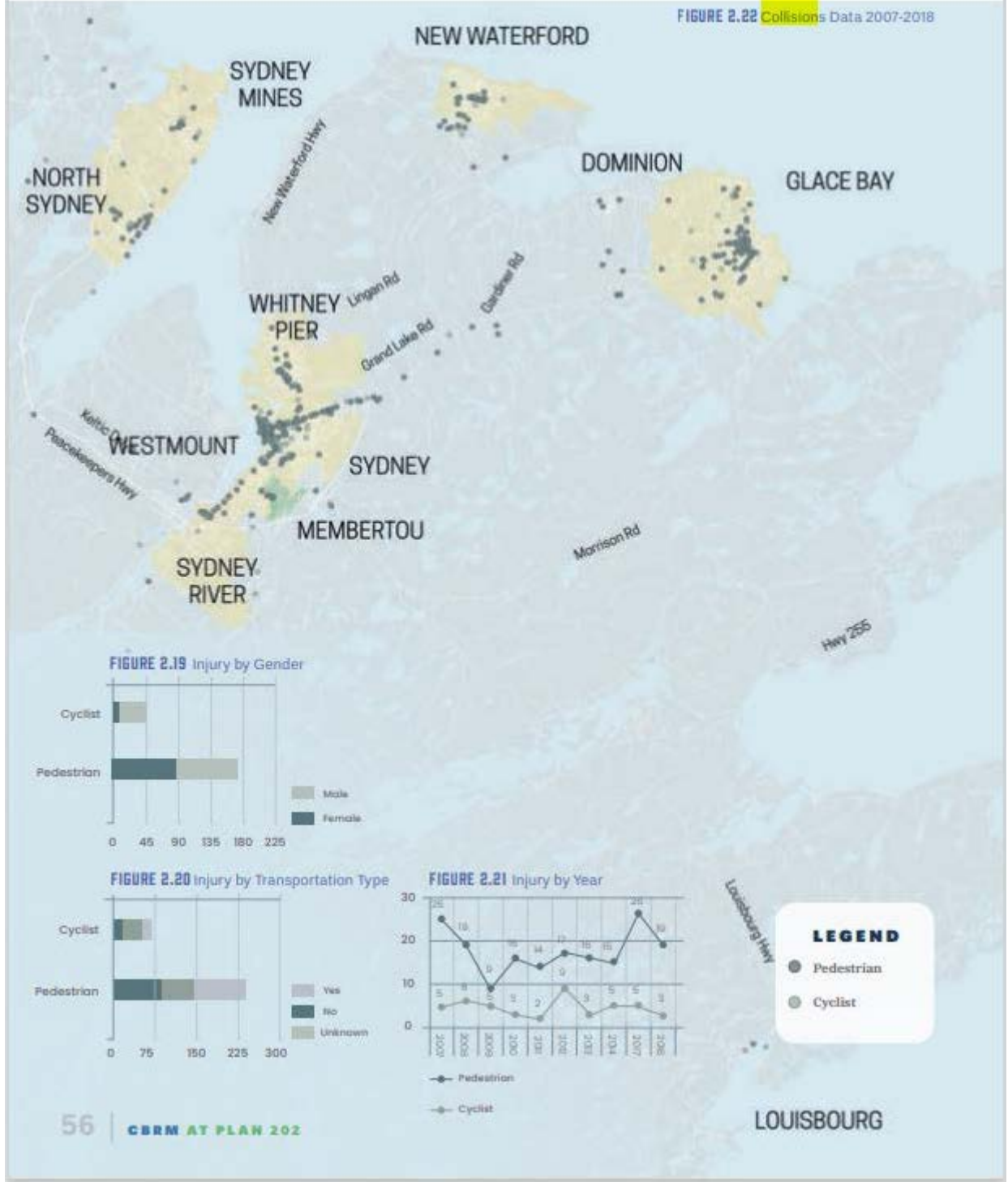


FIGURE 2.19 Injury by Gender

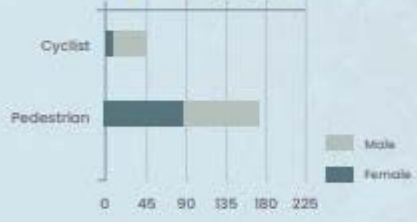


FIGURE 2.20 Injury by Transportation Type

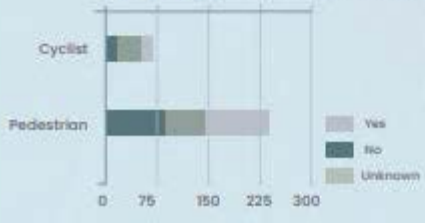
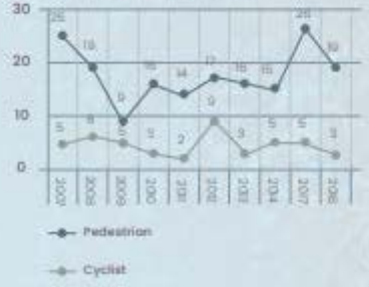


FIGURE 2.21 Injury by Year



LEGEND

- Pedestrian
- Cyclist

Rural Suburban Sidewalk Program

Project ID: LI-26-6



The Rural Suburban Sidewalk Program is intended to improve pedestrian safety and accessibility in rural and suburban areas.

Specific Projects are not yet identified but will be coordinated with the Nova Scotia Department of Public Works (NSDPW).

Program approach will include:

- Addressing gaps where sidewalks are absent or inconsistent.
- Support safer connections to schools, transit stops, and community facilities.
- Maximize efficiencies by coordinating with other work where possible.

Proposed Budget	\$700,000
5-Year Priorities Budget	\$0
Variance	+\$700,000

Traffic Safety Improvements

Project ID: LI-26-5



Investing in traffic safety means safer streets, better flow, improved accessibility, and stronger, more livable communities.

AVERAGE ANNUAL REINVESTMENT RATE		
	Industry Standard	Proposed Budget
Sidewalks	2.0%	1.4%
Proposed Budget	\$548,252 + \$549,725	
5-Year Priorities Budget	\$1,916,750	
Variance	-\$818,773	

Road	Community	Description
TRAFFIC SAFETY IMPROVEMENTS		
George St at Falmouth St	Sydney	Crosswalk Improvements
Keltic Dr at Coxheath Rd	Coxheath	Crosswalk Improvements
Victoria Rd at Jameson St	Sydney	Crosswalk Improvements
Commercial St at Brookside St	Glace Bay	Intersection Upgrades

Deferred Capital Projects



In addition to the variances shown in the current proposed budget, the following projects were deferred to remain within current borrowing limits and align with projected revenues.

Active Transportation Program

- Unsecured and/or uncertain funding sources ATF, RTSF
- Will reassess upon funding approvals

Stormwater & Wastewater Infrastructure

- Culvert Replacement Program
- Stormwater Collection System Upgrades
- Inflow & Infiltration Program

Transit & Fleet

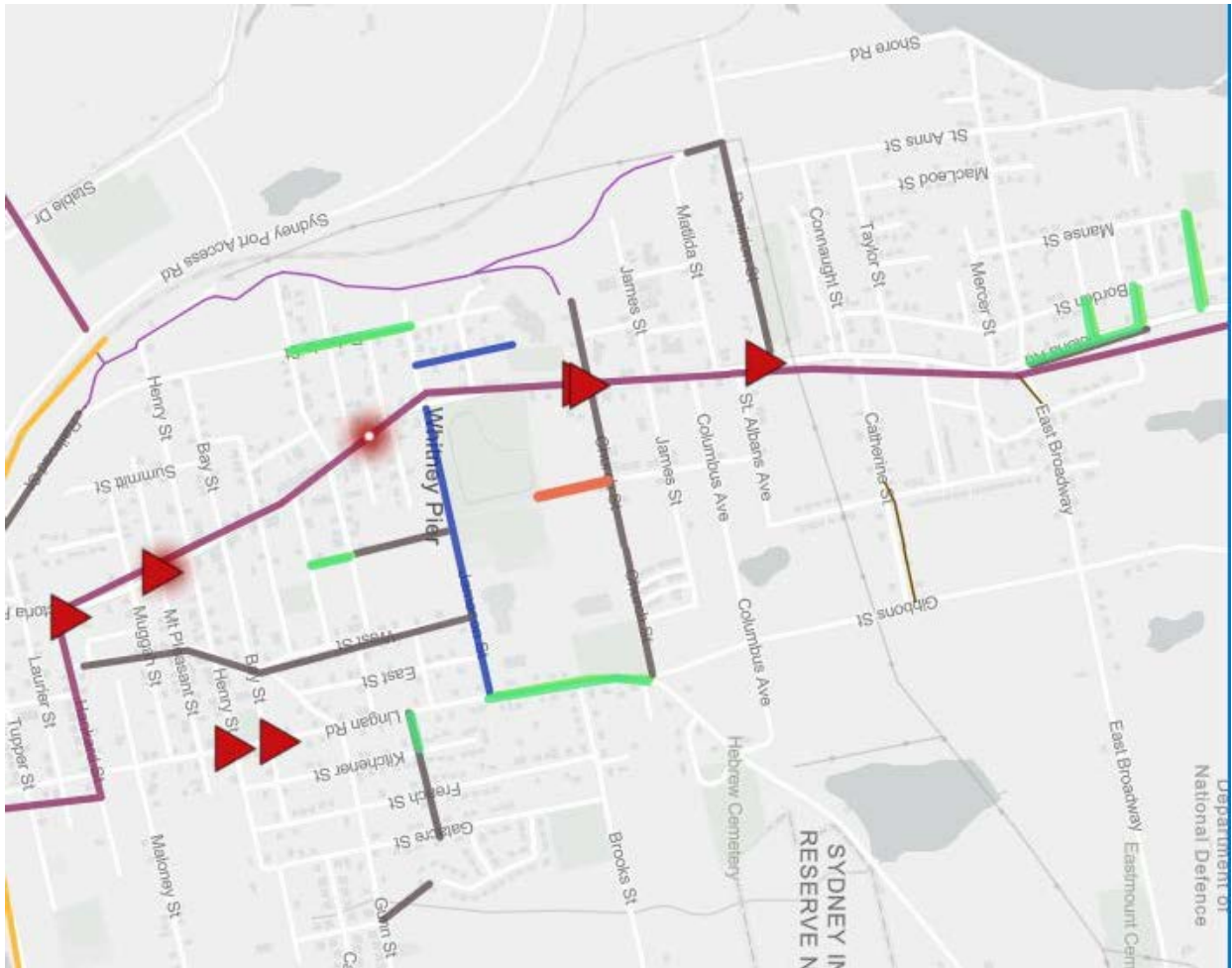
- EV Maintenance Facility & EV Bus Replacement Project
- One 40' Diesel Bus Purchase
- One Combo/Vac Truck

Fire Services

- 5 - Year Fleet Replacement Program



Attachment D: AT Connectivity Mapping In Whitney Pier



Attachment E: GMF Safe and Active School Routes - Work Book

Safe and Active School Routes Projects

FCM offer grants that cover up to 50% of eligible costs (to a maximum of \$125,000)

Funding source	Description	Confirmed? (Y/N)	Date committed DD-MM-YYYY	Amount	Percentage of total budget
Green Municipal Fund	Grant	N		\$ 125,000.00	34%
CBRM CASH Funding - CBRM Capital Budgets 2026 -2029	Cash			\$ 122,000.00	33%
CBRM Operations Budgets 2026 - 2029 (Planning)	Cash	Y		\$ 20,000.00	20%
Connect 2 Grants Confirmed From 2025-26 Bike Lanes and Quick Build	Grant	N		\$ 75,000.00	1%
Clean Foundation (Project Services and Supports)	In-kind	Y	2025-12-12	\$ 5,000.00	4%
CBRM Staff Contributions - Engagemet Coordination Etc.	Staff remuneration	Y	2026-02-13	\$ 15,000.00	3%
CBRM Staff In Kind	In-kind			\$ 10,000.00	0%
<i>Additional Funding Source</i>					0%
<i>Additional Funding Source</i>					0%
<i>Additional Funding Source</i>					0%
<i>Additional Funding Source</i>					0%
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<i>Additional Funding Source</i>					0%
[Total funding should equal total costs from tab 4. Project Budget and Milestone]			Total funding:	\$372,000	100%
			Total budget costs	\$372,000	
			Total budget eligible costs	\$335,000	

Project title:		Neville Park Trails School Route Project			Project Type (select one):		Pilot Project	
Milestones		Start date:	End date:	Estimated Cost per milestone	Milestone description (brief description of major deliverables)			
Milestone 1 - Project Kick Off		2026-02-02	2026-04-06	\$5,000	Initial Project Team Meetings, Community Announcements, Initial Engagement with School Stakeholders			
Milestone 2 - Phase 1 - Design, construction management, and Project Tender		2026-04-06	2026-11-16	\$30,000	RFP draft, post, tender review, by construction administration consultant, Design Services for phase 1			
Milestone 3 - Phase 1 - Implementation		2026-04-20	2026-12-15	\$200,000	Trail Connection Church Street to Neville Park Walking Path including 1 Helical Pile Bridge, other quick build projects involving traffic calming, site furnishings, traffic control lighting, piloting bike lanes along Victoria Road which connect residential areas to Harbourside, Whitney Pier Memorial, Neville Park and the Boys and Girls Club of Cape Breton			
Milestone 4 - Community Engagement		2026-02-02	2027-03-01	\$7,000	Engagement sessions with local students, community groups, non-profits and community members, walk audits with ecology action centre and other engagement. Development of Communications materials reflecting community input and end product			
Milestone 5 - Phase 2 - Design, construction management, and Project Tender		2027-04-05	2027-11-15	20,000,00	RFP draft, post, tender review, construction administration consultant, Design Services for iterations of phase 2 incorporating community input and direction, while the plan provided by recreation is a starting point used for estimation, direction from community consultation may significantly alter project.			
Milestone 6 - Phase 2 - Implementation		2027-04-19	2027-11-29	\$107,000	Trail extensions directly to Whitney Pier Memorial, Community Informed Site Improvements including tree planting, lighting, interpretive panels, traffic calming, or other requested modifications to initial proposal. While trails proposed by Recreation are used for estimating, other sections of trail, modifications to streetscapes such as bike boulevards, or other improvements may be made based on community engagement.			
Milestone 7 - Project Reporting and Community Reflection - Future Planning and Knowledge Sharing with Other Schools		2027-11-29	2028-01-31	\$3,000	Engagement with local students, community groups, non-profits and community members. reporting and analysis, reflection and future planning, connect students involved in the project with schools considering their own adoption of similar school travel planning.			

Safe and Active School Routes – Whitney Pier





- Fiscal Year 2025-26 – CBRM Staff applied for funding under the Green Municipal Fund to support adoption of active transportation in Whitney Pier supporting safe active commuting.
- March 26, 2026 – Council deferred Active Transportation Program spending due to uncertain funding levels, with all allocations to be reassessed once funding approvals are confirmed.
- April 28th 2026 – Executive decision letter received on Safe and Active School Routes funding application.

Contents - Safe and Active School Routes – Whitney Pier

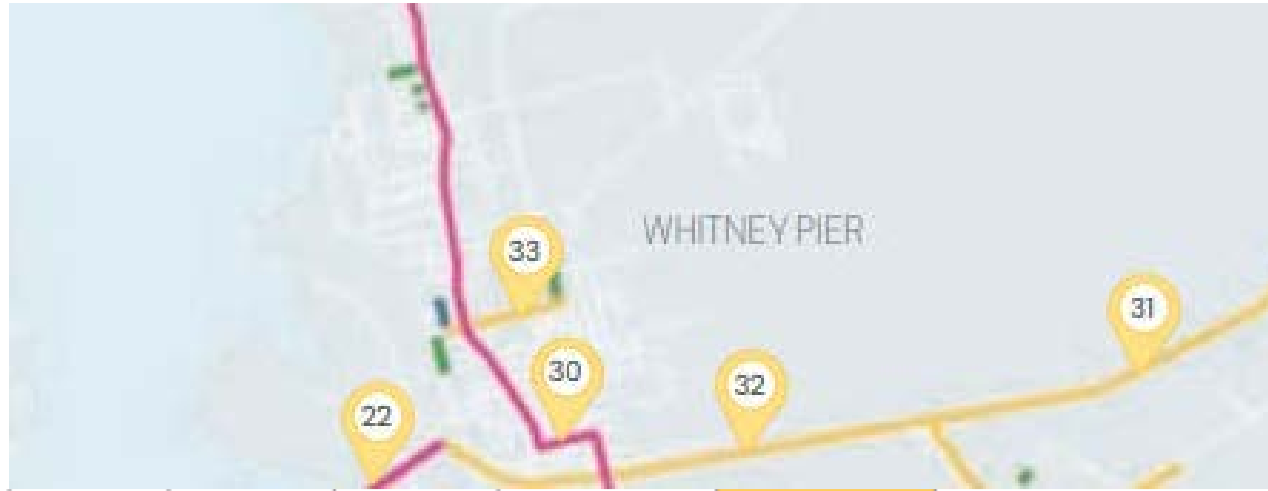
- Origin
- Background
 - CBRM in Motion
 - Connect 2
 - Community Involvement
- Funding Awarded
- Key Project Components
- Recommendation



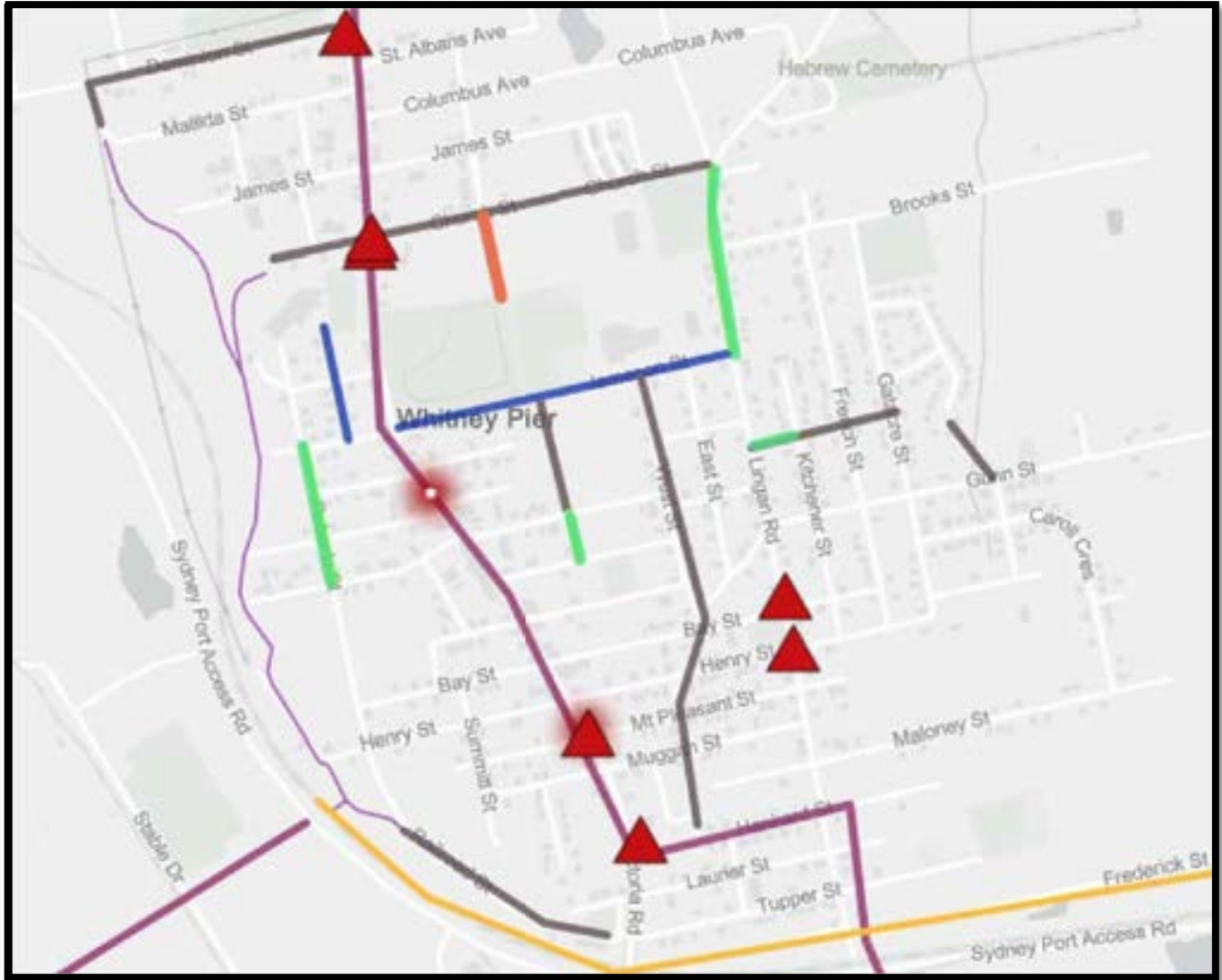
Background

- Existing plans to implement a bike lane along Victoria Road were developed.
- Community led initiatives explored of improved connectivity within Whitney Pier south of Church Street.
- Funding Opportunity Opened under Green Municipal Fund. Staff applied for a proposal improving connectivity for youth.

CBRM In Motion



WHITNEY PIER					
	PRIORITY	LENGTH	LOCATION	TYPE	DESCRIPTION
30	High	3.4 km	Lingan / Hankard / Victoria	Bike Lane	Beginning at the intersection of Spar Road and Lingan Road, the bike lane turns on Hankard Street and right on to Victoria Road to the South Bar Entry. The average grade of this route is 2.2% and there is about 100m of 8% roads but most of the roads are fairly gentle. As a route through the downtown, this work should be coordinated with streetscape improvements in downtown Whitney Pier
33	High	0.8 km	Jarnieson / Cameron	Bike Blvd	This bike boulevard will connect the Whitney Pier Memorial Middle School to Harbourside Elementary School through the new Victoria Road cycle lanes.



"SAFE ACCESS" ROUTES TO SCHOOL

NEVILLE PARK, CBRM



Additional Opportunities for Development

Key Project Components



- Protected Bike Lane Pilot
– Northern Section of
Victoria Road
- Road Crossing Safety
Improvements - Including
Jameson Street and
Victoria Road



Key Project Components



- Traffic Calming / Other Area Improvements – Such as Lane Narrowing, Boulevard Tree Planting
- Neville Park Trail Connection – Pedestrian Bridge and Crusher Dust Path





Funding Secured to Date

- 2024 (\$89,833) - CBRM secured funding to advance the Whitney Pier Bike Lane Project.
- 2025 (\$28,000)- CBRM received additional funding to re-establish an interdepartmental working group to advance implementation of CBRM in Motion.
- 2026 – (\$125,000) – CBRM received notice of successful grant application under the Safe and Active School Routes program from Green Municipal Fund however no agreement has been signed at this time.

Recommendation



It is recommended that CBRM Council approve one third (1/3) matching capital funding for the Green Municipal Fund Application up to a total of \$125,000 between fiscal years 2026-27, 2027-28 and 2028-29 to allow completion of “safe and active school routes” associated projects in Whitney Pier.

Staff Report

TO: Mayor Clarke and CBRM Council

FROM: Demetri Kachafanas, Chief Administrative Officer

DATE: June 16, 2026

SUBJECT: Council Appointment of By-law Enforcement Officer to Serve as Dog Control Officer

ORIGIN

Request by Kevin Strooband, Chief Inspector of the Nova Scotia Society for the Prevention of Cruelty to Animals (SPCA).

RECOMMENDATION

That CBRM Council appoint Katelyn Boudreau as a By-law Enforcement Officer, to serve as a Dog Control Officer, administering and enforcing the CBRM Dog By-law (D-400) for the CBRM.

BACKGROUND

Cape Breton Regional Municipality (CBRM) has received a request from the Nova Scotia SPCA to appoint Katelyn Boudreau as a By-law Enforcement Officer. If approved, they will serve as a Dog Control Officer for the CBRM. A copy of the Nova Scotia SPCA's request is provided as Attachment A.

CBRM has a contract with the Nova Scotia SPCA to provide animal control services for the municipality. As part of the service, the Nova Scotia SPCA hires Dog Control Officers. These Officers administer and enforce the CBRM Dog By-law (D-400). However, before administering and enforcing the Dog By-law, a Dog Control Officer must be appointed by CBRM Council as a By-law Enforcement Officer and appointed by the Minister of Justice, or a designate, as a Special Constable.

DISCUSSION

In accordance with Section 89 of the Nova Scotia Police Act, Council may, with the approval of the Minister, or a person designated by the Minister, appoint one or more By-law Enforcement Officers who have the authority of a peace officer only with respect to the enforcement of the by-laws of the municipality. If appointed, Katelyn Boudreau will be responsible for the administration and enforcement of the CBRM Dog By-law (D-400).

FINANCIAL IMPLICATIONS

There are no budget implications. All costs associated with the appointment and hiring of Dog Control Officers are included in the existing contract with the Nova Scotia SPCA.

ATTACHMENTS

Attachment A: Request by Nova Scotia SPCA to Appoint By-law Enforcement Officer

Report Prepared by: Tyson Simms, Director, Planning and Development, 902-574-1936

**Attachment A:
Request by Nova Scotia SPCA to Appoint By-law Enforcement Officer**



May 25, 2026,

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

Attention: Mr. Dimitri Kachafanas
Chief Administrative Officer

Dear Mr. Dimitri Kachafanas,

RE: Appointment as By-law Enforcement Officer

Enclosed, you will find an application for appointment as by-law officer for Cape Breton Regional Municipality. Our applications to the Department of Justice must also include a delegation by Council. Specifically, By-law No. D-400 states ***"Dog Control Officer" is any official delegated by the Council of the Cape Breton Regional Municipality under Section 121 of the Cape Breton Regional Municipality Act to administer or enforce this By-law.***

Once the application is completed and signed, could you please forward it, along with the minutes of the Council delegations to:

Ms. Gina Day, Operations Coordinator
Public Safety Division, Department of Justice
1681 Granville St. P.O. Box 7
Halifax, NS B3J 2L6

Thank you,

Original Signed

Kevin Strooband
Chief Inspector



STAFFREPORT

To: Mayor and Council
Submitted by: Demetri Kachafanas, K.C., CAO
Date: June 23, 2026
Subject: Council Policies and Procedures

Purpose

The purpose of this report is to provide a structured comparison between the legacy governance documents historically used by CBRM and the proposed Policy and Procedures of Council, and to identify the principal changes, areas of continuity, issues requiring attention, and recommendations for implementation or refinement. In particular, the report is a requirement of Council passed motion for policy review modernizing outdated provisions, updating procedural requirements to better reflect practice, and addressing gaps that existed between or across the former stand-alone policies by consolidating them into a more complete and consistent procedural framework.

Recommendations

1. Repeal existing CBRM governance documents: Rules of Order RC1, Meetings Policy RC3, Committees RC4, Council Agenda Policy, Council Audiotapes Policy, Policy Respecting Delegations Appearing Before Council, and Council Videoconferencing Policy;
2. Adopt the consolidated Council Policies and Procedures; and
3. Direct Staff to work with committees to modernize Terms of Reference to be advanced, as completed, for approval at future meetings of Council.

Discussion

This report compares seven legacy CBRM governance documents (Rules of Order (RC1), Meetings Policy (RC3), Committees (RC4), Council Agenda Policy, Council Audiotapes Policy, Policy Respecting Delegations Appearing Before Council, and Council Videoconferencing Policy) with the proposed Policy and Procedures of Council. The review concludes that the proposed policy successfully consolidates the procedural substance of the legacy instruments into a single governance framework, while also modernizing key areas such as agenda administration, virtual and hybrid participation, public hearing procedures, presentation handling, and committee governance. The proposed policy is broader in scope, more detailed in application, and better aligned with contemporary administrative and meeting practices.

The proposed Policy and Procedures of Council functions as a consolidated governance framework that absorbs the procedural substance of the seven legacy documents into one integrated policy. The strongest direct carry-forwards are found in the legacy rules on order, debate, recorded voting, minutes as the official record, petition handling, written requests for recordings, and public notice for videoconference meetings.

In addition, the most significant modernization appears in three areas which include agenda administration, virtual/hybrid meeting processes, and the integration of committee governance into a fuller procedural framework.

The proposed policy expressly supersedes and repeals the prior stand-alone governance instruments, specifically including Rules of Order (RC1), Meetings Policy (RC3), Committees (RC4), Council Agenda Policy, Council Audiotapes Policy, Policy Respecting Delegations Appearing Before Council, and Council Videoconferencing Policy, while allowing updated terms of reference and related committee-specific instruments to be advanced separately where required. It is also more explicit than the legacy documents about public hearings, consent agendas, presentation and delegation processes, Committee of the Whole procedures, and the relationship between policy rules and legislation.

Overall, the seven legacy documents provided the foundational governance rules for Council scheduling, procedure, agenda management, committee structure, recording practices, delegations, and videoconference meetings. The proposed Council Policy and Procedures consolidates those procedures, updates them for modern practice, and expands them into a single more comprehensive procedural code for Council and committee governance.

“What Changed” Summary

A detailed chart of changes is located in attachment A. A high-level summary of changes include:

- The new policy is broader than consolidation alone and was developed to modernize outdated provisions, update procedural requirements to reflect proposed governance and administrative practice, and close gaps that existed between the former stand-alone policies.
- Instead of relying on multiple stand-alone resolutions and policies, Council now has one integrated procedural policy which includes key principles and articles from all seven governance documents.
- The proposed policy covers regular, special, emergency, cancelled, virtual, and hybrid meetings in more detail than the former policies.
- The new policy formalizes agenda review, late items, information reports, presentations, petitions, and consent agenda procedures.
- The proposed policy now includes formal rules for presentations, delegations, public hearings, and public submissions.
- The former videoconferencing policy has been absorbed into a broader framework for virtual and hybrid meeting participation, including public participation and technical interruptions.
- The proposed policy provides broader direction on committee structure, appointments, quorum, public access, secretary duties, vacancies, and Committee of the Whole procedure.
- The former audiotape policy has been expanded into an audio/video recording framework aligned with livestreaming and contemporary meeting administration.

- Rules respecting order, debate, motions, recorded votes, minutes as the official record, and residual reliance on Robert’s Rules remain substantially preserved.

Conclusion

The proposed Council Policy and Procedures represents an appropriate evolution of CBRM’s governance framework. By consolidating multiple legacy policies into a single procedural instrument, the proposed policy not only preserves the core rules that have historically guided Council and committee business, but also modernizes outdated provisions, updates procedures to reflect proposed administrative and legislative practice, and closes gaps that previously existed between separate stand-alone policies.

Attachment A: Comparison Chart

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

Report Prepared by: Christa Dicks, Municipal Clerk & Director of Corporate Information Services

Legacy document	Original purpose / focus	Key legacy provisions	How the proposed Policy and Procedures of Council addresses it	Changes
Rules of Order (RC1)	Established the procedural rules for order, debate, motions, minutes, agenda handling, adjournment, and general Council conduct.	Chair preserved order; members spoke through the Chair; two speaking opportunities; recorded public votes; minutes as official record; notice and sequencing rules for motions; adjournment at 10:00 p.m.; Robert's Rules applied where local rules were silent.	The proposed policy incorporates and expands these rules across multiple parts: Meeting Procedures, Motions, Rules for Motions, Decorum, Voting, and Interpretation/Application. It retains the role of the Chair, speaking limits, recorded voting, minutes as official record, and the continued residual use of Robert's Rules where the policy is silent.	The proposed policy is substantially more detailed and structured. It separates procedure into thematic parts, adds modern provisions for public hearings, consent agendas, presentations, virtual participation, and committee processes. It also expressly states that it supersedes RC1.
Meetings Policy (RC3)	Set the day, time, and adjournment period for regular monthly Council meetings.	Regular monthly Council meetings on the third Tuesday; meeting time between 6:00 p.m. and 10:00 p.m.; adjournment rules amended over time.	The proposed policy replaces the former simple scheduling resolution with a fuller Meetings part that addresses first meetings, regular meetings, Committee of the Whole meetings, special meetings, emergency meetings, cancelling meetings, and meeting duration.	The proposed policy modernizes and broadens meeting governance well beyond time-setting. It changes the regular meeting structure and embeds notice, cancellation, emergency, and rescheduling rules within one framework. It expressly supersedes and repeals the former Meetings Policy (RC3).

<p>Committees (RC4)</p>	<p>Established standing committees, committee composition, Police Commission and General Committee roles, nominating process, vacancies, reporting, and external agency appointments.</p>	<p>Standing committees appointed every two years; Mayor ex officio except Audit and Police Commission; quorum and committee procedures; nominating committee process; public committee meetings subject to limited exceptions; special committees and citizen advisory committees; committee reporting duties.</p>	<p>The proposed policy consolidates committee governance in Part XII. It addresses committee establishment, composition, quorum, agendas, public access, nomination and appointment processes, secretary duties, vacancies, special committees, Committee of the Whole procedures, and ex officio role of the Mayor.</p>	<p>The proposed policy preserves many core governance concepts but updates the committee list, structure, appointment language, and operating detail. It shifts from a resolution-driven list of committees and mandates to a more comprehensive procedural framework that can work alongside terms of reference and other committee-specific instruments. It expressly supersedes and repeals Committees (RC4), subject to the development of updated terms of reference and related committee-specific instruments.</p>
<p>Council Agenda Policy</p>	<p>Outlined how agenda items were submitted, reviewed, distributed, added, and handled as petitions, late items, or new business.</p>	<p>Agenda review working group; seven-day submission deadline; issue papers required; additions/deletions required majority approval; new business limited to announcements,</p>	<p>The proposed policy incorporates these agenda rules in Part II and related sections in Part III. It keeps agenda preparation by the Clerk, agenda review, submission deadlines, late item rules, public and member requests, petition requirements, and restrictions on motions arising from</p>	<p>The proposed policy keeps the essential architecture of the old agenda policy but expands it substantially. It adds consent agenda rules, clearer public and member submission pathways, presentation/delegation handling,</p>

		referrals/questions, petitions, and notice of motion; petitions had detailed submission standards; agenda review group could delete, defer, or refer items.	added items or presentations.	information report rules, and integration with voting and motion procedures. It expressly supersedes the former Council Agenda Policy.
Council Audiotapes Policy	Governed requests for copies of meeting audiotapes and confirmed that approved written minutes are the official record.	Written minutes were the official record; recordings were used to help prepare draft minutes; recordings normally destroyed after minute approval; copies of public recordings had to be requested in writing; in camera recordings not released; requester paid reproduction costs.	The proposed policy incorporates these rules under Audio/Video Recordings. It confirms that approved written minutes remain the official record, allows recordings to support draft minutes, allows temporary retention before destruction, permits rare historical preservation, requires written requests, prohibits release of in camera recordings, and requires requester payment for reproduction costs.	The proposed policy updates the older audiotape model to a broader audio/video recording framework, better aligned with livestreaming and modern meeting broadcasting. The substance is largely preserved, but the scope is updated and integrated into general meeting procedures. It expressly supersedes and repeals the former Council Audiotapes Policy.
Council Videoconferencing Policy	Allowed Council and committee meetings to be conducted by videoconference, subject to public notice	Two-day public notice for videoconference meetings; emergency meetings could proceed without notice or with such notice as	The proposed policy incorporates these rules in Part VIII Virtual Meetings and Virtual Participation Processes. It provides for virtual meetings, videoconference participation, notice	The proposed policy significantly expands the legacy videoconferencing policy. It addresses not only full-member videoconferencing but also hybrid

	and equipment requirements.	possible; members participating by videoconference were deemed present; public and participants had to be able to see and hear one another; applied to committees established by Council.	requirements, emergency exceptions, hybrid and public participation rules, technical requirements, and recording attendance/disconnections.	participation, public virtual participation, notice content, disconnections, summer virtual meetings, and operational processes during virtual meetings. It expressly supersedes the former videoconferencing policy.
Policy Respecting Delegations Appearing Before Council	To regulate how delegations appear before Council and Standing Committees, including notice, timing, topic suitability, and follow-up action.	Required advance written notice and written presentation; generally limited Council to one delegation per meeting; directed local/service matters to the appropriate committee; set a 15-minute presentation limit; allowed questions but no debate; generally delayed Council resolutions on the issue until the next meeting unless urgency justified earlier action; stated the policy superseded	The proposed Policy and Procedures of Council folds delegations/presentations into a larger procedural regime. It defines "Presentation" and "Delegation," provides written request requirements to the Clerk, allows agenda review to approve, redirect, refuse, or refer requests, sets meeting placement, clarifies that questions are for clarification only, and adds related rules on agenda deadlines, added items, public submissions, public hearings, virtual participation, and voting on motions arising from presentations.	Broader and more modernized. The new policy: (1) integrates delegations into overall meeting procedure; (2) changes the default time limit from 15 minutes to 10 minutes; (3) limits presentations to two presenters; (4) keeps one presentation per scheduled meeting but allows dedicated presentation meetings; (5) explicitly allows redirecting requests to staff/committees or refusing matters outside jurisdiction; (6) adds virtual/hybrid processes; and (7) restricts Council from voting on motions arising from

		Robert's Rules for delegations.		a presentation until a staff report and recommendation are received. It expressly supersedes and repeals the former Policy Respecting Delegations Appearing Before Council.
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Title	Policy and Procedures of CBRM Council
Implementation Date	
Revision Date	
Replaces	Council Audiotapes Policy, 2005; Council Videoconferencing Policy, 2022; Resolution RC4 Committees, amended 2020; Resolution RC3, amended 2018; Resolution RC1 Rules of Order, amended 2020; Council Agenda Policy, amended 2020; Policy Respecting Delegations Appearing Before Council, 2005

1. Title

This policy may be cited as Policy and Procedures of CBRM Council.

2. Legislative Authorities & Related Policies

Municipal Government Act

3. Policy Statement

The CBRM is committed to quality governance and provides procedures for fairness in Council and Committee processes.

4. Purpose

The purpose of this policy is to complement and supplement requirements contained within municipal legislation; and to establish clear, transparent, consistent and accessible rules for conducting business at meetings, for Council Members, Administrators, and the public to follow and participate in governing the Municipality and for Council in establishing council committees.

5. Scope

This policy applies to all meetings of Council and committees, unless a policy, by-law or provincial enactment provides otherwise. When any matter relating to proceedings arises that is not covered by a provision of this Policy, the matter will be decided using Robert's Rules of Order.

6. Definitions

<i>Act</i>	<i>Municipal Government Act</i>
<i>CAO</i>	Chief Administrative Officer
<i>Chair</i>	The Chair of a meeting. For council meetings, the Chair is the Mayor, or in the Mayor's absence the Deputy Mayor, or where both are absent a Member appointed by Council to preside. For committee meetings, the Chair is the Chair of the committee.
<i>Clerk</i>	The Municipal Clerk for the Municipality, or their designate.

<i>CFO</i>	Chief Financial Officer of the Municipality, or their designate.
<i>Council</i>	The Council of the Cape Breton Regional Municipality.
<i>COTW</i>	Committee of the Whole (COTW), being all Members of Council meeting as Committee of the Whole.
<i>Consent Agenda</i>	A portion of the agenda containing routine or non-controversial items that may be adopted by a single motion, as permitted by this Policy.
<i>In-Person</i>	Physically present at the meeting location identified in the public notice or agenda.
<i>Member</i>	A Member of Council, including the Mayor, unless the context indicates otherwise.
<i>Municipality</i>	The Cape Breton Regional Municipality (CBRM).
<i>Petition</i>	A written or electronic request submitted to Council that meets the requirements set out in this Policy.
<i>Status Sheet</i>	The tracking list of motions and directions to staff, previously known as the Clerk's pending file.
<i>Virtual</i>	Attending or participating by electronic means, including by videoconference, rather than in person.
<i>Municipal Solicitor</i>	The Municipality's legal counsel, including any acting Municipal Solicitor or delegate.
<i>In Camera (in private)</i>	A meeting, or portion of a meeting, that is closed to the public and held in accordance with the <i>Municipal Government Act</i> and this Policy.
<i>Recorded Vote</i>	A vote where the minutes record the name of each Member and how the Member voted. For Council and Committee of the Whole, every public vote on a motion is a recorded vote unless this Policy provides otherwise.
<i>Quorum</i>	The minimum number of Members required to be present to lawfully conduct the business of a meeting.
<i>Agenda Review</i>	The process described in Part II where the agenda is reviewed prior to a meeting to confirm readiness, disposition, or scheduling of items.
<i>Public Hearing</i>	A public process held by Council to hear representations from the public on a matter, as required by legislation, by-law, or as otherwise directed by Council.
<i>Deputy Mayor</i>	The Member appointed by Council to act as Deputy Mayor in accordance with the Deputy Mayor Policy.
<i>Committee</i>	A committee established by Council, including Committee of the Whole where the context requires.
<i>Committee of Council</i>	A committee established by Council to carry out duties and responsibilities assigned by Council, including those set out in a committee's Terms of Reference.
<i>Terms of Reference</i>	The document, schedule, or resolution that sets out a committee's mandate, membership, and procedures.
<i>Agenda</i>	The list of items to be considered at a meeting, prepared and issued by the Clerk.
<i>Added Item</i>	A matter added to the agenda after the agenda package has been issued, in accordance with this Policy.
<i>Late Item</i>	An item submitted after the usual agenda submission deadlines, which may be considered for addition to an agenda where permitted by this Policy.

<i>New Business</i>	A limited portion of the agenda for brief announcements, referrals/questions, submission of a petition, and notice of motion, as described in Part II.
<i>Presentation</i>	A scheduled agenda item where a person or organization addresses Council or a committee in accordance with Part III.
<i>Delegation</i>	A person or group scheduled to appear before Council or a committee to make a presentation or submission in accordance with this Policy.
<i>Public Submission Forum</i>	A scheduled opportunity on the agenda for members of the public to address Council or a committee in accordance with Part III and time limits set by the Chair. Unlike a presentation or delegation, a Public Submission Forum is a general forum opportunity when placed on the agenda.
<i>Hybrid Meeting</i>	A meeting held with some participants attending in person and others attending virtually.
<i>Special Meeting</i>	A meeting of Council called outside the regular meeting schedule in accordance with Part I.
<i>Emergency Meeting</i>	A meeting called to address an emergency, which may be held without notice or with such notice as is possible in the circumstances, as permitted by law and described in Part I.
<i>Motion</i>	A formal proposal moved by a Member for the meeting to decide.
<i>Notice of Motion</i>	A written notice that a Member intends to introduce a motion at a future meeting, in accordance with Part IV.
<i>By-law</i>	A municipal by-law adopted by Council in accordance with the <i>Municipal Government Act</i> and other applicable legislation.

7. General Provisions and Principles

7.1. Fairness, Accessibility, and Consistent Application

7.1.1. This Policy will be administered in a fair, transparent, consistent, and accessible manner. Decisions made under this Policy, including decisions respecting agenda review, public participation, presentations, delegations, communications, petitions, and committee appointments, will be based on relevant procedural, legislative, operational, and public-interest considerations. Where discretion is exercised, the Municipality will make reasonable efforts to apply this Policy consistently, provide accessible participation where practicable, and document or communicate the reason for a decision where appropriate.

7.2. Rules Adopted and Suspended

7.2.1. Apart from the limitations set out below, the rules may be suspended by Council or Committee of the Whole by the affirmative vote of two-thirds of the Members present and voting.

7.2.2. For clarity, Council or Committee of the Whole shall not suspend any requirement imposed by legislation, a by-law, or a properly issued public notice, and shall not suspend the requirements respecting in camera (in private) meetings.

7.2.3. A committee, other than Committee of the Whole, may only suspend the rules of procedure respecting the number and length of time a person may speak pursuant to Part IX (Decorum at Meetings), under "Speaking to Question."

7.3. Amendment to Policy

7.3.1. This policy is not amended or repealed except by an approved motion passed at a meeting of the Council pursuant to a notice of motion in writing given at the prior regular meeting of the Council.

7.4. Interference with the Work of the Municipality

7.4.1. No Member has power to direct or interfere with the performance of any work of the Municipality and no Member instructs or gives direction to an employee of the Municipality.

7.5. Application of the Rules of Procedure

7.5.1. The provisions of this policy govern the proceedings of Council, COTW and all committees of Council, as applicable.

7.5.2. In cases not provided for in this policy, the most recent edition of Robert's Rules of Order Newly Revised will apply to the proceedings of Council, COTW and all committees of Council to the extent that those Rules are:

7.5.2.1. applicable in the circumstances; and

7.5.2.2. not inconsistent with provisions of this Policy.

7.6. Policy Layout

7.6.1. The policy is broken into subsections of procedures called "Parts" and each part is labelled with the core policy and a subsection identifier.

7.7. Review

7.7.1. The policy may be reviewed in full annually; and in "Parts" as necessary.



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Policy and Procedures of Council: Part I Meetings

1. First Meeting

- 1.1. The first meeting of Council is held within four weeks following a municipal election for administration of the oath, as outlined in *Section 148 of the Municipal Elections Act*.
- 1.2. In addition to the oath, every Council Member will sign an acknowledgment of the Municipal Code of Conduct during the first meeting of Council.
- 1.3. Every Council Member will attend a subsequent orientation within 90 days of being elected that includes municipal governance and an introduction to all municipal departments.

2. Regular Meetings

- 2.1. Regular meetings of Council are held on the second Tuesday of each month, commencing at 2:00 p.m. in City Hall Chambers, 320 Esplanade, Sydney, Nova Scotia.
- 2.2. Committee of the Whole meetings are held on the first Tuesday of each month, commencing at 10:00 a.m. in City Hall Chambers, 320 Esplanade, Sydney, Nova Scotia.
- 2.3. Council acknowledges that rescheduling a meeting may be necessary and in such a case, may use electronic means such as email to dispense with the meeting, alter the meeting time or reschedule the meeting.

3. Special Meetings

- 3.1. The Clerk will summon a special meeting upon receipt of a written petition of the majority of elected Members of Council where three days' (72 hours) notice has been provided, and for the purpose and at the time noted in the petition.
 - 3.1.1. No Member may remove their name from the petition once it has been received by the Clerk.
 - 3.1.2. The Clerk will make every reasonable effort to contact the Members to advise of the meeting and public notification will be provided at City Hall, the municipal website, official municipal social media channels, and any other place deemed suitable.
 - 3.1.3. No business, other than that stated in the notice will be transacted at a special meeting unless authorized by the Mayor, and where all Members are present, and by unanimous consent, they authorize other business to be transacted.
 - 3.1.4. Where there is consent to consider or decide upon additional business, the consent will be recorded within the Minutes.

3.2. Emergency Meetings

3.2.1. The Mayor may call an emergency meeting of Council to deal with an emergency without notice, or with such notice as is possible in the circumstances, in accordance with Section 19(3) of the *Municipal Government Act*.

3.2.2. The Clerk records minutes for Emergency Meetings.

3.3. Cancelling Meetings

3.3.1. A meeting of Council or Committee of Council may be cancelled:

3.3.1.1. by the Chair with the CAO, including during agenda review; or

3.3.1.2. on the written request of two-thirds of the Members, where they have determined that holding the meeting is not justified or for other reasons where their judgment appears appropriate.



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Policy and Procedures of Council: Part II Agendas & Meeting Information

1. Agendas

- 1.1. The Clerk prepares all agendas of Council, including committee meetings, together with copies of reports or communications from items on the status sheet.
- 1.2. The headings of the agenda are the same as the order of business and may contain subheadings as necessary.
- 1.3. All administrative reports, communication from the public, requests or other materials intended for inclusion in a council agenda must be received by the Office of the Clerk no later than seven days prior to the scheduled regular meeting of Council. Exceptions to this timeline may be made at the discretion of the Clerk and/or the CAO to permit for emergent, urgent business items.
- 1.4. If a Member has an item concerning staff, either individually or collectively, the issue is not added to the agenda of a regular meeting of Council until the Member has discussed the issue with the CAO and the matter has been discussed at an in camera (in private) session of Council.
- 1.5. Approval of the agenda is a standing order of business during all meetings of Council.
- 1.6. Information reports provided in agendas are provided for Council's information only and are not debated unless Council resolves to bring the item forward.

2. Member Requests for Agenda Items

- 2.1. To have an item added to the agenda, a Member submits the request in writing to the Office of the Clerk no later than seven days (12:00 noon on the Tuesday) prior to the Council meeting at which the item is to be considered.
- 2.2. The request must include an explanation of the item and a copy of the draft motion requesting a staff report or information which the Council will be requested to consider.
- 2.3. Where adequate information has been provided, the Clerk will add the Member's item to the agenda for the review process.
- 2.4. Council Members submit requests for staff reports using the Agenda Request Form and/or by email to the Clerk's Office, following discussion with the Director of the responsible department prior to submission.
- 2.5. Council Members are encouraged to submit requests through the applicable forms provided in the Council Hub.

- 2.6. Requests made outside the formal agenda process may be redirected to the appropriate form or process before being considered for inclusion on an agenda or referred for staff response.
- 2.7. Once an issue has been dealt with by Council, it should not be placed before Council again for at least six (6) months, unless by proper motion of reconsideration, rescission, or to amend something previously adopted, or unless otherwise directed by Council.
- 2.8. Requests for action by Council regarding matters that are within the jurisdiction of the Provincial or Federal Government are submitted in the form of a resolution.

2.9. Late Additions – Staff Member

- 2.9.1. Should a staff member wish to have an item considered after the deadlines, the staff member submits the request in writing to the Office of the Clerk by noon on the Monday immediately preceding the Council meeting.
- 2.9.2. A new item will not be received any later than noon on the day preceding the meeting unless written notice is provided by the CAO.
- 2.9.3. A new item will not be considered by Council at the meeting unless permitted by this Policy.
- 2.9.4. A staff report, memo, or other information must be included at the time of submission or the item will not be considered for addition.
- 2.9.5. Council will not vote on a motion arising out of an item added to the agenda until a staff report and a recommendation are received by Council.

2.10. Additions During Agenda Approval

- 2.10.1. Requests for additions during the agenda approval process are limited to urgent matters. Any item to be added to, or deleted from, the agenda during the meeting requires a motion and a simple majority vote.

2.11. New Business

- 2.11.1. New business is limited to substantive announcements, referrals/questions, submission of a petition, and notice of motion, unless otherwise directed by Council.
- 2.11.2. Each new business item is subject to a strict one (1) minute time limit and no debate is permitted.
- 2.11.3. A new business item that requires Council direction must be advanced by an appropriate motion in accordance with this Policy (for example, a motion requesting a staff report, referral to Committee of the Whole, or notice of motion).

2.12. Agenda Review – Committee of the Whole and Council

- 2.12.1. The agenda may be reviewed prior to a meeting of Council or Committee of the Whole.
- 2.12.2. If the agenda review is conducted, the following Members and staff are notified and permitted to attend:
 - 2.12.2.1. The Mayor, or delegate;
 - 2.12.2.2. the CAO, or delegate;
 - 2.12.2.3. the Municipal Solicitor, or delegate;
 - 2.12.2.4. the Clerk, or delegate; and
 - 2.12.2.5. other persons deemed necessary by the Mayor and/or CAO.

- 2.12.3. During the agenda review, the Mayor and CAO jointly may:
 - 2.12.3.1. remove any item under the consent agenda section of the agenda, except for those items that are not eligible for the consent agenda as set out in Part III (Meeting Procedures) under “Consent Agenda”;
 - 2.12.3.2. remove any item not within the mandate or duties of Council;
 - 2.12.3.3. refer any operational item for departmental response;
 - 2.12.3.4. defer any item on the agenda to a subsequent meeting;
 - 2.12.3.5. refer any item to Committee of the Whole or other committee that is within their respective jurisdiction; or
 - 2.12.3.6. cancel any meeting of the Council, where, in their judgement, the holding of the meeting is not justified or for any other reason which in their judgement appears appropriate.

2.13. Agenda Review – Other Committees of Council

- 2.13.1. Where an agenda review is conducted for a meeting other than Council or Committee of the Whole, the following Members and staff shall be notified and permitted to attend:
 - 2.13.1.1. the Chair, or delegate;
 - 2.13.1.2. the CAO, or delegate;
 - 2.13.1.3. the Municipal Solicitor, or delegate;
 - 2.13.1.4. the Clerk, or delegate; and
 - 2.13.1.5. other persons deemed necessary by the Chair and/or CAO.

2.14. During the Agenda Review, the Chair and CAO jointly may:

- 2.14.1. defer any item on the agenda to a subsequent meeting; or
- 2.14.2. cancel any meeting of the committee, where, in their judgement, the holding of the meeting is not justified or for any other reason which in their judgement appears appropriate.
- 2.14.3. In the absence of the Chair or the CAO, an assigned delegate may stand in the place of the Chair or the CAO.

2.15. Agenda Review - Requests for Presentations and Delegations

- 2.15.1. The Clerk’s Office receives requests for presentations and delegations in accordance with Part III (Meeting Procedures), under “Presentations & Delegations – Request for Presentations.”
- 2.15.2. During agenda review, the Mayor or the committee Chair and the CAO or their designate review the request and determine the appropriate disposition of the request.
- 2.15.3. If the subject of the request does not fall within the duties and responsibilities of a committee, the Mayor and the CAO jointly may:
 - 2.15.3.1. place the presentation on the Council agenda;
 - 2.15.3.2. refer the presentation to a committee of the Council;
 - 2.15.3.3. if the presentation is requesting financial assistance or a tax exemption, refer the delegation to another meeting, a committee or to the operational department where appropriate;
 - 2.15.3.4. if the subject matter of the presentation is a matter which can be addressed by

- 2.15.3.5. staff, refer the presentation to the appropriate department head; determine that the Council will receive only written submissions on a particular matter; or
- 2.15.3.6. If the subject matter of the presentation is a matter which is outside the jurisdiction of the Municipality, refuse the request.
- 2.15.3.7. Unless otherwise determined by the CAO, or CAO designate, jointly, the presentation is placed on the Council agenda.

2.16. Information Prior To Meeting of The Council

- 2.16.1. On the Thursday preceding each regular meeting of Council, the Clerk electronically delivers to each Member the following:
 - 2.16.1.1. the agenda;
 - 2.16.1.2. a copy of each report which is to be considered; and
 - 2.16.1.3. a copy of each motion to be considered if the motion or the purpose has not been indicated within a report.
- 2.16.2. The Clerk will make the agenda and other information available to the general public no later than 9:00 am on the day preceding each regular Council meeting, Committee of the Whole, or committee meeting
- 2.16.3. Information for in-camera meetings will not be circulated until the day of the meeting unless the Clerk is directed otherwise by the Mayor or CAO.

2.17. Circulation of Late Reports

- 2.17.1. If an item on the agenda has a notation indicating that the report will be circulated other than with the agenda package, the report is delivered electronically or circulated to each Member as soon as it is practical prior to the regular meeting of the Council, and the report is provided to all Members as near as is reasonably possible at the same time, and in no case will the report be made available to the public prior to the report having been provided to all Members.
- 2.17.2. If a report to be considered by Council is circulated to Members after the agenda package has been issued, Council will not consider the report until a following meeting unless one or more of its Members requests it to do so.



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Policy and Procedures of Council: Part III Meeting Procedures

1. Duties of the Chair

- 1.1. Maintains order, decorum, rules on points of order, and conducts meeting in accordance with applicable legislation and in accordance with this policy;
- 1.2. Opens the meeting of the Council by taking the Chair and calling the Members to order;
- 1.3. Receives and submits, in the proper manner, motions properly presented by a Member;
- 1.4. Puts to a vote a question that is moved and seconded or necessarily arises in the course of the proceedings and to announce the result of the vote;
- 1.5. Declines to put to a vote a motion which infringes upon the rules of procedure;
- 1.6. Restrains the Members, when engaged in debate, within the rules of order;
- 1.7. Enforces, on all occasions, the observance of order and decorum;
- 1.8. Calls by name any Member persisting in a breach of the rules of order of the Council to adhere to the Municipal Code of Conduct;
- 1.9. Permits questions to be asked through the Mayor (or Chair) or any official of the Municipality to provide information to assist any debate when they deem it proper to do so;
- 1.10. Provides information to Members on any matter touching on the business of the Municipality; and
- 1.11. Informs the Council or Committee when necessary, or when referred to, on a point of order; and adjourns the meeting when the business is concluded.
- 1.12. At the time of calling the meeting to order, the Chair may call for a moment of reflection.

2. Placement of the Mace

- 2.1. The mace is kept on the desk of the Chair and is in its cradle before the meeting begins and after its conclusion.

3. Starting the Meeting

- 3.1. As soon after the hour of a meeting as there is a quorum present, the Mayor or Chair shall take “the Chair” and the Members are called to order.
- 3.2. At a regular Council meeting, if the Mayor is not present within fifteen (15) minutes of the hour of a meeting, the Deputy Mayor takes the Chair and the Members are called to order.
- 3.3. If neither the Mayor nor the Deputy Mayor is in attendance within fifteen (15) minutes after the hour appointed for a meeting, the Council may appoint a person to preside from among the Members present.

- 3.4. The Clerk records in the minutes the names of the Members present and records in the minutes the names of Members who arrive after the meeting has been called to order and the time of their arrival.
 - 3.5. If there is no quorum present fifteen minutes after the time appointed for the meeting, the Clerk calls the roll and takes down the names of Members present, and the Council then stands adjourned.
4. **Member Seating**
 - 4.1. Members are seated in numerical order of their electoral districts, unless otherwise agreed to by the Mayor and Clerk.
5. **Quorum**
 - 5.1. A majority of the maximum number of elected Council is a quorum for Council meetings.
 - 5.2. A majority of the maximum number of appointed committee members is a quorum for committee meetings, unless expressed otherwise within the committee's terms of reference.
 - 5.3. Where there is a vacancy in the Council's numbers, the Council may make a decision if quorum is present at the meeting.
6. **Persons within Bar of the Council**
 - 6.1. Only members or officers of the Municipality are permitted within the bar of the Council during the sittings of the Council without express permission of the Chair.
7. **Distributing Materials**
 - 7.1. No person, other than a Member, the CAO, the Clerk or the Municipal Solicitor shall, before or during a meeting of the Council, place on the desks of Members or otherwise distribute to Members any material whatsoever unless such person is so acting with the permission of the Clerk.
8. **Meeting Duration**
 - 8.1. A meeting of the Council automatically ends four hours from its start time, unless otherwise determined by a vote.
 - 8.2. A motion to extend the meeting beyond four hours may be made and passed with a two-thirds vote from those present and voting.
9. **Order of Business**

The general order of business at regular Council meetings and Committee of the Whole is as follows and altered only by a two-thirds (2/3) vote without debate:

 - 9.1. Call to Order
 - 9.2. Land Acknowledgement
 - 9.3. Special Announcements or Acknowledgements
 - 9.4. Approval of the Agenda
 - 9.5. Approval of Minutes
 - 9.6. Proclamations
 - 9.7. Consent Agenda

- 9.8. Public Hearings (when required and as scheduled in the public notice)
- 9.9. Petitions, Delegations or Presentations
- 9.10. Reports and Recommendations
- 9.11. Committee Reports
- 9.12. Staff Reports
- 9.13. Information Reports
- 9.14. Council Agenda Requests
- 9.15. Added Items
- 9.16. Notices of Motion
- 9.17. Correspondence
- 9.18. Confidential Items; and
- 9.19. Adjournment

10. Call to Order

- 10.1. An official statement 'calling the meeting to order'
- 10.2. Land Acknowledgement (acknowledgement is kept at the Chair)
- 10.3. Roll Call (delegated by the Chair to the Recording Secretary)
- 10.4. O Canada (Council meetings only)

11. Approval of the Agenda (order of business)

- 11.1. The order of business applies, unless the Chair determines the proceedings of Council that for public interest a matter be moved forward to be dealt with promptly; or
- 11.2. A change to the order of business is determined by a vote of two-thirds of the Members present and voting. The vote is decided without debate.
- 11.3. A vote to amend the order of business for a meeting of Council is not permitted if it involves scheduling public participation before any public hearing or appeal on the agenda.

12. Order of Business at Special Meetings of Council

- 12.1. Additions to or deletions from the order of business;
- 12.2. Approval of the order of business;
- 12.3. Consideration of the particular business for which the special meeting was called in the order designated by the Mayor; and adjournment.
- 12.4. If there are a number of items for consideration at a special meeting, the order of business for a regular meeting of the Council is followed so far as is possible.

13. Recording of the Minutes

- 13.1. The approved written minutes of Council, Committee of the Whole, and committees are the official record of the meeting.
- 13.2. The Clerk's Office may use audio and/or video recording equipment to assist with accurate preparation of draft minutes. Any live-streamed, televised, or otherwise

broadcast recording does not replace the approved written minutes as the official record.

- 13.3. It is the normal practice to retain recordings during the interim between preparation of draft minutes and approval of the minutes at the next regular meeting (approximately sixty (60) days), after which recordings may be destroyed.
- 13.4. On certain occasions and on certain issues, it may be desirable for historic purposes to preserve an audio/video recording.
- 13.5. While a recording is retained prior to destruction or permanent filing, any person requesting a copy of a publicly available recording must do so in writing.
- 13.6. Audio/video recordings of in camera (in private) sessions are not made available.
- 13.7. Any costs for reproduction of recordings are the responsibility of the requester and must be paid before a copy is released.
- 13.8. The Clerk records the minutes of Council and committees of Council without note or comment, and including:
 - 13.8.1. the place, date and time of meeting;
 - 13.8.2. the name of the Chair and the record of the attendance of the Members;
 - 13.8.3. the reading, if requested, correction and adoption of the minutes of prior meetings; and
 - 13.8.4. all motions moved, or moved and seconded, by a Member or Members.
 - 13.8.5. A record of motions that were voted in favor by all members as “unanimously carried” and if not voted in favor by all members, records the name of the member(s) that were against and record the motion as carried or defeated depending on the majority of vote.
- 13.9. For Council and Committee of the Whole, every public vote on a motion is a recorded vote. The Clerk records the name of each Member and whether they vote in favour of or against the motion.
- 13.10. The draft minutes will be made available, as possible, within seven days of the meeting and will be electronically circulated to all members.
- 13.11. The draft minutes will be electronically circulated, as necessary, a second time, one week prior to the meeting in which they are to be approved.
- 13.12. Where an objection is made to the minutes, the Member making it states the grounds of the objection, without debate, and if the Council agrees, the minutes are altered accordingly.
- 13.13. If the Members present do not agree to the proposed alteration, a motion is made and seconded to amend the minutes, and that motion is debatable.
- 13.14. Where minutes have been previously circulated to the Members, reading of the minutes is not required unless a motion requiring such reading is adopted.
- 13.15. A resolution that the minutes be adopted as if read is in order.
- 13.16. After the minutes have been adopted, the minutes are signed by the Clerk and the Mayor (or Chair).

14. Proclamations

- 14.1. Proclamations are submitted, approved and proclaimed in accordance with the CBRM Celebrations and Commemorations Policy.

15. Consent Agenda

- 15.1.1. Consent Agenda may contain routine or noncontroversial items, except:
- 15.1.1.1. Second Readings of by-laws and land use by-laws, including any amendments;
 - 15.1.1.2. Policies;
 - 15.1.1.3. New information or new items;
 - 15.1.1.4. Planning documents as defined by the *Municipal Government Act* including municipal planning strategy, land-use by-law, development agreements and subdivision by-laws;
 - 15.1.1.5. Development agreements or incentive or bonus zoning agreements, including any amendment;
 - 15.1.1.6. Appeals;
 - 15.1.1.7. Motions of rescission, or motions requiring a 2/3 vote of Council;
 - 15.1.1.8. Motions made by Members of Council;
 - 15.1.1.9. In camera matters; and
 - 15.1.1.10. Late or added items to the agenda.
- 15.1.2. After the Consent Agenda motion has been moved and seconded, any member may request the removal of an item from the Consent Agenda. No seconder is required, and the request will be granted automatically.
- 15.1.3. While the motion to approve the Consent Agenda is under consideration, no discussion or debate on individual items is permitted.
- 15.1.4. Before the vote is taken, the Chair confirms the items remaining on the Consent Agenda.
- 15.1.5. For an in-person meeting, the vote on the Consent Agenda requires a majority of Council Members present to pass.
- 15.1.6. Items included in the Consent Agenda are considered approved once the vote is carried.
- 15.1.7. Any items removed from the Consent Agenda will be addressed in the order they appear on the agenda.

15.2. Presentations & Delegations

15.2.1. Request for Presentations

- 15.2.1.1. Requests for presentations or delegations are made to the Clerk in writing (letter or email) and must state the desired outcomes, the nature of the presentation, and whether the presentation is being requested of Council or a committee.
- 15.2.1.2. Requests should be received by the Clerk by the same deadlines that apply to agenda submissions, unless otherwise permitted by the Clerk and/or CAO for urgent matters.
- 15.2.1.3. A request may be refused or redirected where the subject matter is outside municipal jurisdiction, is operational in nature and can be addressed by staff without a presentation, is duplicative, or is otherwise inappropriate for a Council forum.

- 15.2.2. Presentations are reviewed and approved during the agenda review process
- 15.2.3. There will be a maximum of one presentation during each scheduled meeting
- 15.2.4. Where there are multiple requests, a meeting for the purpose of hearing presentations will be scheduled
- 15.2.5. Wherever possible, meetings dedicated to presentations will be scheduled virtually
- 15.2.6. Presentations deal with one topic only
- 15.2.7. Each presentation has a maximum of two presenters
- 15.2.8. Each presentation is allotted a maximum of **ten** (10) minutes
- 15.2.9. The topic of the presentation must be relevant and timely
- 15.2.10. The request for the presentation forms part of the agenda
- 15.2.11. Any slides or other information used for the presentation is posted on the Municipality's website and is included with the relevant agenda package
- 15.2.12. Following the presentation, Members may ask questions for clarification but no debate of the subject matter is permitted
- 15.2.13. After questions of clarification, a Member may move a motion on a matter arising from the presentation.
- 15.2.14. Any such motion is introduced for referral or deferral only until the required staff report and recommendation are received.
- 15.2.15. If a motion is not passed relating to the presentation, no further action is taken and the presentation forms part of the public record for the meeting
- 15.2.16. The Clerk will include an information report listing all presentations considered by Agenda Review and the disposition of the request.
- 15.2.17. A presenter once heard or considered is not received or considered again on the same matter for a period of three months from the date of its first hearing.

15.3. Procedures for Public Hearings

- 15.3.1. A public hearing is held when required by legislation, by-law, or as otherwise directed by Council.
- 15.3.2. Public hearings are conducted in-person in Council Chamber at CBRM City Hall, 320 Esplanade, Sydney, Nova Scotia, unless Council has directed the meeting be held virtually or another suitable location has been identified in the public notice.
- 15.3.3. Where virtual participation is permitted, speakers participate in accordance with Part VIII (Virtual Meetings & Virtual Participation Processes) and any additional instructions published with the public notice.
- 15.3.4. Each speaker is allotted **five** (5) minutes unless otherwise directed by the Chair.
- 15.3.5. During a public hearing:
 - 15.3.5.1. the Clerk may, upon receiving a request, advise members of the public where they appear on the speakers' list;
 - 15.3.5.2. if the public hearing is held at City Hall, speakers may wait for their turn to speak in the Council Chamber (space permitting) or, if designated by the Clerk for overflow, in an alternate waiting area within City Hall;
 - 15.3.5.3. at the discretion of the Chair, Council may take a recess approximately every hour;

- 15.3.5.4. no applause or other expressions of emotion, inappropriate language, outbursts, or criticisms aimed at individuals or groups will be condoned; and
- 15.3.5.5. no one may bring any sign, poster, placard, banner or other like device into the Council Chamber during a public hearing without the prior permission of the Chair, subject to objection by a majority of the Members present.

15.3.6. Calling speakers

- 15.3.6.1. The Chair calls speakers in the order of the speakers' list. If a person is not present when their name is called, they may be given an opportunity to speak after everyone on the speakers' list has been called.
- 15.3.6.2. The Clerk may notify Council if the connection is lost with a virtual speaker and will attempt to reconnect. If unsuccessful, Council may move on to the next speaker.
- 15.3.6.3. If a virtual speaker is disconnected and attempts to reconnect are unsuccessful, they may be given an opportunity to speak for the remainder of their five (5) minutes after everyone on the speakers' list has been called.
- 15.3.6.4. Once all those on the speakers' list have been called, or if there are no names on the speakers' list, the Chair:
 - 15.3.6.4.1. invites anyone attending in person and wishing to speak to come forward and speak; and
 - 15.3.6.4.2. after all people attending in person have spoken, calls three (3) times for further speakers attending in person wishing to speak.
- 15.3.6.5. If it is necessary to adjourn the public hearing to another date, the Chair may direct those in attendance at the initial advertised date who did not have the opportunity to be heard and still wish to address Council to speak to the Clerk, and the Clerk will collect their names immediately following adjournment.
- 15.3.6.6. At the continuation of a public hearing on a second or subsequent date, only those whose names were on the speakers' list and were not heard at the initial advertised date, and those whose names were added to the speakers' list at the conclusion of the initial advertised date, are permitted to speak. No substitution of names is permitted.

15.3.7. Applicant response

- 15.3.7.1. After all speakers have been heard, the Chair invites the applicant (or designate) to respond to points raised by speakers. If the applicant (or designate) decides to speak, they are given **five** (5) minutes.

15.3.8. Close of public hearing

- 15.3.8.1. The Chair calls for a motion to close the public hearing. Once the motion is adopted, no further speakers are heard.
- 15.3.8.2. Following the close of the public hearing, the Clerk records in the minutes the names of those who spoke at the hearing.
- 15.3.8.3. Staff are provided an opportunity to briefly respond to points raised by speakers.

- 15.3.8.4. Members may request clarification of staff respecting matters raised during the public hearing.

15.3.9. Role of Council during the public hearing

- 15.3.9.1. The role of Council during a public hearing is to listen to the public.
- 15.3.9.2. Members do not debate nor challenge the comments being offered by a speaker.
- 15.3.9.3. Following a speaker's presentation, Members may ask questions of the speaker seeking clarification of the points raised.
- 15.3.9.4. Members do not enter into dialogue with the public during the public hearing.

15.3.10. Voting eligibility following a public hearing

- 15.3.10.1. Only Members present for the entire staff presentation and public hearing are permitted to vote on the matter that is the subject of the public hearing.
- 15.3.10.2. In addition to the requirement in paragraph (1), only Members present during the entire debate following the close of the public hearing, including during any clarification by staff or the applicant, are permitted to vote on the matter.
- 15.3.10.3. For clarity, the voting methods and recorded-vote procedures in Part X (Voting) continue to apply to any vote taken following a public hearing.

15.4. Public Hearings

- 15.4.1. Council may provide a Public Hearing when it is identified on the agenda.
- 15.4.2. A Public Hearing is intended to provide an opportunity for members of the public to address Council on matters within the jurisdiction of the Municipality.
- 15.4.3. Unless otherwise stated by the Chair:
 - 15.4.3.1. each speaker is allotted **five** (5) minutes;
 - 15.4.3.2. a person may speak only once; and
 - 15.4.3.3. where multiple persons attend representing a group or organization, Council may require the group designate a spokesperson.
- 15.4.4. Speakers must direct all remarks through the Chair and must not use inappropriate language, make outbursts, or direct criticism toward individuals or groups. The Chair may rule a speaker out of order and may direct that the speaker's time be ended.
- 15.4.5. Members may ask questions of a speaker for clarification only. No debate is permitted during the Public Submission Forum.
- 15.4.6. The Clerk records in the minutes that the Public Submission Forum occurred and, where feasible, the names of speakers.
- 15.4.7. Where a matter raised during the Public Submission Forum requires follow-up, a Member may bring the matter forward by motion in accordance with this Policy, including by requesting a staff report where appropriate.

15.5. Presentations as Added Items

- 15.5.1. A presentation request may be added to an agenda as an added item only where Council determines the matter is urgent and time-sensitive and where, in the judgement of the

Chair and CAO (or designate), it is in the public interest to hear the presentation without waiting for the next regular agenda cycle.

15.5.2. A request to add a presentation as an added item must include, at minimum, the topic, desired outcome, presenter(s), and any supporting materials available at the time of the request.

15.5.3. Where a presentation is accepted as an added item:

15.5.3.1. the Chair may adjust the meeting schedule as necessary, including deferring the presentation to later in the same meeting;

15.5.3.2. the time limits and other presentation rules in this section continue to apply unless otherwise directed by the Chair; and

15.5.3.3. Council may limit the presentation to written submissions where appropriate.

15.5.4. For clarity, the voting restriction in Part X (Voting) respecting motions arising from presentations applies equally to motions arising from a presentation added as an added item.

15.6. **Petitions and Communications**

15.6.1. Petitions and communications are legibly written, printed, typed, or delivered electronically to the Clerk; and

15.6.2. Clearly set out the matter in issue and the request and outcome sought; and

15.6.3. Contain the name of the writer and both the mailing and electronic address (where available) of the writer; and

15.6.4. Be signed by at least one person, or be received from an electronic address that clearly identifies the person sending the communication.

15.7. A communication or petition that does not meet the above criteria, or is abusive in nature, is forwarded to agenda review for disposition.

15.8. In addition to above, a petition includes:

15.8.1. The date the petition was commenced;

15.8.2. The name, civic address and either the telephone or email address of the person(s) who started the petition;

15.8.3. the name and civic address of every person who signed or electronically submitted their name to the petition.

15.9. The content of all petitions submitted and accepted by the Council under this section is public information, including the names and addresses of those signing the petition.

15.10. Once received by the Clerk, a petition is reviewed during the agenda review process prior to inclusion on a meeting agenda.

15.11. Where a petition is approved for inclusion on an agenda, receipt of the petition is noted on the agenda under "Approval of Agenda" and, where practical, the operative clause is highlighted or otherwise identified.

15.12. The Clerk lists on the agenda every petition received no later than 12:00 o'clock noon on the Thursday immediately preceding each regular meeting of Council.

15.13. The Clerk arranges the communication be provided to Council, unless the Clerk is of the opinion the content is impertinent or improper in which the person presenting the communication is advised it is deemed unsuitable, and that the decision of the Clerk may be appealed to the Council.

- 15.14. A petition is placed before Council by the district Councillor, as determined by the Clerk, and in the event no Councillor wishes to bring the petition forward, the Clerk will bring the petition to Council.
- 15.15. When a Member presents a petition to the Council, the Member acquaints the Council with its contents and asks leave for it to be entered.
- 15.16. A petition or written communication to the Council on a subject already before a committee of the Council may be referred by the Chair to the committee without any motion.
- 15.17. No Member speaks upon or debates a petition or written communication if it has been referred to a committee, but a Member may move that, in referring the matter, Council give certain instructions.
- 15.18. In the event the Council considers that the petition or communication requires an immediate reply, the matter contained may be discussed and dealt with at that time.
- 15.19. Where an individual wishes to be heard in respect of a petition before Council, any Member may move a motion that the member of the public be heard and the matter may be voted on.



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Policy and Procedures of Council: Part IV Motions

1.1. Notice of Motion

- 1.1.1.1. Is in writing;
- 1.1.1.2. Includes the name of the mover;
- 1.1.1.3. Is received by the Clerk at a regular meeting of the Council; and
- 1.1.1.4. Is printed in full in the agenda for the next regular meeting and each successive meeting of the Council until considered or otherwise disposed of.
- 1.1.2. When a Member's motion has been called at two successive meetings of the Council and not proceeded with, it is deemed withdrawn and is dropped from the agenda unless the Council otherwise decides.
- 1.1.3. The mover may withdraw a Notice of Motion at any time prior to the commencement of debate.

1.2. Waiver of Notice of Motion

- 1.2.1. Council may waive Notice of Motion on a two-thirds (2/3rds) vote of the Members present and voting.
- 1.2.2. The Council may not waive Notice of Motion respecting a by-law or a policy.

1.3. Motions that Do Not Require a Notice of Motion

- 1.3.1. The following motions may be introduced without notice and without leave:
 - 1.3.1.1. A point of order
 - 1.3.1.2. A point of privilege
 - 1.3.1.3. a motion to adjourn;
 - 1.3.1.4. a motion to call for the question
 - 1.3.1.5. a motion to refer;
 - 1.3.1.6. a motion to table or to defer to a day certain;
 - 1.3.1.7. an amendment to a motion;
 - 1.3.1.8. a motion to suspend a rule of procedure;
 - 1.3.1.9. a motion to adjourn the Council and move into the Committee of the Whole;
 - 1.3.1.10. a motion arising from a presentation pursuant to Part III (Meeting Procedures), under "Presentations & Delegations" (including the voting restriction in Part X (Voting) for motions arising from presentations)
 - 1.3.1.11. a motion to convene in camera (in private), providing the Municipal Solicitor or delegate is present; or
 - 1.3.1.12. any other procedural motion.

1.4. Order of Consideration of Motions

- 1.4.1. When a question (motion) is under consideration, no motion is received except:

- 1.4.1.1. a motion to refer;
- 1.4.1.2. a motion to amend;
- 1.4.1.3. a motion to table;
- 1.4.1.4. a motion to defer;
- 1.4.1.5. a motion to adjourn;
- 1.4.1.6. a motion to call for the question;
- 1.4.1.7. a point of order; or
- 1.4.1.8. a motion to close debate at a specified time.

1.4.2. When any matter set out under “Order of Consideration of Motions” above is made, no other motion may be made except:

- 1.4.2.1. a motion to refer;
- 1.4.2.2. a motion to defer;
- 1.4.2.3. a motion to close the debate at a specified time;
- 1.4.2.4. a motion to call for the question; or
- 1.4.2.5. a motion to adjourn.
- 1.4.2.6. A motion is put without amendment or debate:
 - 1.4.2.6.1. that the debate be closed at a specified time;
 - 1.4.2.6.2. to call for the question; or
 - 1.4.2.6.3. to adjourn;

1.4.3. Procedural motions are considered immediately upon being made and are subject to debate as follows:

- 1.4.3.1. non-debatable:
 - 1.4.3.1.1. to extend the time of the meeting;
 - 1.4.3.1.2. to call for the question;
- 1.4.3.2. debatable:
 - 1.4.3.2.1. to refer;
 - 1.4.3.3. to defer to a certain date;
 - 1.4.3.3.1. to table;
 - 1.4.3.3.2. any other procedural motion;
 - 1.4.3.3.3. a motion to convene In Camera (in private); and
 - 1.4.3.3.4. motion to adjourn the Council and move into the Committee of the Whole, but debate is limited only to the desirability of referring, deferring, convening, adjourning or tabling or to the date when the matter should be brought back before the Council.

1.5. Motions Received While Question Under Consideration

1.5.1. Motion to Refer

- 1.5.1.1. A motion to refer, until it is decided, precludes an amendment to the main question and a motion to defer or table.
- 1.5.1.2. A motion to refer is debatable but only with respect to the desirability of referring the motion.
- 1.5.1.3. A motion to refer is not put to a vote until all Members listed to speak on the motion proposed to be referred have been given the opportunity to ask any

questions or raise any issues they wish to be considered.

1.5.2.Motion to Amend

- 1.5.2.1. A motion to amend is decided upon or withdrawn before the main question is put to a vote and before a further amendment to the question is considered;
- 1.5.2.2. Must be relevant to the question; and
- 1.5.2.3. Must not propose a direct negative to the question.
- 1.5.2.4. A motion to amend that the mover of the original motion agrees is a friendly amendment, is not required to be put to vote.
- 1.5.2.5. A motion to appoint a person to an office precludes any (further) amendments.

1.5.3.Motion to Table

- 1.5.3.1. A motion to table a question is debatable but only with respect to the desirability of tabling and cannot be amended.
- 1.5.3.2. A motion to table with some qualification other than time is subject to amendment and debate.
- 1.5.3.3. The matter tabled is not considered again by the Council until a motion has been passed to take up the tabled question at the same or a subsequent meeting of the Council.
- 1.5.3.4. A motion to take up a tabled question is not subject to debate or amendment.
- 1.5.4. A motion which has been tabled at a previous meeting of Council cannot be taken up unless notice is given in accordance with the Notice of Motion requirements in this Policy.
- 1.5.4.1. A motion which has been tabled and not taken from the table for six months is deemed to have been withdrawn.

1.5.5.Motion to Defer

- 1.5.5.1. A motion to defer indefinitely is treated as if it were a motion to table.
- 1.5.5.2. A motion to defer is debated only with respect to the desirability of deferring consideration of the motion.
- 1.5.5.3. A motion to defer is not put to a vote until all Members listed to speak on the motion proposed to be deferred have been given the opportunity to ask any questions or raise any issues they wished considered.
- 1.5.5.4. A motion that is deferred and not considered by the Council for six (6) months is deemed to have been withdrawn.

1.5.6.Motion to Adjourn

- 1.5.6.1. is always in order, except:
 - 1.5.6.1.1. when a Member is speaking,
 - 1.5.6.1.2. during a vote,
 - 1.5.6.1.3. during the verification of a vote;

- 1.5.6.1.4. immediately following the affirmative resolution of a motion to call for the question;
- 1.5.6.1.5. does not require a seconder; and
- 1.5.6.1.6. is not debatable.

1.5.6.2. A motion to adjourn when:

- 1.5.6.2.1. made without qualification, and if carried, brings a meeting or session of the Council to an end; or
- 1.5.6.2.2. made to adjourn to a specific time or to reconvene upon the happening of a specified event, suspends the meeting of the Council to continue at that time.
- 1.5.6.2.3. A motion to adjourn when resolved in the negative, is not made again until after some intermediate proceedings have been completed by the Council.

1.5.7. Motion to Call for the Question

- 1.5.7.1. does not require a seconder;
- 1.5.7.2. is not debatable;
- 1.5.7.3. cannot be amended; and
- 1.5.7.4. is not proposed when there is an amendment under consideration.
- 1.5.7.5. A motion to call for the question shall be determined by a two-thirds (2/3rds) vote of the Members present and voting and, if resolved in the affirmative, the main motion is put immediately without further amendment or debate. When a motion to call for the question is resolved in the negative, then the main motion under consideration may be further amended and debated.

1.6. Other Motions

1.6.1. Motion on Hearing An Appeal

- 1.6.1.1. Notwithstanding the provisions in this Part respecting motions and debate, if Council hears an appeal, the motion to “allow the appeal” may be placed on the floor, even if such motion is in opposition to the recommendation contained in the staff report.

1.6.2. Motion in Opposition to the Staff Recommendation

- 1.6.2.1. A motion before the Council arising from a recommendation from a committee of the Council, which is in opposition to the recommendation contained in the staff report is not considered by the Council unless:
 - 1.6.2.1.1. no Member is prepared to move the motion arising from the recommendation contained in the staff report; or
 - 1.6.2.1.2. the motion arising from the recommendation contained in the staff report is moved but there is no seconder to such motion.
 - 1.6.2.1.3. If the motion arising from the staff report fails or is not moved or seconded, an alternative motion may be moved providing the alternative motion arises from the matter contained in the staff report
 - 1.6.2.1.4. An alternative motion pursuant to this section that is not listed as an alternative motion in the staff report is deferred until the next meeting

unless the alternative motion has been circulated to the Clerk by 9:00 am of the day of the meeting and the notice complies with the Notice of Motion requirements in this Policy.

1.6.3. Motion to Authorize Over Expenditure

1.6.3.1. A motion to authorize an expenditure in excess of that authorized by the operating budget is laid on the table as a Notice of Motion to be discussed at a subsequent meeting at which it is introduced, unless the Chief Administrative Officer recommends in favour of the expenditure and the Council by a two-thirds vote of the members then present approve the expenditure.

1.6.4. Motion of Reconsideration

1.6.4.1. The intent of reconsideration is to allow the majority of the assembly to bring back for further discussion a motion which has already been voted on, the purpose of which is to permit correction of a hasty, ill-advised or erroneous action, or to take into account additional information or a changed situation that has developed since the taking of the vote.

1.6.4.2. After a matter has been decided, a Member who voted with the prevailing side, one who voted aye if the motion was passed and one who voted nay if the motion was lost, may put forward a motion of reconsideration before the adjournment of the meeting at which the same was decided.

1.6.4.3. Notice of motion is not required as the motion to reconsider must be put forward and seconded at the same meeting at which the matter was decided.

1.6.4.4. A motion of reconsideration must be seconded, at which time it is owned by the Council and cannot be withdrawn except by the agreement of the Council.

1.6.4.5. The seconder to the motion can be any Member regardless of how they voted on the original motion.

1.6.4.6. The motion of reconsideration is held over to be dealt with as the first order of business at the next meeting of the Council, including a special meeting called to hear the motion, immediately after the consideration of the Minutes and before any other business is considered.

1.6.4.7. The Council may, with a vote of two-thirds (2/3rds) of the Members present and voting, agree to take up the motion of reconsideration at the same meeting in which the matter was decided.

1.6.4.8. At the time when the motion of reconsideration is taken up by the Council the mover of the motion, or in the Member's absence any other Member on the Members behalf, may briefly state the reasons for reconsideration and reconsideration shall be put to a vote without further debate.

1.6.4.9. No question may be reconsidered more than once nor will a vote to reconsider be reconsidered.

1.6.5.0. If the motion to reconsider is carried, the question to be reconsidered is read again.

- 1.6.5.1. The question to be reconsidered is debatable as to the merits of the question to be reconsidered but is not amendable, as the question to be reconsidered is the same question put before the Council previously.
- 1.6.5.2. A majority of the Members present and voting is required to carry the motion.
- 1.6.5.3. No motion of reconsideration shall be allowed in regard to a motion approving all or part of the annual budget of the Municipality or a motion authorizing legal proceedings.
- 1.6.5.4. A motion of reconsideration has the effect of delaying or impeding any action necessary to give effect to the motion to be reconsidered and no action shall be taken on that motion until such reconsideration has been disposed of.

1.6.6. Motion to Rescind

- 1.6.7. The purpose of a motion to rescind is to allow the Council to change an action previously taken or ordered.
- 1.6.8. A motion to rescind cancels or countermands a previous action or order and has the effect of striking out an entire main motion, resolution, rule, section, or paragraph that has been adopted at some previous time.
- 1.6.9. A motion to rescind may only be taken in regard to a matter that has been decided in the affirmative.
- 1.6.10. If a motion to rescind is defeated, no other motion to rescind shall be made within twelve (12) months, except with the consent of two-thirds (2/3rds) of the Members.
- 1.6.11. A motion to rescind is not in order:
 - 1.6.11.1. in respect to the adoption or amendments of a by-law or a planning document;
 - 1.6.11.2. in respect of an appeal;
 - 1.6.11.3. in respect of a matter that has previously been moved to be reconsidered; or
 - 1.6.11.4. if something has already been done as a result of the vote on the matter that is impossible to undo such as a document has already been executed.
- 1.6.12. A motion to rescind is not required to cancel or countermand a previous action or order if such action or order was passed before the most recent ordinary municipal election.

1.6.13. Procedure for Motion to Rescind

- 1.6.13.1. A motion to rescind is not made at the same meeting when the matter is decided but may be put at any subsequent meeting.
- 1.6.13.2. A motion to rescind may be put by any Member regardless of how the Member voted on the original matter.
- 1.6.13.3. At a subsequent meeting of the Council, the giver of such notice, or in that Member's absence any other Member on the Member's behalf, may put forward the motion to rescind.
- 1.6.13.4. A motion to rescind must be seconded.
- 1.6.13.5. A motion to rescind is debatable as to the merits of the question which is proposed to be rescinded.
- 1.6.13.6. A motion to rescind is amendable.
- 1.6.13.7. A motion to rescind must be passed by a vote of two-thirds (2/3rds) of the Members present and voting.



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Policy and Procedures of Council: Part V Rules for Motions

1. Notice and Order of Putting Questions in the Council

- 1.1. No motion introducing a new matter, other than to bring up a petition, read a communication or report, raise a matter of privilege or consideration of a report of a committee of the Council, shall be considered unless:
 - 1.1.1. notice of the same be given at a meeting of the Council held at least five days before the meeting at which the motion is to be considered, or
 - 1.1.2. notice is waived pursuant to Part IV (Motions), under “Waiver of Notice of Motion.”

2. Requirement for Secunder for Motion

- 2.1. Except for a motion to adjourn or a motion to call for the question, all motions are seconded before being debated or voted on.
- 2.2. At the time the motion is made, the mover may speak for not more than five minutes in order to explain the motion and the reasons for making it.
- 2.3. When a motion is seconded, it may be read before debate, if requested.
- 2.4. After a motion is moved and seconded, it is deemed to be in possession of the Council but may be withdrawn by the mover at any time before the question is put with the permission of the Council.

3. Reading of Motion

- 3.1. Every motion is read or stated except in the cases provided for by the rules of the Council.
- 3.2. When reading motions which have been distributed or printed in the Agenda, recitals need not be read.
- 3.3. No Member speaks to any motion until it is first read or stated from the Chair.
- 3.4. With the consent of the mover, the Chair may waive the reading of a motion arising from the recommendation set out in the staff report; rather, the motion is noted “as presented.”

4. Motions Not Within Jurisdiction of the Council

- 4.1. A motion in respect of a matter which is not within the jurisdiction/mandate of the Council is not in order.

5. Motion Contrary to the Rules

5.1. Whenever the Chair is of the opinion that a resolution is contrary to the rules and privileges of the Council, the Chair will apprise the Members immediately, before putting the question, and cites the rule or authority applicable to the case without argument or comment.

6. Determining Speaking Priority

- 6.1. When two or more Members desire to speak to a matter the Chair settles the priority.
- 6.2. Where technology is used, the Chair will go to all speakers on the list in order of “first” speaking opportunity, then “second” speaking opportunity.
- 6.3. A motion may be made that a Member who wishes to speak “be now heard” or “do now speak”, which motion will be put without debate and if carried, such Member will be allowed to speak immediately.

7. Chair Entering Into Debate

- 7.1. If the Chair desires to take part in the debate, the Chair leaves their seat and in such case calls on the Deputy Mayor or one of the Councillors to take the chair. The Chair returns to their seat before the vote is taken on the motion.
- 7.2. Except as set out above, or to provide information on any matter before the Council, or to give reasons for deciding a point of order, the Chair does not take part in debate.



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Policy and Procedures of Council: Part VI Rules for By-Laws

1. By-law Procedure

- 1.1. No by-law, and no repeal, alteration or amendment of any by-law, will be passed by Council unless it has been given First Reading and Second Reading in accordance with the *Municipal Government Act*.

2. Referral of By-law to Standing Committee or Committee of the Whole

- 2.1. A proposed by-law may be referred after First Reading to the Committee of the Whole to report upon the leading features of the proposed by-law and any proposed amendments.
- 2.2. After the required notice has been published, Council may receive public input and the proposed by-law shall be open for debate and amendment in Second Reading.



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Policy and Procedures of Council: Part VII Status Sheet

1. A motion by the Council to direct staff to perform an action is placed on the status sheet, previously known as the Clerk's pending file.
2. At the first meeting of the subsequent Council following the swearing into office of the new Members, the status sheet shall be provided to Council, and upon review Council may withdraw any item(s) from the status sheet.



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Policy and Procedures of Council: Part VIII Virtual Meetings & Virtual Participation Processes

1. General

- 1.1. CBRM supports participation in meetings through virtual participation where required and where possible, noting technology limitations for hybrid meetings.
- 1.2. Meetings held in July and August will be held virtually unless otherwise determined by the Chair and provided there is adequate public notice of the change.
- 1.3. A meeting is a virtual meeting if all of the members are attending virtually.
- 1.4. These procedural requirements are intended to complement and supplement, and not replace, the requirements contained in the *Municipal Government Act* and other sections outlined in this Policy.
- 1.5. A meeting may be conducted by videoconference where the Municipality and participants have equipment available that enables meeting participants to see and hear each other, and enables the public to see and hear the Members participating.
- 1.6. A Member participating in a meeting by videoconference is deemed to be present at the meeting.
- 1.7. These videoconferencing and virtual participation provisions apply to Council, Committee of the Whole, and committees established by Council, with such changes as the context requires.
- 1.8. A virtual meeting or a meeting conducted by videoconference may be held if, at least two (2) days prior to the meeting, public notice is given respecting the way in which the meeting is to be conducted.
- 1.9. Public notice must adhere to requirements within the *Municipal Government Act* and be given by issuing a publication in a newspaper circulating the Municipality, or posting on the Municipality's publicly accessible internet site and in at least five conspicuous places in the municipality, or other such methods permitted by regulation.
- 1.10. Notwithstanding the public notice requirements, where the Mayor determines that there is an emergency, a meeting may be conducted virtually or by videoconference without notice or with such notice as is possible in the circumstances.

2. During the Virtual Meeting

- 2.1. If technological problems prevent a Member from participating in a meeting prior to the meeting commencing, the Member is marked absent from the meeting until the time of their arrival.
- 2.2. If a Member becomes disconnected from the meeting due to technical problems or other reasons, the Minutes reflect that the Member left the meeting at the time of the disconnection.
- 2.3. In collaboration with the Chair, the Clerk may permit virtual participation by members of the public for a presentation, Public Submission Forum, public hearing, or appeal hearing where the Municipality has electronic equipment available that will enable:
 - 2.3.1. the public to see and hear the member of the public participate in the meeting; and
 - 2.3.2. every virtual and in-person participant to see and hear all other participants attending the meeting.
 - 2.3.3. A member of the public intending to participate virtually in a meeting must have electronic equipment available that will enable:
 - 2.3.3.1. the public to see and hear the member of the public participate in the meeting; and
 - 2.3.3.2. the member of the public to see and hear each of the virtual and in-person participants attending the meeting.
- 2.4. If it is intended to permit virtual participation by the public at an in-person meeting, the advertisement for the meeting must indicate the date and time by which a person intending to attend virtually needs to contact the Office of the Clerk to be added to the list of virtual participants, and any other information that may be required.



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Policy and Procedures of Council: Part IX Decorum at Meetings

1. General Decorum

- 1.1. All members are required to adhere to provisions within the Code of Conduct for Municipal Elected Officials Regulations made under Section 520 of the *Municipal Government Act*.
- 1.2. Discussion takes place through the Chair, and speakers wait until the Chair acknowledges their participation.

2. In addition to 1.1, the following is prohibited:

- 2.1. Use offensive or unparliamentary language or speak disrespectfully of anyone while in the Council
- 2.2. Speak to a matter or a question other than the matter or the question in debate;
- 2.3. Reflect upon any vote of the Council except for the purpose of moving in accordance with the provisions hereof, that the question be rescinded or reconsidered.
- 2.4. If a Member resists the rules of the Council, willfully obstructs the business of the Council or disobeys the decision of the Chair, or of the Council on appeal, on any question of order or practice or upon the interpretation of the rules of the Council after being called to order by the Chair, the Member may
 - 2.4.1. for an in-person participant, be ordered by the Council by a majority vote to leave the Member's seat for that meeting; or
 - 2.4.2. for a virtual participant, be ordered by the Council by a majority vote to leave the meeting.
- 2.5. If the Member refuses to take leave of the meeting
 - 2.5.1. the Chair may order the Member removed therefrom by the police;
 - 2.5.2. leave the meeting, order the Clerk to disconnect the Member;
 - 2.5.3. but in case of ample apology being made, the Member may, by vote of the Council, be permitted to retake their seat, or remain in or reconnect to the meeting.

3. Addressing the Chair when Speaking to Question or Motion

- 3.1. A Member, upon being recognized by the Chair, addresses only the Chair.
- 3.2. No Interruptions
 - 3.2.1. When a Member is speaking no other Member interrupts or has offside dialogue with other members, except to raise a point of order.
- 3.3. Point of Order
 - 3.3.1. The Chair preserves order and decides any point of order.
 - 3.3.2. If a Member is called to order while speaking, such Member will, subject to that Member's right to enter the debate on the point of order, not speak further until the point has been determined.

3.3.3. When a Member rises on a point of order, the Member shall ask leave of the Chair to raise a point of order and, if recognized, will state the point of order to the Chair and then remain silent until the Chair has stated and decided the point of order.

3.3.3.1. Thereafter, a Member only addresses the Chair for the purpose of appealing to the Council from the Chair's decision.

3.3.3.2. If no Member appeals, the decision of the Chair is final.

3.3.3.3. The Council, if appealed to, decides the question: "Will the decision be sustained?" without debate and its decision shall be final.

3.4. Member Called to Order

3.4.1. A Member called to order immediately stops speaking, but may afterwards explain, and the Council, if appealed to, decides the same without debate.

3.4.2. If there be no appeal the decision of the Chair is submitted to by the Member.

3.5. Point of (Personal) Privilege

3.5.1. Where a Member considers that their integrity or the integrity of the Council as a whole has been impugned, the Member may, as a matter of personal privilege, speak at any time, with the consent of the Chair, for the purpose of drawing the matter to the attention of the Council, provided that in so doing no Member shall speak for more than five minutes.

3.5.2. Whenever any matter of privilege arises, it is immediately taken into consideration.

3.5.3. Whenever possible, a Member gives notice to the Clerk, twenty-four hours prior to the meeting at which the Member intends to raise the matter of privilege, of the nature of the matter of privilege.

4. Speaking to Question

4.1. No Member speaks more than two times to the question without permission of the Chair, except in explanation of a material part of their speech which may have been misconceived and in doing so the Member is not to introduce a new matter.

4.1.1. A Member's first opportunity to speak is five minutes.

4.1.2. A Member's second opportunity to speak is two minutes.

4.1.3. A Member who has made a substantive motion has the right to speak on their third opportunity to reply and sum up in closing the debate.

4.1.4. No Member without approval of the Chair speaks more than two (2) minutes on an amendment to a motion.

5. Decorum During Vote

5.1. When the Chair calls for the question no Member will walk across or out of the room or speak to any other Member or make any noise or disturbance.

5.2. A Member not in their seat is not entitled to vote.

6. Questions to Chair

- 6.1. A Member may ask a question of the Chair for the purpose of obtaining information relating only to the item or matter under discussion.
- 6.2. When enquiries are provided for on the agenda or a specific item is under discussion, enquiries may be made of the Chair or through the Chair concerning any item or matter connected with business of the Municipality but no argument or opinion is to be offered or facts to be stated except as necessary to explain the enquiry, and in answering any such question a Member is not to debate the matter.
- 6.3. No Member speaks longer than three Minutes when putting a question pursuant to this section.

7. Silence During Reading or Other Presentation

- 7.1. During the reading of minutes, a report, communication or other paper, and when a Member is addressing the Council, silence is observed and no one is allowed to disturb the meeting.



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Policy and Procedures of Council: Part X Voting

1. Member to be Seated During Vote

1.1. A member takes their place when any vote is called for and remains there until the Chair has declared the result of the question.

2. Voting on a Motion Arising From an Added Item or a Presentation

2.1. Council will not vote on a motion arising out of a presentation made to Council or Committee of the Whole until a staff report and recommendation is received from the CAO or delegate in respect of the subject matter of the motion. Any such motion will be deferred until the report and recommendation are received, but Council is not bound to adopt those recommendations.

3. Voting Following a Public Hearing

- 3.1. Where Council is considering a matter following a public hearing, only Members who were present for the entire staff presentation (if any) and the public hearing are permitted to vote on the matter.
- 3.2. In addition to paragraph (1), only Members present during the entire debate following the close of the public hearing, including any clarification by staff or the applicant, are permitted to vote on the matter.
- 3.3. These eligibility rules apply in addition to, and do not replace, the general voting rules in this Part (including recorded-vote procedures and the method of voting).

4. Separation of Proposition

4.1. When the question under consideration contains distinct propositions, upon the request of any Member, the vote upon each proposition is taken separately.

5. Method of Voting in Meetings of the Council, Committee of the Whole

- 5.1. Every question shall be decided by a vote of yeas and nays, and the Chair shall state whether the motion has been carried or defeated. Where a yeas and nays vote is not practicable in the circumstances, the vote may be taken by show of hands or other method directed by the Chair.
- 5.2. For Council and Committee of the Whole, every public vote on a motion is a recorded vote and forms part of the public record of the meeting, including any televised and/or web-streamed broadcast. For clarity, the approved written Minutes remain the official record of the meeting.
- 5.3. When a vote is taken orally, and no dissent is declared, the vote is deemed to be unanimously in favour of the motion.

6. Electronic Voting System

When the electronic voting system is utilized for recorded votes at Council or Committee of the Whole:

- 6.1. when the Chair calls for the question to be taken, each Member indicates whether they are in favour of or opposed to the question by pressing the “Yes” or “No” button provided at their desk;
- 6.2. after the vote is completed, the Clerk displays when technically possible, the total number of votes for and against the motion and the Chair declares whether the motion is carried or lost;
- 6.3. the Clerk prints off and maintains in the records the total votes on each question and the result as to how each Member voted on each question, and include those results in the Minutes, and such records are open to the public; and
- 6.4. when the results of how each Member voted on the question are displayed or stated, a Member immediately brings any error in the result due to the Member’s vote either not being recorded or being recorded improperly, to the attention of the Clerk and the Chair, and the Clerk makes a note of the error and records it in the Minutes of the meeting and the Chair shall declare any change in the result if necessitated by the error.
- 6.5. A paper copy of the results of a recorded vote is to be made available upon request, and staff will make such requests available in as reasonably timely a manner as possible.

7. Method of Voting (Committees Other Than Council/Committee of the Whole)

- 7.1. For votes taken at meetings of committees other than Council or Committee of the Whole, the Chair determines whether the vote is taken orally or by show of hands, unless a recorded vote is required by law or directed by the committee.

8. Member Required to Vote

- 8.1. Every Member votes when a question is put, unless the Member is disqualified by the *Municipal Conflict of Interest Act*.

9. Result of Failing to Vote

- 9.1. A member cannot abstain from voting, however a failure to vote is recorded as having voted in the negative.

10. Declaring Vote

- 10.1. After any question is put by the Chair, no Member speaks to the question nor is any other motion made until after the result of the vote has been declared.
- 10.2. The decision of the Chair as to whether the question has been put shall be conclusive.

11. Disputing Declaration of Vote

- 11.1. If a Member disagrees with the declaration of the Chair that a question is carried or lost, the Member may object to the declaration and require a recorded vote to be taken where permitted or required by this Policy, but must do so only immediately after the declaration by the Chair.



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Policy and Procedures of Council: Part XI In Camera (in private)

1. In Camera (In Private) Requirements

1.1. Where Council, or a committee of Council, meets In Camera (in private) to discuss any items designated in the *Municipal Government Act*, the Clerk lists such items at the end of the agenda of regular meetings of Council.

2. Agenda for In Camera (in Private) Meeting of Council

2.1. In Camera (in private) agenda items are identified by the type of matter to be discussed, with additional information, where possible, to further identify the item without disclosing confidential information.

2.2. A brief description or summary of the subject matter of the items to be discussed In Camera (in private) will be made available to Council no later than the commencement of the Council meeting at which those items are intended to be discussed. The summary will identify the reason In Camera (in private) discussion is warranted.

3. Agenda for In Camera (in Private) Meeting of Committee

3.1. At least forty-eight (48) hours' notice of an In Camera (in private) meeting of a committee of Council is given to the members of the committee, and, wherever possible, an agenda is provided to the members in advance of the meeting.

4. Moving In Camera (in Private)

4.1. Where the In Camera (in private) item is listed on the main agenda and there has been advance notice and the agenda is approved without amending the In Camera (in private) item, Council may move In Camera (in private) without an additional motion of Council.

4.2. Council may, at the request of one or more Members and with the agreement of two-thirds (2/3rds) of the Members present and voting, agree to enter into In Camera (in private) discussions without meeting the requirements set out in sections 2 and 3 above, provided that the request is supported by information explaining a legitimate reason for the In Camera (in private) discussion.

4.3. Where no decision is made and the In Camera (in private) item is advisory only, Council may adjourn without returning to regular session.

5. In Camera (in Private) Meeting - Presence of Municipal Solicitor

5.1. No In Camera (in private) meeting may proceed in the absence of the Municipal Solicitor, or delegate.

6. In Camera (in Private) Procedures

6.1. The rules of procedure set forth in this Policy for regular meetings of Council apply to In Camera (in private) discussions except as otherwise specifically provided for in this Policy.

7. Minutes of In Camera (in Private) Meeting

7.1. Minutes of In Camera (in private) meetings are taken by the Clerk and kept in the Office of the Clerk.

7.2. The Minutes of In Camera (in private) meetings will be approved at the next In Camera (in private) meeting of the Council, wherever possible, as the first item of business of the In Camera (in private) meeting.

7.3. In Camera (in private) minutes are not considered to be of public record.

7.4. Recommendations resulting from discussions taking place in the In Camera (in private) meeting are brought forward as an added item for approval by Council in open session immediately following dissolution of the In Camera (in private) session, and the rules of procedure apply to the adoption of such recommendations, provided that the motion to adopt a recommendation is not debated.

7.5. For clarity, recommendations brought forward from an In Camera (in private) meeting under this section are a specific exception to the ordinary added-item process in this Policy.

8. Staff Reports and Details of Matters Discussed at In Camera (in Private)

8.1. Staff reports submitted to In Camera (in private) meetings of Council and details of the matters discussed at, and the minutes kept of, such meetings, except background information, are maintained by the Clerk as confidential information unless Council determines that the information or any part thereof be made available to the public.

9. Release of Confidential Information

9.1. If it is determined by the Council, following a recommendation of staff, that the release of information identified as confidential, has the potential to unduly damage or embarrass or in other ways be detrimental to an individual or individuals, the Council may decide to maintain the confidentiality of the information for a further specified or unspecified period of time.

9.2. For clarity, this section will not be used to protect an elected official from potential embarrassment or damage arising from a position taken, or remarks made, during In Camera (in private) meetings.

10. Public Access to an In Camera (in Private) Report

10.1. Reports and other information arising out of In Camera (in private) meetings, for which Council determines no legitimate reason exists to maintain such records as confidential information, may be made available to the public upon request in writing to the Clerk.

10.2. If any member of the public requests access to an In Camera (in private) report that is classified as confidential, the Municipality, under the signature of the CAO, shall provide reasons in writing addressed to the inquirer why such information is so classified.

10.3. For clarity, merely identifying requested information as access restricted because it is considered confidential will not, on its own, constitute a satisfactory response to a request for information.

10.4. Where a request for information from an In Camera (in private) meeting has been denied, or where such information is considered by the inquirer to have been withheld for an unreasonable period of time, the inquirer may in writing request Council to rescind the decision to retain the information as confidential, in whole or in part, and Council may, by a two-thirds (2/3rds) majority vote of the Members present and voting, direct the release of the information or some portion thereof.



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Policy and Procedures of Council: Part XII Committees

1. The Council establishes the following committees:
 - 1.1. Appeals
 - 1.2. Audit
 - 1.3. Accessibility Advisory
 - 1.4. Fences Arbitration
 - 1.5. Diversity, Equity, and Inclusion
 - 1.6. Heritage Advisory
 - 1.7. Police Commission
 - 1.8. Fire and Emergency Services
 - 1.9. Committee of the Whole on Budget
 - 1.10. Committee of the Whole on Nominating
 - 1.11. Transportation Committee (under review)

2. **General Composition of Committees**
 - 2.1. Unless otherwise provided by statute, by-law, or a committee's Terms of Reference, each committee of Council consists of a minimum of two (2) Councillors appointed by Council, and an alternate may be appointed to each committee where the committee determines one is required.
 - 2.2. Membership terms are as set by Council at the time of appointment and reflected in the committee's Terms of Reference.
 - 2.3. For clarity, Committee of the Whole is comprised of all Members of Council and is not subject to the minimum membership provisions applicable to other committees.
 - 2.4. Unless otherwise determined by statute or by-law, the members of a committee shall at their first meeting following the appointment of the committee choose a chair and a vice-chair from among their number.
 - 2.5. A majority of the appointed members of a committee constitutes a quorum, unless otherwise stated in the committee's Terms of Reference.
 - 2.6. Unless it is an In Camera (in private) meeting, pursuant to the *Municipal Government Act*, all meetings of committees are open to the public.
 - 2.7. The Mayor's role as an ex officio member of committees is as set out in this Policy, including the exceptions for the Audit Committee and the Police Commission.

3. **Agendas for Committees**
 - 3.1. The Clerk will prepare the agenda of the Committees together with copies of all reports or communications to be dealt with at each regular meeting of the committee.

- 3.2. The headings of the agenda are the same as the Order of Business, except for the addition of public participation after correspondence, petitions and delegations or presentations for all committees other than Appeals.
- 3.3. The Agenda for a committee is provided to the members of the respective committee no later than end of day on the fifth day prior to the meeting at which the item is to be considered.

4. Special Committee

- 4.1. A special committee may be appointed by the Council at any time as it is deemed necessary concerning any matter that is within the jurisdiction of the Council.
- 4.2. Despite the general composition rule for committees, a special committee consists of not less than three members.
- 4.3. An appointment to a special committee is made in accordance with this policy.
- 4.4. The Council, in appointing a special committee, will set the terms of reference for the committee and other provisions the Council considers necessary and in adherence to legislation.
- 4.5. When a special committee has completed its work, made its report, and the Council has made a final decision upon the report, the Committee is dissolved automatically.

5. Roles and Responsibilities of all Committees

- 5.1. A committee of Council considers matters within its respective jurisdiction in alignment with legislation, by-laws, policies, and terms of reference.
- 5.2. Reports regular business within its jurisdiction to Council, or the appropriate delegated body, regularly.
- 5.3. Considers and reports on any and all matters referred to it by Council.
- 5.4. Makes its reports available to Council before those reports are made public.

6. Nominating and Appointments Process

- 6.1. Committee membership is recommended through a nominating process conducted at a meeting of Committee of the Whole. The resulting slate of committee appointments is brought forward to Council for ratification by resolution.
- 6.2. Citizen applications for appointment to committees are treated as personal information and are kept confidential during the selection process. Applicant information is only released publicly once an applicant has been selected, has accepted the appointment, and any required checks have been completed.
- 6.3. All citizen applications are retained on file by the Clerk for one (1) year from the application deadline date, unless a longer retention period is required by legislation or the Municipality's records retention requirements.
- 6.4. A qualifications matrix is used to assist with evaluating citizen applications. The matrix is based on the respective committee's Terms of Reference, mandate, and subject matter, and may consider qualifications, experience, and other relevant criteria identified for the committee.
- 6.5. A report with recommendations for nomination and appointment is brought forward from the Clerk's Office in accordance with legislative and policy requirements.
- 6.6. The motion for the election of members to committees is made in November of every second year.

6.7. Nomination or appointment proceeds as follows:

6.7.1. Nominations are moved and seconded

6.7.2. The Chair calls for any further nominations (which are moved and seconded);

6.7.3. Where more than the number required for the committee of Council require an election, the vote is taken by secret ballot which is counted by the Clerk and CAO or Solicitor and declared by the Chair.

6.7.4. Where the second vote is taken and two or more nominees continue to have an equal number of votes, the appointment is determined by a draw taken by the CAO.

6.7.5. A member may be placed on a committee of the council despite being absent at the time of appointment.

6.8. **Appointment of Deputy Mayor**

6.8.1. The election of a Deputy Mayor is made in accordance with the Deputy Mayor Policy.

7. **Secretary for Committee**

7.1. The Clerk or designate is the secretary of all committees of Council, unless otherwise determined by Council.

7.2. **Duties of the Secretary of Committees**

7.2.1. To prepare and issue notice of each regular and special meeting of the committee of Council to each member of the committee and any officer required to attend, no later than the day preceding the meeting, if possible; and

7.2.2. To attend, or have an assistant attend, all meetings of the committee of Council and record the minutes, orders, and requests of the committee.

7.3. **Election of a Chair of a Committee**

7.3.1. Unless otherwise determined by statute or by-law, the members of a committee shall at their first meeting following the appointment of the committee choose a chair and a vice-chair from among their number.

7.4. **Vacating a Position on Committee**

7.4.1. A member of a committee may resign at any time by submitting a signed resignation to the Clerk, and Council will fill the vacancy created.

7.4.2. A resignation may not be withdrawn once it has been delivered to the Clerk.

7.4.3. A committee member who fails to attend three consecutive meetings without reasonable excuse that has been approved by a resolution of Council vacates the seat and is deemed to have resigned from the committee.

7.4.4. Where a committee member has resigned due to consecutive absences, the remaining members of the committee will at the next meeting declare the seat of such person to be vacated and Council will fill the vacancy.

7.4.5. Section 4c does not apply to a member who is absent due to parental accommodation.

7.5. Committee Member Alternate

7.5.1. Where a Councillor position on a committee will be vacant for more than three consecutive meetings, such as for a long-term leave, an alternate will assume the seat until the appointed member returns.

7.5.2. One alternate may be appointed for each committee during the regular committee nomination and appointment process as in 2.1.

8. Meetings of Committee

8.1. Special Meetings

8.1.1. It is the duty of the Clerk to summon a special meeting of a committee when requested to do so by any two members of the committee.

8.2. Meetings of Committee Open to Public

8.2.1. Unless it is an In Camera (in private) meeting, pursuant to the *Municipal Government Act*, all meetings of the committees are open to the public.

8.3. Mayor as Ex-Officio Member of Committee

8.3.1. Unless otherwise provided for by legislation or by-law, and except as noted in the schedules for the Audit Committee and the Police Commission, the Mayor is an ex officio member of all committees and has all the powers and privileges of a member of the committee, including the right to vote upon any question to be dealt with by such committee.

8.3.2. Where a committee is established by reference to a particular number of members without specifically providing for membership of the Mayor, the number is automatically increased by one.

8.4. Attendance at Committee Meetings by Member of Council Not on Committee

8.4.1. Unless otherwise provided for in a by-law, a meeting of a committee (including any in camera portion of the meeting) may be attended by Members who do not serve on the committee; however, such Members are not permitted to participate in the committee debate or the vote. For clarity, they may provide comments or information when recognized by the Chair, but may not debate or vote.

9. Order of Business at Committee

9.1. The Order of Business for a committee, at the discretion of the Clerk, follows as closely as possible the Order of Business of Council, except that Consent Agendas are not used by committees.

10. Public Submission Forum

10.1. Committees of Council may provide a Public Submission Forum to hear and consider submissions or representations from persons who wish to be heard, and each submission is limited to five (5) minutes unless otherwise directed by the Chair.

10.2. If one or more persons appear representing a group or association in relation to a particular item, the Committee may require the persons to designate a spokesperson who

speaks on behalf of the group or association.

11. Quorum of Committee

- 11.1. A committee does not consider any business if quorum is not met.
- 11.2. A quorum for a committee having an even number of members is a majority of the appointed members.
- 11.3. In determining the quorum for a committee where a member is on a Council-approved leave of absence, the member is not counted unless they are in attendance at the meeting.
- 11.4. Council may determine quorum through adoption of the continuing terms of reference and jurisdiction of the committees through resolution or by-law of Council.

12. Quorum Where Mayor Ex Officio

- 12.1. In determining the quorum for a committee where the Mayor is an ex officio member, the Mayor is not counted unless they are in attendance at the meeting.

13. Procedures at Committee of the Whole

- 13.1. Committee of the Whole (COTW) is comprised of all Members of Council and is used as a forum to consider matters in greater detail and to facilitate discussion and recommendations prior to Council making a final decision. Committee of the Whole does not make final decisions.
- 13.2. Unless otherwise directed by Council, the meeting procedures for Council in this Policy apply to Committee of the Whole, with the specific modifications and clarifications set out below.

14. Chair

- 14.1. The Mayor presides as Chair of Committee of the Whole when present, and in the Mayor's absence the Deputy Mayor presides, unless Council has appointed another Member to preside.
- 14.2. The Chair of Committee of the Whole has the same duty to preserve order and decorum as the Chair at a Council meeting, and the decorum provisions in Part IX apply.

15. Quorum

- 15.1. Quorum for Committee of the Whole is the same as quorum for Council, unless otherwise provided by law.

16. Order of business

- 16.1. Committee of the Whole follows the Order of Business for Council as closely as possible, except that items not applicable to Committee of the Whole may be omitted and the agenda may be structured to focus on one or more specific topics.

17. Debate and discussion

- 17.1. Committee of the Whole is intended to allow fuller discussion of a matter. Unless otherwise directed by the Chair, Members may speak more than twice to the same question.
- 17.2. Members continue to direct remarks through the Chair and must remain within the subject under discussion.
- 17.3. The Chair may set reasonable speaking limits to ensure orderly proceedings, including where required to meet scheduling or public participation commitments.

18. Motions and recommendations

- 18.1. Committee of the Whole may consider motions to make recommendations to Council, including recommendations arising from staff reports and items referred by Council.
- 18.2. Committee of the Whole does not make final decisions. Any motion adopted in Committee of the Whole is a recommendation only and must be reported to Council for decision.

19. Public input

- 19.1. Where public participation, presentations, or a Public Submission Forum are scheduled on a Committee of the Whole agenda, the applicable procedures in Part III apply unless otherwise stated on the agenda.

20. Voting

- 20.1. Any vote taken in Committee of the Whole is for the purpose of forming a recommendation to Council. Voting is conducted in accordance with Part X (Voting), as applicable.

21. Rising and reporting

- 21.1. When Committee of the Whole has concluded consideration of a matter, the Chair (or another Member) may move that Committee of the Whole rise and report its recommendations to Council. The report to Council identifies the recommendations, including any amendments, for Council's consideration.



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

Policy and Procedures of Council: Part XIII Interpretation and Application

1. Interpretation and Application

- 1.1. This Policy shall be interpreted and applied in a manner consistent with the *Municipal Government Act* and any other applicable legislation.
- 1.2. Where a matter of procedure is not expressly provided for in this Policy, the most recent edition of Robert's Rules of Order, Newly Revised shall apply, to the extent that those rules are applicable and not inconsistent with legislation, this Policy, or any applicable by-law.
- 1.3. Upon coming into force, this Policy supersedes and replaces all previous Council policies, procedures, resolutions, or practices respecting Council and Committee procedure, including but not limited to:
 - 1.3.1. Rules of Order (RC1);
 - 1.3.2. Council Agenda Policy;
 - 1.3.3. Committees (RC4);
 - 1.3.4. Meeting Policy;
 - 1.3.5. Policy Respecting Delegations Appearing Before Council
 - 1.3.6. Council Audiotapes Policy; and
 - 1.3.7. Council Videoconferencing Policy.

2. Amendment and Review

- 2.1. This Policy may be amended or repealed only by resolution of Council, following notice of motion in writing given at the prior regular meeting of Council, unless otherwise required by legislation.
- 2.2. This Policy is reviewed annually and advanced by the Municipal Clerk to Council for resolution.

Cape Breton Regional Municipality

Recorded Resolution RC1

RULES OF ORDER

1 Order

- (1) The Mayor or other presiding officer shall preserve order and decorum at all Council meetings and shall decide all questions of order, subject to appeal to the Council.
- (2) When the Mayor or presiding officer is called upon to decide a point of order or practice, the point shall be stated without unnecessary comment, and the Mayor shall briefly cite the rule or authority applicable to the case.
- (3) The Mayor may, before ruling on a point of order, consult the solicitor of the Regional Municipality as to the applicable law.
- (4) It is the right of a member to call another member to order.
- (5) Where a member calls another member to order, the member must state the point of order clearly and succinctly and it will be for the presiding officer to decide whether the point is well taken.
- (6) An appeal may be taken from the decision of the presiding officer by any member of the Council.
- (7) When an appeal is taken from the decision of the presiding officer, the presiding officer shall first state the decision and ad, "The question is: Shall the decision of the Chair stand?"
- (8) When any question of order or practice is raised, it must be decided before further proceeding with the question in discussion.
- (9) When any matter of privilege arises, it must be considered immediately.
- (10) If the Mayor desires to leave the chair for the purpose of taking part in the debate or otherwise, the Deputy Mayor or another member of the Council shall fill the Mayor's place until the Mayor resumes the Chair.

Recorded Resolution RC1
Rules of Order

- (11) If any member of the Council or any other person in attendance at a meeting of the Council persists in disturbing the conduct of the meeting, the Mayor or other presiding officer may (subject to an appeal to the Council) require that person to leave the meeting and may direct a police officer of the Regional Municipality to carry out the order.
- (12) If the Mayor or other presiding officer determines that it is not possible to maintain order at any meeting of the Council, the Mayor or other presiding officer shall adjourn the meeting.

2 Rules of Conduct and Debate

- (1) Every member shall, in speaking to any question or motion, address the Chair.
- (2) When two or more members evidence an intention to speak, the presiding officer shall call upon the member who first showed such an intention, subject to a motion to hear another member.
- (3) No member shall use offensive words in or against the Council or any member thereof, nor shall the member speak beside the question in debate.
- (4) No member shall infringe the rules of the Council or disobey the decision of the presiding officer or of the Council on any question of order or practice, or upon the interpretation of the rules of the Council.
- (5) Where a member infringes the rules of the Council or disobeys the decision of the presiding officer or of the Council, the member may be ordered by the presiding officer or by resolution of the Council to leave that meeting, but if the Council accepts an apology by the offender, the member may be permitted to remain.
- (6) A member called to order by the presiding officer shall immediately cease speaking, except to explain, and the Council if appealed to shall decide the matter without debate.
- (7) No member shall pass between any member who is speaking and the presiding officer, nor shall a member interrupt any member who is speaking except to raise a point of order.

Recorded Resolution RC1
Rules of Order

- (8) Any member may require the question or motion in discussion to be read at any time during the debate, but not so as to interrupt a member while speaking.
- (9) (a) Council members are permitted to speak up to two times to the same question without leave of the Council; the first time for a maximum of five (5) minutes and the second time for two (2) minutes, except for significant issues at special meetings during which Council members will be permitted to speak up to fifteen (15) minutes. Staff responses to questions by Councillors shall be counted in the speaking time.
- (b) A reply is allowed to a member who has made a substantive motion to the Council, but not to any member who has moved an amendment.
- (c) If a Council member exceeds the speaking time, any Council member can call a point of order and the Mayor will uphold the ruling that the speaking times be adhered to.
- (10) Every question shall be decided by a vote of yeas and nays and the presiding officer shall state whether the motion has been carried or defeated.
- (11) Every public vote on a motion is a recorded vote and is to be released as part of the televised and/or web-streamed broadcast. A paper copy of the results of a recorded vote is to be made available upon request. The staff will make such requests for paper copies available in as reasonably and timely manner as possible and a copy of the recorded vote will be available upon request.
- The above process does not apply to the limited type of motions made in closed or in camera sessions duly called under provisions noted in Section 22 of the *Municipal Government Act*.
- (12) When the question in consideration contains distinct propositions, upon request of any member, a vote upon each proposition shall be taken separately.
- (13) Every member of the Council present when a question is put shall vote unless:
- (a) the member has declared a conflict of interest in the subject of the question pursuant to the *Municipal Conflict of Interest Act*, or
- (b) the Council has excused the member from voting.

Recorded Resolution RC1
Rules of Order

- (c) Refusal to vote shall be recorded as voting in the negative, as per the *Municipal Government Act*.
- (d) Council will not excuse members from voting unless in Conflict of Interest situations.
- (14) Subject to the *Municipal Conflict of Interest Act*, the Mayor shall vote on all questions before Council.
- (15) After the question is put, no member shall speak to the question, nor shall any other motion be made until after the result of the vote has been declared; the decision of the presiding officer as to whether the question has been put is conclusive.
- (16) Whenever the presiding officer is of the opinion that a motion is contrary to the rules and privileges of the Council the presiding officer shall apprise the members immediately without putting the question and shall cite the rule or authority applicable to the case without argument or comment.
- (17) The Mayor or presiding officer may, at the beginning of any meeting or at any time except when a question is actually under debate, bring any matters as the Mayor or presiding officer may have in charge or may consider desirable before the Council.

3 Motions

- (1) Any member of Council may require that a motion be in writing except a motion to adjourn, to lay on the table, to postpone to a certain time, to refer or to move the previous question.
- (2) A motion shall be seconded before being debated or put to the questions.
- (3) A motion may be withdrawn by the mover with the consent of the seconder at any time before decision or amendment.
- (4) When a question is under consideration, no motion shall be received except:
 - 1. To adjourn.
 - 2. To lay on the table.
 - 3. To postpone to a certain time.
 - 4. To refer.

Recorded Resolution RC1
Rules of Order

5. To amend.
6. To move the previous question.

These several motions shall have precedence in the order in which they are named.

- (5) A motion to adjourn shall always be in order, except:
 1. When a member is in possession of the floor.
 2. When the ayes and nays are being called.
 3. While the members are voting.
 4. When “to adjourn” was the last preceding motion.
- (6) No expression of opinion or qualification shall be made with a motion to adjourn the Council or the debate.
- (7) The following questions shall be decided without debate or amendment:
 1. A motion to reconsider.
 2. All motions as to priority of business or as to the suspension of the general order of the day.
 3. An application to speak more than the prescribed number of times.
 4. A motion to allow any person other than a member of the Council to address the Council.
 5. The previous question.
 6. A motion to adjourn.
 7. A motion to postpone to a certain day.
 8. A motion to lay on the table.
- (8) An amendment may only be amended once.
- (9) Amendments shall be put in the reverse order to that in which they are moved.

Recorded Resolution RC1
Rules of Order

4 Minutes

- (1) The Clerk shall keep Minutes of the procedures of every meeting of the Council in a properly indexed Minute Book and/or digital record system.
- (2) The Minutes shall:
 - (a) contain all resolutions and motions passed, with the names of the movers and seconders, and
 - (b) mention reports, petitions and other papers submitted to the Council by their respective titles only, or by a brief description of their purport.
- (3) The Minutes shall not include any lengthy report of any debate in the Council, but a summary of the main points raised for and against the question may be included at the discretion of the Clerk.
- (4) The first order of business at any regular meeting of Council shall be the passing of the Minutes of the preceding regular meeting and any special meetings held since the last regular meeting of the Council.
- (5) The Minutes as approved or as corrected and approved shall be signed by the Mayor and the Clerk.

5 Resolutions Involving Extraordinary Expenditures

All resolutions involving and expenditure not definitely arranged for in the estimates shall be laid on the table as a Notice of Motion to be discussed at a subsequent meeting. No such resolution shall be voted upon at the same meeting at which it is introduced unless the Chief Administrative Officer recommends in favour of the expenditure and the Council by a two-thirds vote of the members then present approved the expenditure.

6 Reconsideration

- (1) After any question has been decided either in the affirmative or negative, any member may, at the same meeting, or at the first meeting thereafter, move for a reconsideration thereof. No discussion of the main question shall be allowed unless the motion to reconsider has passed.
- (2) No question shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

Recorded Resolution RC1
Rules of Order

7 Rescind; Amend Something Previously Adopted

- (1) The Council can change an action previously taken or ordered by:
 - (a) Motion to rescind can be used to strike out an entire main motion that has been adopted at some previous time; or
 - (b) Motion to amend something previously adopted can be used if it is desired to change only a part of the text, or to substitute a different version.
- (2) Two-thirds majority vote is required on a motion to rescind or motion to amend something previously adopted. However, a simple majority vote is only required if notice of intent to make the motion, stating the complete substance of the proposed change, has been given at a previous meeting.
- (3) Motions to rescind or amend something previously adopted are not in order under the following circumstances:
 - (a) When it has been previously moved to reconsider the vote on the main motion, and the question can be reached by calling up the motion to *Reconsider*;
 - (b) When something has been done, as a result of the vote on the main motion, that is impossible to undo. The unexecuted part of the motion, however, can be rescinded or amended.

8 Adjournments

The Council shall always adjourn at the hour of 10:00 p.m. if in session at that hour unless otherwise determined by vote of two-thirds of the members present.

9 Agenda

- (1) The Clerk, in consultation with the agenda review working group, shall prepare an agenda for all matters that are to come before any meeting of Council in the sequence in which they should arise in accordance with the Council Agenda Policy.
- (2) The agenda shall be distributed before each meeting of the Council.
- (3) No matter not on the agenda may be considered at a meeting except as notice for the next succeeding meeting of the Council.

10 Persons Not Members of Council

- (1) The Clerk, the Solicitor, or other officer of the Regional Municipality may address the Council on the request of the Mayor or other presiding officer or of any member of the Council.
- (2) No other person who is not a member of the Council shall be heard without the permission of the Council.
- (3) The permission of the Council may be extended by the Mayor or other presiding officer subject to the objection by a majority of the members of the Council present.
- (4) Any matter brought to the Council by petition or public representation shall be considered by the agenda review working group.
- (5) No one may bring any sign, poster, placard, banner or other like device into the Council Chamber without the prior permission of the Mayor or other presiding officer, subject to objection by a majority of the members of Council present.

Recorded Resolution RC1
Rules of Order

11 Suspension of Rules

The rules and procedures of the Council may be suspended by two-thirds majority vote of the members present.

12 General

In all cases not provided for, the proceedings of the Council shall be governed by Roberts' Rules of Order.

Approved by Council: August 1, 1995

Amended by Council: **August 15, 2000**
 November 28, 2000
 February 19, 2002
 March 14, 2005
 July 14, 2020

CAPE BRETON REGIONAL MUNICIPALITY

Resolution RC3

MEETINGS POLICY

Purpose:

This Resolution was composed to set the day and time for Regular Monthly Meetings of the Council of the Cape Breton Regional Municipality.

The Resolution known as “RC3 – Meetings” was offered originally at the August 1, 1995 inaugural meeting of Council and read as follows:

WHEREAS it has been discussed at length that Tuesday is the consensus for a monthly meeting of Regional Council;

AND WHEREAS the third Tuesday would be the preferred time, between the hours of 6:00 p.m. and 10:00 p.m., subject to the decision of Council to go beyond the adjournment time to conclude regular agenda items.

Regularly moved and seconded . . .

Approved by Council: August 1, 1995

**Amendment to change: 7:00 p.m. to 6:00 p.m.
CBRM Council: November 18, 2003.**

**Amendment to change: Adjournment time from 10:00 p.m. to 9:00 p.m.
CBRM Council: March 11, 2005**

**Amendment to change: Adjournment time from 9:00 p.m. to 10:00 p.m.
CBRM Council: June 26, 2018**

CAPE BRETON REGIONAL MUNICIPALITY

Resolution RC4

COMMITTEES

1. Standing Committees

The following standing committees shall be appointed every two years:

Fire and Emergency Services Committee
Audit Committee
Heritage Advisory Committee

2. Police Commission

Some members of the CBRM Council will also be sworn as Police Commissioners for a two year term. The Police Commission will act autonomous of Council and will carry out the prescribed responsibilities as outlined in the Cape Breton Regional Municipality By-laws governing the operation of its Police Commission and the Nova Scotia *Police Act*. The Commission shall meet on a quarterly basis (i.e. March, June, September and December), with the proviso that a special meeting could be called by the Chair should a pressing issue arise. (Police Commission – February 25, 2014). The Chair shall be selected by the Commission at the December meeting for a term of two consecutive years. The Chair shall also represent CBRM on the Nova Scotia Association of Police Boards.

3. General Committee

Following a trial period utilizing a Committee of the Whole system, the General Committee replaced the Protective Services, Public Services, Water Utility, Planning Advisory and Corporate Services Committees (Council - February 19, 2013). General Committee membership is comprised of all members of Council and chaired by the Mayor. The General Committee was empowered with certain decision-making powers as per Section 23(1)(c) of the *Municipal Government Act* (MGA) (Council – April 16, 2013). The delegated powers include:

- a. Declaring CBRM property as surplus to the needs of the Municipality in accordance with the CBRM Property Management Policies;
- b. Building Inspection;
- c. Development;

- d. Animal Control
- e. Non-service delivery revenue i.e. licenses, permits, etc.
- f. Public Works;
- g. Engineering;
- h. Transit;
- i. Solid Waste Collection and Disposal;
- j. Parks and Recreation;
- k. Oversight of the CBRM Water Utility operation, including Regulatory Responsibility, Service Procedures, Rate Structure, Budget Preparation for Council consideration, and recommendations on Capital Projects;
- l. will make decisions on all issues pertaining to the legislative branches of government, including:
 - i. The Chief Administrative Officer's Department
 - ii. The Clerk's Department
 - iii. Solicitor
 - iv. Finance Department
 - v. Human Resources
 - vi. Economic Development Initiatives
- m. Issues relating to fiscal services;
- n. Oversight of the business operation of Centre 200 and the Northside Industrial Park;
- o. Advise the Council in the preparation, amendment or revision of planning strategies, land-use by-laws, and subdivision by-laws and on land use matters generally, and to carry out the functions of a Planning Advisory Committee pursuant Sections 200-203 of the *MGA*;
- p. The General Committee will report to Council periodically during the year concerning:
 - financial status, actual vs. budget
 - to seek approval for deviation from approved policy
 - departmental performance issues.

4. Residual Power

In recognition of the ultimate power of the Council, especially on occasions when it would be prudent to retrieve an issue from the General Committee, CBRM Council reserves the right to require an issue to be returned to Council in formal session.

5. Committee Chair

The position of Chair of each standing committee shall be rotated annually unless otherwise directed in this or another CBRM Policy.

6. Policies, By-Laws and Budgets

Council shall approve policies, by-laws and budgets for each of its standing committees which will govern the action of the standing committees.

7. Members of Standing Committees

Except when otherwise provided by these By-laws or any statute, all standing committees consist of a minimum of three councillors who shall be appointed for a two year term. It shall be a guideline to strive for at least one half of the membership of committees to rotate off every second year to maintain continuity.

8. Mayor

The Mayor is an ex-officio voting member of all Committees except the Audit Committee and the Police Commission.

9. Special Committees

- (1) Special or select committees may be appointed on motion, by recorded resolution, at any time.
- (2) Upon presenting its final report to Council on matters referred to it, a special or select committee is dissolved.

10. Citizen Advisory Committees

The Council may from time to time appoint citizen advisory committees to advise the Council on the subjects and at the times set out in the resolution establishing the committee.

11. No Additional Remuneration

No member of a committee is entitled to remuneration for serving on the committee.

12. Nominating Committee

(1) At the first regular meeting of Council held, after the Election, and at the first regular meeting of Council held in October and every two years thereafter, the Council shall appoint, or authorize the Mayor to appoint, the Nominating Committee. The Committee shall consist of the Mayor and at least five (5) Councillors.

(2) Upon appointment, or soon thereafter, the Nominating Committee shall convene and nominate persons to serve for the next two years on the standing committees and external agencies/committees.

(3) The Nominating Committee shall also meet as required to deal with citizen appointments and any vacancies on Committees.

(4) With respect to the appointments of citizens to Committees, the following selection process shall be used:

- While the meetings of the Nominating Committee are open to the public, the proceedings will not be live streamed or videotaped when dealing with citizen appointments.
- The background information for the applicants will not be attached to the public agenda.
- A matrix of the applicants identified by name and number, noting their qualifications and experience in the related field, will be provided to the Nominating Committee.
- Discussion by the Committee will be non-specific, referring to the candidates by number and not by name.
- Recommendations to Council will refer to the candidate number, and once the citizens have accepted the positions and any required background checks have been completed, their names will be released at a subsequent open meeting.

(5) The Council may ratify the report of the nominating committee or may substitute the name of any person instead of the person nominated by the committee.

13. Non-Committee Council Members

Council members not serving on Committees will not be permitted to participate in the Committee debate or the vote, but are authorized to make comments, presentations and participate at Committee meetings.

14. Committee Procedure

(1) Unless otherwise determined by statute or by-law, the members of a committee shall at their first meeting following the appointment of the committee choose a chair and a vice-chair from among their number.

(2) The Clerk shall call the first meeting of any committee after its appointment on the request of the Mayor or a majority of the members of the committee.

(3) The procedures to be followed by any committee are those prescribed by the rules of order resolution.

(4) A majority of the members of a committee is a quorum.

(5) All meetings of a committee are public except meetings to discuss matters related to personnel, land acquisition, legal opinions and other similar matters as outlined in Section 22(2) of the Nova Scotia *Municipal Government Act*.

15. Vacancies in Committees

(1) A councillor appointed to a committee ceases to be a member of the committee upon ceasing to be a councillor.

(2) The Council may by majority vote remove any member from a committee, remove any committee, or remove any member of a board or commission appointed by the Council.

(3) The Council shall fill any vacancy occurring in any committee or with respect to any person appointed by the Council as soon as practicable after the vacancy occurs.

16. Council Authority

The Council may confirm, alter, modify or annul any act, requirement or direction of any committee.

17. Committee Reports

(1) The report of a committee shall be in writing and signed by the Chair.

(2) When there is a difference of opinion among the members of the committee, the minority may report their views in writing to the Council, if they see fit.

18. Duties of Standing Committees

It is the general duty of all standing committees:

- (a) to report to the Council from time to time, whenever desired by the Council and as often as the interests of the Regional Municipality may require, on all matters connected with the duties imposed on them;
- (b) to carry out action in relation to those matters connected with their duties as may be deemed necessary;
- (c) to draft and introduce for Council consideration and adoption of the by-laws, policies and budgets necessary to empower Committees to carry out their mandate;
- (d) to consider and report on any and all matters referred to them by the Council or the Mayor;

19. Fire and Emergency Services Committee

The Terms of Reference for the Fire and Emergency Services Committee is as follows: (Council - August 19, 2014):

Mission

The mission of the Fire and Emergency Services Committee is to manage community risk through a system of engineering, enforcement, education and consultation; and to provide a standard of emergency response meeting the defined needs of the CBRM.

Committee Structure

The Committee shall consist of five (5) members of Council. The Deputy Mayor is to serve as Chair with the annual election of a Vice Chair. Half of the Committee members are replaced every two years to maintain Committee continuity.

Committee Duties

The Committee is to report to Council, carry out the requests of Council, conduct research, create draft bylaws, policies and budgets for Council's consideration, and provide an annual report to Council on the state of service delivery including recommended service direction.

Areas of Responsibility

The Fire and Emergency Services Committee will accomplish their mission through their oversight and recommendations to Council pertaining but not limited to the delivery of:

1. Registration of Fire Services;
2. Registration of Emergency Service;

3. Volunteer Support;
4. Fire Service Operations;
5. Fire - Emergency Services;
6. Fire Service Prevention;
7. Fire Service Training;
8. Emergency Management; and
9. Budget.

Proposed Meeting Schedule

Meetings will be held **bi-monthly** or more frequently as determined by the Chair. When possible, meetings will be held on the second Wednesday of the month commencing at 10:00 a.m.

20. Audit Committee

The Audit Committee shall be appointed in accordance with the provisions of the Audit Committee Policy to perform the duties and exercise the powers prescribed by the Audit Committee Policy in accordance with the *Municipal Government Act*.

21. Heritage Advisory Committee

The Heritage Advisory Committee shall be appointed in accordance with the provisions of the Heritage Property By-Law to perform the duties and exercise the powers prescribed by the Heritage Property By-Law and the *Heritage Property Act*.

22. External Agencies and Committees

While Council supports the efforts of external agencies and committees within CBRM and acknowledge the exemplary service provided to the community, it is the Policy of CBRM that direct representation by Council members will not be provided, with the exception of the following organizations (or by future motion of Council), to which the required number of Councillors will be appointed for a two year term unless otherwise stated:

- Cape Breton Regional Library Board (3 members);
- Pitu'paq (one member);
- Nova Scotia Solid Waste-Resource Management Regional Chairs Committee (one member);

Members of Council are at liberty to offer their service to community organizations as a citizen of the Municipality (Council - June 18, 2013).

23. Appeals Standing Committee

The Terms of Reference for the Appeals Standing Committee shall be as follows:

Purpose:

- a. The purpose of the Appeals Standing Committee is to provide a single forum for the hearing of certain appeals of decisions by staff of the Municipality and other duties as assigned.

Composition:

- b. The Appeals Standing Committee shall consist of all members of Council.
- c. The Mayor will be the Chair and the Deputy Mayor will be the Vice-Chair of the Appeals Standing Committee.

Duties and Responsibilities:

- d. To hear appeals as delegated to the Committee by the Council, including, but not limited to, appeals in accordance with the dangerous and unsightly premises provisions in Part XV of the *Municipal Government Act*; appeals in accordance with the CBRM Taxi By-law (as authorized under Section 305 of the *Motor Vehicle Act*); to issue demolition orders in accordance with the dangerous and unsightly premises provisions in Part XV of the *Municipal Government Act*; and appeals in accordance with the CBRM Tow Truck Licencing By-law.

Administration and Procedures:

- e. The Appeals Standing Committee shall meet as required to fulfil its duties and responsibilities, and within sixty (60) days from the date the Clerk is in receipt of:
 - an appeal of a decision of staff; or
 - a Notice of Staff Intent to Request an Order to Demolish; or
 - a request by an owner to appear and be heard pursuant to Section 346(3) of the *Municipal Government Act*.
- f. While the meetings of the Appeals Standing Committee are open to the public, the proceedings will not be live streamed or videotaped, and the background information for the agenda items will not be posted on the CBRM website.

Approved by Council August 1, 1995

As amended by Council:

- **May 21, 1996**
- **Occupational Health and Safety Committee deleted as per motion of Council**
- **December 17, 1996**
- **November 28, 2000**
- **December 18, 2001 (quorum at Planning Advisory)**
- **February 17, 2004 (creation of Water Utility Committee)**
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- **July 14, 2020 (Deletion of Pension Committee)**

CAPE BRETON REGIONAL MUNICIPALITY

Resolution RC4

COMMITTEES

1. Standing Committees

The following standing committees shall be appointed every two years:

Fire and Emergency Services Committee
Audit Committee
Heritage Advisory Committee

2. Police Commission

Some members of the CBRM Council will also be sworn as Police Commissioners for a two year term. The Police Commission will act autonomous of Council and will carry out the prescribed responsibilities as outlined in the Cape Breton Regional Municipality By-laws governing the operation of its Police Commission and the Nova Scotia *Police Act*. The Commission shall meet on a quarterly basis (i.e. March, June, September and December), with the proviso that a special meeting could be called by the Chair should a pressing issue arise. (Police Commission – February 25, 2014). The Chair shall be selected by the Commission at the December meeting for a term of two consecutive years. The Chair shall also represent CBRM on the Nova Scotia Association of Police Boards.

3. General Committee

Following a trial period utilizing a Committee of the Whole system, the General Committee replaced the Protective Services, Public Services, Water Utility, Planning Advisory and Corporate Services Committees (Council - February 19, 2013). General Committee membership is comprised of all members of Council and chaired by the Mayor. The General Committee was empowered with certain decision-making powers as per Section 23(1)(c) of the *Municipal Government Act* (MGA) (Council – April 16, 2013). The delegated powers include:

- a. Declaring CBRM property as surplus to the needs of the Municipality in accordance with the CBRM Property Management Policies;
- b. Building Inspection;
- c. Development;

- d. Animal Control
- e. Non-service delivery revenue i.e. licenses, permits, etc.
- f. Public Works;
- g. Engineering;
- h. Transit;
- i. Solid Waste Collection and Disposal;
- j. Parks and Recreation;
- k. Oversight of the CBRM Water Utility operation, including Regulatory Responsibility, Service Procedures, Rate Structure, Budget Preparation for Council consideration, and recommendations on Capital Projects;
- l. will make decisions on all issues pertaining to the legislative branches of government, including:
 - i. The Chief Administrative Officer's Department
 - ii. The Clerk's Department
 - iii. Solicitor
 - iv. Finance Department
 - v. Human Resources
 - vi. Economic Development Initiatives
- m. Issues relating to fiscal services;
- n. Oversight of the business operation of Centre 200 and the Northside Industrial Park;
- o. Advise the Council in the preparation, amendment or revision of planning strategies, land-use by-laws, and subdivision by-laws and on land use matters generally, and to carry out the functions of a Planning Advisory Committee pursuant Sections 200-203 of the *MGA*;
- p. The General Committee will report to Council periodically during the year concerning:
 - financial status, actual vs. budget
 - to seek approval for deviation from approved policy
 - departmental performance issues.

4. Residual Power

In recognition of the ultimate power of the Council, especially on occasions when it would be prudent to retrieve an issue from the General Committee, CBRM Council reserves the right to require an issue to be returned to Council in formal session.

5. Committee Chair

The position of Chair of each standing committee shall be rotated annually unless otherwise directed in this or another CBRM Policy.

6. Policies, By-Laws and Budgets

Council shall approve policies, by-laws and budgets for each of its standing committees which will govern the action of the standing committees.

7. Members of Standing Committees

Except when otherwise provided by these By-laws or any statute, all standing committees consist of a minimum of three councillors who shall be appointed for a two year term. It shall be a guideline to strive for at least one half of the membership of committees to rotate off every second year to maintain continuity.

8. Mayor

The Mayor is an ex-officio voting member of all Committees except the Audit Committee and the Police Commission.

9. Special Committees

- (1) Special or select committees may be appointed on motion, by recorded resolution, at any time.
- (2) Upon presenting its final report to Council on matters referred to it, a special or select committee is dissolved.

10. Citizen Advisory Committees

The Council may from time to time appoint citizen advisory committees to advise the Council on the subjects and at the times set out in the resolution establishing the committee.

11. No Additional Remuneration

No member of a committee is entitled to remuneration for serving on the committee.

12. Nominating Committee

(1) At the first regular meeting of Council held, after the Election, and at the first regular meeting of Council held in October and every two years thereafter, the Council shall appoint, or authorize the Mayor to appoint, the Nominating Committee. The Committee shall consist of the Mayor and at least five (5) Councillors.

(2) Upon appointment, or soon thereafter, the Nominating Committee shall convene and nominate persons to serve for the next two years on the standing committees and external agencies/committees.

(3) The Nominating Committee shall also meet as required to deal with citizen appointments and any vacancies on Committees.

(4) With respect to the appointments of citizens to Committees, the following selection process shall be used:

- While the meetings of the Nominating Committee are open to the public, the proceedings will not be live streamed or videotaped when dealing with citizen appointments.
- The background information for the applicants will not be attached to the public agenda.
- A matrix of the applicants identified by name and number, noting their qualifications and experience in the related field, will be provided to the Nominating Committee.
- Discussion by the Committee will be non-specific, referring to the candidates by number and not by name.
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- (a) to report to the Council from time to time, whenever desired by the Council and as often as the interests of the Regional Municipality may require, on all matters connected with the duties imposed on them;
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- e. The Appeals Standing Committee shall meet as required to fulfil its duties and responsibilities, and within sixty (60) days from the date the Clerk is in receipt of:
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- **July 14, 2020 (Deletion of Pension Committee)**



CBRM

A Community of Communities

Cape Breton Regional Municipality

Council Agenda Policy

1. PREAMBLE:

It is the Policy of Council that draft agendas for monthly Council and Committee meetings are reviewed during the agenda consultation meeting.

2. OBJECTIVE:

It is the objective of this Policy to outline a process for submitting items for Agendas and to ensure that the business requiring Council/Committee direction proceeds in a methodical and timely manner.

3. Key Points:

- i. Agendas are constructed during any given month using a pending file.
- ii. Council members and staff are invited to submit issues to the Clerk's Office prior to the agenda consultation meeting.
- iii. Resource or appropriate background materials i.e. Issue Papers must be provided for distribution with the draft agenda package.
- iv. For matters within the jurisdiction of CBRM, Council members shall submit their requests for staff reports using the *Councillor Agenda Request Form – Staff Report* as outlined in Appendix "A" attached to this Policy. Councillors are encouraged to discuss matters with the Director of the responsible Department prior to submitting their agenda request.
- v. Requests from Council members for action by Council regarding matters that are within the jurisdiction of the Provincial or Federal Government shall be submitted in the form of a Resolution.

- vi. The deadline for agenda submissions to the Clerk's Office is 4:30 p.m. seven (7) days prior to the meeting.
- vii. *Approval of the Agenda* shall be included in the agenda Order of Business for regular Committee and Council meetings, as well as In Camera meetings. Any items added to or deleted from an agenda during the meeting will require a motion with simple majority vote. This includes New Business items as provided for in this Policy.
- viii. The agenda review working group consisting of the presiding officer, Chief Administrative Officer (CAO), Clerk, Solicitor and the Deputy Mayor, or their delegates, may attend the agenda consultation meeting.
- ix. For those instances when requested agenda items may be outside the jurisdiction of the Municipality, require more research or should be dealt with in a different forum, the agenda review working group shall have the authority to delete, defer or refer such agenda requests. With respect to such deletion, deferral or referral, the Deputy Mayor shall report to the respective Council members, the CAO shall advise staff, and the Clerk shall notify citizens regarding delegation requests.
- x. In all cases possible, agendas for regularly scheduled meetings would be pre-distributed to Council Members approximately 5 days prior to a meeting. For special meetings, these timelines may be reduced.
- xi. All agendas for regular meetings are distributed to all Members of Council whether they are members of a Committee or not.
- xii. In Camera materials that are pre-distributed are only sent to Committee Members, however non-Committee Council members are invited to attend in camera meetings.
- xiii. In Camera agenda topics and corresponding sections of the *Municipal Government Act* will be included in the public meeting notice and listed on the CBRM website.
- xiv. Once an issue has been dealt with by Council, it should not be put before Council again for at least 6 months, unless by proper motion of reconsideration, rescindment or to amend something previously adopted.

4. PETITIONS:

- (1) Every Petition for Council consideration shall:
 - i) Be legibly written, typed or delivered electronically (Note: it is the responsibility of the individual initiating and submitting the Petition to verify that an electronically-generated Petition is from a reliable petition source);
 - ii) Not contain any impertinent or improper matter/language;
 - iii) Be signed by at least one person, or be received from an electronic address which clearly identified the person sending the Petition;
 - iv) State the reasons for the Petition and the remedy sought by Council;
 - v) The date the Petition was commenced;
 - vi) Include the name, civic address and either the telephone number or email address of the person(s) who started the Petition;
 - vii) The name and civic address of every person who signed or electronically submitted their name to the Petition;
 - viii) Be submitted to a member of Council and/or filed with the Clerk.
- (2) A digital copy of the Petition may be circulated to all members of Council if requested by the petitioner.
- (3) Once received by the Clerk, the Petition will be reviewed by the agenda review working group prior to inclusion on a meeting agenda. Once approved, receipt of the Petition will be duly noted on the agenda, highlighting the operative clause, and be included under the "Approval of Agenda" order of business.
- (4) Where an individual wishes to speak to a Petition before Council, any member of Council may move a motion that the individual be heard.

5. LATE ITEMS:

If an issue arises after the Council package goes out and up to noon on the day before a Council meeting, a Council member can submit the additional item to the Clerk for review by the agenda review working group for a decision on inclusion as an added item.

These late items require an issue paper or some kind of background information for distribution before the meeting.

A “new” item received on Council Day or without supporting documentation, will not be permitted.

Council shall not vote on a motion arising out of an item added to the agenda until a staff report and recommendation is received by Council. Any motion so made shall be deemed to be deferred until such reports and recommendation is received.

6. NEW BUSINESS:

New Business in the context of this policy is simply:

- Announcements (substantive)
- Referrals/questions
- Submission of Petition
- Notice of Motion

All are subject to a strict adherence to a 1 minute time limit. No debate.

This Policy replaces earlier policies dealing with agenda issues.

This Policy is Councils’ provision for the process of Agenda composition and New Business matters and supercedes Robert’s Rules of Order.

It is noted that the MGA in Section 19(3) sets out the procedure on how a Council can deal with an emergency issue.

Section 19(3) Where the Mayor or Warden determines that there is an emergency, the Council may meet without notice or with such notice as is possible in the circumstances.

Approved by Council: September 19, 2006
Amended: June 26, 2018
February 19, 2019
July 14, 2020

Appendix "A"



City Hall
 320 Esplanade
 Sydney, NS B1P 7B9

Item No.

Councillor Agenda Request Form – Staff Report		
<input type="checkbox"/> Included on Agenda (Submitted to Municipal Clerk's Office by 4:30 pm seven days before the meeting)	<input type="checkbox"/> Late Item (Submitted to Municipal Clerk's Office by Noon the day before the meeting)	<input type="checkbox"/> Request from the Floor: (New Business) - Announcement - Referral - Submit Petition - Notice of Motion
Date of Council/Committee Meeting:		
Subject:		
Motion requesting Staff Report for Council/Committee to Consider: <i>(Note: when drafting the motion, please ensure that it reflects everything that is being requested to be included in the request for a staff report.) – Please ensure this text is deleted in the final version of this form.</i>		
Reason:		
Outcome Sought:		
<i>Councillor</i>	<i>District</i>	
Date:	<i>Received by Clerk's Department (date):</i>	

Issue has been discussed with Director of Responsible Department

Council Audiotapes Policy

PURPOSE:

The purpose of this policy is to provide direction relating to requests for copies of audiotapes of CBRM Council/Committee meetings.

DEFINITION:

“Official record” of meeting – The approved written minutes of the proceedings.

GENERAL:

It is the corporate practice of CBRM to operate in an open and transparent environment, making as much information available to the public as possible.

The CBRM, as noted, recognizes the approved written minutes of its proceedings as the “official record”. These minutes include summarized narratives on the various issues that come before Council/Committee and record actions or motions. The minutes are not and should not be taken in verbatim style.

The Clerk’s office uses audio recording equipment to assist with accurate composition of draft minutes.

To ensure the integrity and status of the written minutes once approved it will be the normal practice to destroy audiotapes once minute approval is complete.

On certain occasions and on certain issues, it might be desirable for historic purposes to maintain an audiotape. The preservation of such tapes will be an infrequent event and the decision to preserve will be at the discretion of the Council/Committee.

It will be the normal practice that:

- a) In the interim between composition of draft minutes and the formal approval of same at the next meeting of Council/Committee (approximately 60 days), the audiotapes will be maintained.
- b) Once approval is given to draft minutes and they become the “official record”, the audiotapes may be destroyed.
- c) In the time period that audiotapes are maintained before destruction or permanent filing, anyone requesting a copy of a publicly available tape must do so in writing.
- d) Audiotapes of “In Camera” sessions will not be made available.
- e) Any costs for reproduction of such tapes will be the responsibility of the requester and must be paid before a tape is released.

Approved by Council: June 21, 2005

Cape Breton Regional Municipality

Policy Respecting Delegations Appearing Before Council

This policy relates to delegations who wish to address the Cape Breton Regional Council or a Standing Committee of Council.

1. All delegations will be required, if requested, to have a pre-appearance meeting with the Clerk or designated Staff member. Presenters are also expected to be present 30 minutes in advance of their presentation, only if requiring audiovisual equipment.
2. Any individual or group wishing to address Council/Committee shall give notice not less than 10 days prior to the meeting at which the delegation wishes to appear and shall submit its presentation (including potential Resolutions for Council consideration/endorsement) in writing to the Municipal Clerk for distribution with the agenda package.
3. Subject to paragraph (a) and (b) below, only **one** delegation will be heard at any Council meeting.
 - (a) In extra-ordinary or emergency circumstances only, and with the approval of the Chair, will there be more than one delegation at a regular Council meeting.
 - (b) Any approved delegation that fails to submit the required documentation within the specified time limits will be deferred to another date.
 - (c) Delegations with exceptional issue or an issue deemed to be of an emergency nature may be granted a special meeting; this decision at the discretion of the chair.
4. Committees may entertain more than one (1) delegation per meeting. If a group appears before a Committee, they will not be entitled to appear at Council to speak on the same issue.
5. Issues coming before Council must be of a global municipal nature. If the topic is of a localized nature or is service specific, the delegation will be directed and heard at the appropriate Standing Committee of Council. The Clerk, in consultation with the Chair, will decide what constitutes a global issue.
6. Under the *Police Act*, issues relating to the Policing Service must go to the Police Commission. Only the few items which require Council approval under the *Police Act* will be referred back to Council. The Commission, by virtue of the *Police Act*, has different authority and reporting requirements than the other Committees of Council.

Policy Respecting Delegations Appearing Before Council

Page - 2

7. A delegation is encouraged to have only one speaker who will be limited to a 15 minute presentation. A delegation may have more than one speaker but collectively speakers are limited to the fifteen minute time period. The Clerk shall make presenter(s) aware of this time limit when arrangements for the presentation are being made.
8. Questions from members of Council/Committee may follow the presentation, however, debate will not be permitted until Council formally deals with any required action coming out of the presentation. Council may deal with the requests for action
 - (a) under new business – (time permitting),
 - (b) at the next regular Council meeting,
 - (c) or by referral.
9. Once a delegation is heard at Council, a Resolution would not be put forth on the issue until the next meeting of Council. If urgency dictates an early decision, there would be a requirement for a two-thirds vote of Council to deal with the issue.
10. The Chair will acknowledge and thank the presenting delegation.
11. This policy is Council's provision for the process of dealing with delegations and supercedes Robert's Rules of Order.

Approved by Council – June 12, 1996

Amended by Council – March 11, 2005

Council Videoconferencing Policy

1. This policy is entitled the “Council Videoconferencing Policy”.
2. The procedural requirements in this Policy are intended to complement and supplement, and not to replace, the requirements contained in
 - i. the *Municipal Government Act*; and
 - ii. CBRM policies regarding Council meetings and procedures.
3. In this Policy, unless the context otherwise requires,
 - i. “Council” means the Council of the Cape Breton Regional Municipality;
 - ii. “Council member(s)” include(s) the Mayor; and
 - iii. “meeting” means a regular or special meeting of Council or a Council Committee.

Public Notice

4. A Council meeting or Council Committee meeting may be conducted by videoconference if, at least two days prior to the meeting, notice is given to the public respecting the way in which the meeting is to be conducted;
5. The notice to the public referred to in section 4 must be given by:
 - i. publication in a newspaper circulating in the municipality; or
 - ii. posting on CBRM’s publicly accessible Internet site and in at least five conspicuous places in the municipality; or
 - iii. such other method permitted by regulation.

6. Notwithstanding section 5, where the Mayor determines that there is an emergency, a meeting may be conducted by videoconference without notice or with such notice as is possible in the circumstances.

All Council Members Attend by Videoconference

7. All Council members may participate in a meeting by videoconference if each Council member and the CBRM have videoconferencing equipment available that will:
 - i. enable the public to see and hear each Council member participate in the meeting by videoconference;
 - ii. enable all meeting participants to see and hear each other by videoconference.
8. A Council member participating in a Council meeting or Committee meeting by videoconference is deemed to be present at the meeting.
9. This Policy applies to Committees established by Council, with such changes as the context requires.

Approved by Council: April 12, 2022

Transportation Committee

Motion

Moved by Councillor Gillespie, seconded by Councillor Parsons, to request CAO to direct staff to explore the creation of a CBRM led Transportation Committee. Also, the committee includes a set number of Councillors, a set number of residents from the general public, users, stakeholders, senior transit staff and marginalized, minority, underrepresented groups.

Discussion:

- Timeline deferred to post-budget

Motion Carried

STAFF REPORT

To: CBRM Council
Submitted by: Christa Dicks, Municipal Clerk
Date: June 23, 2026
Subject: Transportation Committee

Purpose

Staff have received direction arising from a carried motion of Council to explore the establishment of a CBRM-led Transportation Committee, with a defined mix of councillors, public members, users, stakeholders, senior transit staff, and representation from marginalized, minority, and underrepresented groups, consistent with the proposed structure set out in this report.

This report proposes a structure and Terms of Reference grounded in best practices from comparable municipalities and transportation-sector guidance. The proposed Committee is advisory to Council, focused on multi-modal transportation (transit, active transportation, roads, accessibility, and safety), and designed to improve coordination, transparency, and community-informed decision-making.

Recommendation

That Council:

1. approve the creation of a CBRM-led Transportation Committee as an advisory body to Council;
2. approve the proposed Committee structure described in this report (including a mix of Councillors and public members, supported by non-voting senior Transit staff and other staff resources);
3. approve the proposed Terms of Reference included in this report;
4. nominate and appoint four (4) Councillors to serve on the Transportation Committee, including the appointment of one (1) Councillor as Chair, to preside over meetings and serve as the primary liaison for Committee updates as required, and a Vice-Chair appointed by the Committee to support the Chair and act in the Chair's absence; and
5. direct staff to proceed with recruitment for public member appointments and to return an appointments report for Council's consideration in accordance with the approved structure and Terms of Reference.

Background / Context

Transportation planning and service delivery in CBRM involves municipal responsibilities (e.g., transit service, streets/active transportation considerations, accessibility) as well as coordination with provincial and federal partners and community stakeholders. Establishing a Council-appointed, CBRM-led Transportation Committee would provide a consistent forum to review issues, support transparency, and bring informed advice to Council.

Other municipalities have established transportation advisory committees to provide regular, multi-modal advice to Council and staff. For example, Saanich’s Transportation Advisory Committee mandate includes advising on transportation policy, bylaws, long-range planning, and road safety within a Safe Systems approach, with membership designed to include diverse perspectives and relevant expertise, including disability, mobility, and transit experience. Other models, such as Belleville, use a smaller voting composition of councillors and citizens and meet monthly, while relying on staff to bring technical items forward for review and recommendation.

Note: This report incorporates best-practice examples drawn from comparator Terms of Reference and guidance documents provided as attachments.

Proposed Committee Structure (Recommended)

Consistent with the Council motion, the recommended approach is a Council-appointed advisory committee that combines elected oversight with lived experience, stakeholder insight, and staff technical support. The structure below is designed to be large enough to reflect community diversity while remaining workable for agenda-based meetings.

Category	# Seats	Voting Status
Councillors (appointed by Council; one serves as Chair; Vice-Chair appointed by the Committee)	4	Voting
Residents at-large (general public) One at-large seat will be prioritized through representation criteria for marginalized, minority, and underrepresented groups, and one at-large member will bring a transit user/rider perspective.	3	Voting
Stakeholder seat (e.g., accessibility organization)	1	Voting
Senior Transit staff (designate)	1	Non-voting (resource)
Other CBRM staff (Planning/Engineering/Accessibility/Police, as required)	As required	Non-voting (resource)

Appointments, Recruitment, and Equity

- **Open call for applications:** Advertise public seats widely and in accessible formats; include meeting schedule, responsibilities, and an application form.

- **Selection criteria:** Balance interest and experience across modes (transit, active transportation, road safety, and accessibility) and reflect community diversity, including age, abilities, language, and cultural or ethnic background, consistent with best practices for advisory committees. Applications will be returned to Council for review and selection.
- **Targeted outreach:** Supplement open recruitment with outreach to underrepresented communities and service organizations to reduce barriers to participation and improve representativeness.
- **Accessibility:** Offer inclusive processes with accessible participation options, such as accessible venues, hybrid participation where feasible, and plain-language materials.
- **Term limits:** Establish two-year terms, with a maximum of two consecutive terms for citizen members to support renewal and opportunity (unless otherwise directed by Council).

Committee Mandate

- Provide advice and recommendations to Council on municipal transportation priorities, policies, and initiatives across modes (transit, walking/rolling, cycling, roads, accessible transportation, and safety).
- Provide feedback on long-range planning and program implementation (where referred by Council/staff), including alignment with climate, accessibility, and land use objectives as they relate to transportation.
- Support equity, accessibility, and inclusion in transportation decision-making by ensuring lived experience and underrepresented voices are reflected in advice to Council.
- Support effective consultation by identifying engagement gaps and advising on outreach approaches.

Committee Membership / Composition

The proposed membership model (see “Proposed Committee Structure (Recommended)”) is Council-appointed and includes councillors and public members, supported by non-voting senior Transit staff and other staff resources. Public voting seats total four (4): three (3) residents at large, including one member with a transit user/rider perspective, and one (1) stakeholder seat. Representation from marginalized, minority, and underrepresented groups will be addressed through the at-large public appointment criteria, including one at-large seat prioritized through representation criteria.

Governance and Operations

Chair and Vice-Chair Roles

- **Chair (Councillor):** Presides over meetings; works with the staff liaison and Clerk’s Office to set agendas and ensure materials are circulated; facilitates orderly, respectful discussion; ensures all members have an opportunity to participate; confirms when the Committee has reached advisory recommendations; and serves as the primary liaison to Council for Committee updates as required.
- **Vice-Chair:** Supports the Chair and acts as Chair when the Chair is absent; may lead time-limited working groups or specific agenda items at the Chair’s request.
- **Advisory status:** The Committee provides recommendations to Council; it is not a decision-making body.
- **Chairing:** Council will appoint the Chair, and the Committee will appoint the Vice-Chair.

- **Meetings:** Quarterly, with agenda materials provided in advance in alignment with Council Agenda Policy.
- **Governance:** RC1 Council Policies and Procedures, RC4 Committees, CBRM Transportation Committee Terms of Reference and other CBRM policies; *Municipal Government Act*.
- **Quorum:** Majority of voting members.
- **Attendance:** Expectation of consistent participation; recommended removal process after three consecutive absences without leave/reason satisfactory to the Committee, subject to Council's appointment authority.
- **Working groups:** Permitted for defined tasks with report-back to the Committee.
- **Staff support:** The Clerk's Office will coordinate agendas and minutes and ensure appropriate staff attendance for agenda items; lead department support will be provided as required.
- **Accessible meetings:** Accessible venues, accommodation processes, and accessible materials; hybrid participation where possible.
- **Transparency:** Public meetings except as permitted for closed session matters as per the *Municipal Government Act*; minutes maintained and shared through established CBRM processes.

Proposed Terms of Reference (Draft)

1. Name

CBRM Transportation Committee (the "Committee").

2. Mandate and Role

The Committee is an advisory body to Council. Its role is to provide an ongoing, formal opportunity for public input and to provide recommendations, advice, and information to Council and staff on multi-modal transportation matters within CBRM.

3. Scope of Work

- Act in an advisory capacity to Council and staff on multi-modal transportation policy, priorities, plans, and programs within CBRM (e.g., transit, walking/rolling, cycling, roads, accessibility, and safety).
- Review and provide feedback on transportation initiatives referred by Council or staff, including long-range planning, service standards, and program implementation approaches.
- Identify systemic barriers and opportunities to improve equity, accessibility, and user experience, and recommend practical, implementable improvements.
- Support road safety discussions by considering evidence-informed approaches and advising on priority issues and responses.
- Advise on public and stakeholder engagement approaches, including outreach to underrepresented communities and reducing barriers to participation.
- Where appropriate, establish time-limited working groups with clear scope and deliverables, reporting back to the Committee.

Out of scope: The Committee is not a customer service or complaints intake body and will not adjudicate individual incidents or provide case-by-case direction on operational matters (e.g., individual trip disputes or requests for immediate service changes). Where individual concerns are raised, they may be referred to the appropriate service channel and/or used to identify broader themes for the Committee's consideration.

4. Membership

Voting members: The Committee will consist of up to eight (8) voting members appointed by Council, including four (4) councillors and four (4) public members (three residents at large, including one member with a transit user/rider perspective, and one stakeholder seat). Public appointments will be selected to reflect a balance of transportation modes and community perspectives and to reflect community diversity. One at-large public seat will be prioritized through representation criteria for marginalized and/or underrepresented groups.

Non-voting resource members: Senior Transit staff and other designated CBRM staff will participate as non-voting resources to provide technical input, coordinate agendas, and support implementation/follow-up.

Chair (Councillor) responsibilities: The Chair presides over meetings; works with the staff liaison to develop agendas and confirm readiness of materials; facilitates orderly, respectful discussion; encourages inclusive participation so all members have an opportunity to be heard; confirms and summarizes Committee recommendations for the record; and serves as the primary liaison for Committee updates to Council as required.

Vice-Chair responsibilities: The Vice-Chair supports the Chair, acts as Chair when the Chair is absent, and may lead specific agenda items or time-limited working groups at the request of the Chair or the Committee.

Appointment: Council will appoint the Chair. The Committee will appoint a Vice-Chair.

Term of office: Citizen members will be appointed for two-year terms, and reappointment is limited to a maximum of two consecutive terms unless otherwise determined by Council.

Eligibility: Public members must meet eligibility requirements set forth in RC4 Committees.

5. Meetings, Quorum, and Procedures

Frequency: Meetings will be quarterly (or as otherwise scheduled), with the annual schedule set in advance where possible.

Agenda preparation: The Chair will work with the department lead and the Clerk to develop the agenda. Agenda materials will be circulated in advance in accordance with CBRM policy. Committee members may request agenda items through the Chair and staff liaison for submission to the Clerk's Office.

Quorum: A majority of appointed voting members.

Procedures: Meetings will be conducted in accordance with applicable CBRM procedures/policies for advisory bodies and meeting conduct. The Chair (or Vice-Chair acting as Chair) will preside and manage discussion to ensure an orderly meeting.

Minutes and recommendations: Staff will prepare draft minutes capturing discussion, action items, and any advisory recommendations. The Chair (or acting Chair) will confirm the wording of recommendations for the record during the meeting, and minutes will be presented for approval at a subsequent meeting.

Attendance: A member who is absent from three (3) consecutive meetings without leave or without reason satisfactory to the Committee may be removed, subject to Council's appointment authority.

Accessibility: Meetings will be held in accessible locations, and materials provided in accessible formats as required.

Public access: Meetings will be open to the public except where closed sessions are permitted under applicable legislation.

6. Subcommittees / Working Groups

The Committee may form working groups to address specific issues. Working groups will have a defined scope and timeline and will report recommendations back to the full Committee. Administrative support for working groups will be determined by the assigned staff lead.

7. Reporting Relationship

The Chair will provide reports to Council. Recommendations will be documented in minutes and routed through staff for inclusion in reports to Council where action or direction is requested.

8. Code of Conduct and Conflict of Interest

Members will comply with applicable legislation, and CBRM policies governing advisory bodies, respectful conduct, and conflict of interest. Members must disclose any real or perceived conflict of interest and refrain from discussion and voting where required.

9. Review and Termination

Council may amend these Terms of Reference at any time. A formal review is recommended within the first 12 months of operation and once per Council term thereafter. The Committee may be dissolved by resolution of Council.

Implications

Financial

Costs are expected to be primarily administrative (staff time, meeting administration, and accessible participation supports such as interpretation/captioning or alternate formats as required). Council may consider a modest participation support approach for citizen members (e.g., mileage and eligible incidentals for in-person meetings) to reduce barriers to participation; if pursued, staff will identify budget and policy implications.

Legal / Policy

Staff will confirm applicable legislative/policy requirements for advisory committees (e.g., appointment process, open meeting practices, record-keeping, and conflict of interest considerations) and align with CBRM Policies and the proposed Terms of Reference accordingly.

Operational / Staff Capacity

A staff lead will be required to coordinate agendas, minutes, and follow-up actions. Staff will recommend an appropriate department and internal working group supports, where needed.

Timeline / Next Steps

- **Immediately following Council approval:** Council will confirm the four (4) councillor appointments to the Transportation Committee, including designation of the Chair.
- **Within 1–2 weeks:** The Clerk’s Office will issue an expression of interest and/or bring forward nominations from Council or a standing committee for the councillor seats, and appointments will be confirmed by resolution.
- **Within 2–4 weeks:** Confirm lead department/staff liaison and administrative support; prepare onboarding package (Terms of Reference, meeting procedures, conflict of interest guidance).
- **Within 4–6 weeks:** Finalize recruitment materials for public members, including the application form, selection criteria, responsibilities, and meeting schedule, and launch the public call for applications.
- **Within 8–12 weeks:** Staff compile applications and bring forward a public appointments report for Council consideration.
- **Within 12–16 weeks:** Hold the inaugural meeting, confirm the annual schedule, and develop a first-year work plan (priority topics, information needs, and reporting cadence).
- **Within 12 months:** Complete a first-year review and recommend any Terms of Reference adjustments to Council.

References

- Saanich. *Transportation Advisory Committee Terms of Reference*. Adopted February 6, 2023.
- OpenCouncil (City of Belleville reference). *Belleville Transportation Committee*. Published June 13, 2025; edited January 5, 2026.
- Transportation Association of Canada (TAC). *Small Municipalities Integrated Committee – Terms of Reference*. Approved December 2, 2019 (including Annex A – general committee terms).
- Region of Waterloo. *Active Transportation Advisory Committee (ATAC) Terms of Reference*. Last Council approval August 9, 2022 (TES-TRS-22-10).
- Capital Regional District. *Transportation Governance Jurisdictional Scan (Appendix A)*. May 17, 2023.

- National Aging & Disability Transportation Center (NADTC). *Creating a Transportation Committee that Reflects All Community Voices*. January 2022.
- City of London. *Integrated Transportation Community Advisory Committee – Terms of Reference*. (As provided.)
- City of Burnaby. *Transportation Committee – Terms of Reference*. Last date approved by Council: April 22, 2025.
- Halifax Regional Municipality. *Transportation Standing Committee Councillor Nominations and Appointments*. Transportation Standing Committee report dated December 11, 2024.

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

Report Prepared by: Christa Dicks, Municipal Clerk & Director of Corporate Information Services



Cape Breton Regional Municipality
320 Esplanade
Sydney, NS B1P 7B9

To: Mayor and Council
Submitted by: Christa Dicks, Municipal Clerk/Director Corporate Information Services
Date: June 23, 2026
Subject: CAD Disaster Recovery Contract Approval

RECOMMENDATION

That Council, by resolution and in accordance with its authority under the Nova Scotia Municipal Government Act, approve a three-year agreement for off-site disaster recovery services for the police/fire computer aided dispatch (CAD) environment.

PURPOSE

To request Council's approval, by resolution, to enter into a three-year contract for off-site disaster recovery services for the police/fire computer aided dispatch (CAD) environment. This service will provide backup hosting at an alternate geographic location to support business continuity and recovery in the event of a disruption.

Council approval by resolution is required to enter into this multi-year agreement. Costs associated with this service include a one-time fee of \$2,500 and monthly fees of \$1,500. These costs will be maintained within current budget allocations.

DISCUSSION

A resolution by Council is required to approve a multi-year term. The proposed agreement would provide geographically separate disaster recovery hosting for the police/fire computer aided dispatch (CAD) environment from July 1, 2026 to June 30, 2029.

This service is needed to support business continuity for emergency dispatch operations by maintaining backup infrastructure in a separate geographic location, reducing the risk that a local outage, facility issue, or other disruption could affect the availability of CAD services. It also provides predictable costs over the term and avoids the administrative burden of short-term renewals.

Approving the contract would ensure CBRM has dedicated off-site backup continuity for the CAD environment, supporting faster recovery, stronger service resilience, and more reliable continuity for police and fire dispatch functions in the event of a system or site disruption.

ALTERNATIVES

1. **Maintain the Status Quo or Rejecting the Contract**
 - CBRM would not proceed with the proposed dedicated off-site disaster recovery service, and backup continuity for the CAD environment would remain partial.

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

Report Prepared by: Christa Dicks, Municipal Clerk/Director Corporate Information Services

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

Motion

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

Discussion:

- Supports waste diversion
- Positive community feedback
- CBRM Solid Waste Department's current initiatives and changes
- Supports receiving a staff report

Motion Carried

STAFF REPORT

To: Mayor and Council
Submitted by: Demetri Kachafanas, K.C., CAO
Date: June 23, 2026
Subject: Curbside Giveaway Feasibility

Recommendation

That Council authorize a Curbside Giveaway Weekend pilot in fall 2026, supported through communications resources only, and further that, subject to the outcome of the pilot, staff develop an optional interactive mapping tool between spring and fall 2027 for use in future events.

Purpose

The purpose of this report is to provide Council with information respecting the feasibility of a Curbside Giveaway Weekend pilot in CBRM, including comparator programs, operational considerations, resource implications, and implementation timing.

For the purposes of this report, the initiative is intended to support waste diversion and reuse objectives by encouraging residents to place reusable household items curbside for collection by other residents at no cost. The initiative is not intended to function as a heavy garbage program.

Background and Context

At its May 2026 meeting, Council adopted the following motion:

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

Comparator municipalities demonstrate that curbside giveaway programs are used to support reuse and waste diversion objectives. Examples reviewed for this report include Halifax Regional Municipality, the City of Ottawa, and the City of Markham.

These programs generally allow residents to:

- Place reusable household items curbside during a designated weekend;
- Mark items as “FREE”;

- Allow other residents to collect reusable materials at no cost.

These initiatives are generally intended to divert reusable materials from landfill and encourage reuse. Overall, successful programs appear to depend on clear public education, defined cleanup requirements, and optional mapping or promotion tools rather than mandatory registration.

Examples from comparator municipalities reviewed for this report include:

Municipality	Program Model	Key Operational Requirements
Halifax Regional Municipality	Municipality-wide Curbside Give Away Weekend held twice annually. Residents may participate by placing reusable items at the curb, with an interactive map available as an optional promotional tool.	Items must be clearly marked “FREE,” reusable, and removed from the curb by dusk on Sunday.
City of Ottawa	Giveaway Weekend promoted as a reuse initiative that encourages residents to place reusable household items at the curb for collection by others, without a formal registration or mapping requirement.	The City provides public guidance on acceptable participation and reuse-focused messaging as part of the event.
City of Markham	Single-day curbside giveaway event focused on reuse of gently used household items.	Items must be marked “FREE,” and any materials remaining at the curb must be removed by 7:00 p.m.; no special municipal collection is provided.

References reviewed for comparator municipalities included Halifax Regional Municipality’s Curbside Give Away Weekend program pages and interactive map terms of use; the City of Ottawa’s Giveaway Weekend and waste reduction program guidance; and the City of Markham’s Curbside Giveaway Day information published through its recycling and garbage program pages.

Comparator municipalities continue to offer these initiatives on a recurring basis, suggesting they can be supported through clear rules and communications.

Potential Program Structure

Building on these comparator practices, the following framework illustrates how a CBRM pilot could be structured in operational terms and adapted to local communications, cleanup, and service-delivery considerations.

Based on practices observed in other municipalities, a potential CBRM program model could include a municipality-wide event held on a Saturday and Sunday in fall 2026, with curbside set-out beginning Friday evening and a required cleanup deadline of 7:00 p.m. on Sunday.

- Municipality-wide participation;
- Fall 2026 Saturday and Sunday event timing;
- Friday evening curbside placement;
- Mandatory Sunday 7:00 p.m. cleanup deadline;
- Optional interactive participation map for future events;
- Optional resident self-submission to the map, if introduced;
- Public education campaign;
- Routine operational monitoring and cleanup follow-up.

Council’s original motion contemplated an August 2026 event. Staff has identified fall 2026 as a practical pilot opportunity supported through communications resources only and without a map tool. Subject to pilot results, an optional interactive mapping tool could then be developed between spring and fall 2027 for use in future events.

This staged approach would allow CBRM to test public participation and operational impacts before committing resources to a mapping tool or more frequent events.

Potential Acceptable Items

Potential acceptable items could include furniture, books, household goods, toys, sporting equipment, small appliances, yard tools, decorations, and kitchenware. All items would be required to be reusable and in safe working condition.

Potential Prohibited Items

Potential prohibited items could include mattresses, broken furniture, household garbage, hazardous waste, construction debris, refrigerant-containing appliances, and unsanitary or infested items. Many municipalities also specifically prohibit materials affected by bed bugs.

Mapping Infrastructure

For future events, CBRM could potentially leverage its existing All Is Bright mapping infrastructure, the solid waste app, or other resident self-submission tools to support an optional interactive participation map. Residents would still be able to participate by simply placing clearly marked reusable items at the curb during the designated event period. Additional technical considerations would include internal moderation requirements, user submission controls, accessibility, and support for public-facing updates during the event period.

Public Works and Solid Waste Services

Public Works and Solid Waste Services would play a lead operational role in monitoring the event and addressing items that remain curbside beyond the cleanup deadline of 7:00 p.m. on Sunday. During routine rounds, staff could identify and tag items left out beyond the allotted time in accordance with current pickup policies and provide public education. No special municipal collection stream is proposed as part of the event.

Communications and Public Education

Comparator municipalities consistently identify communications as a key operational component of a successful program.

Potential communications tools could include:

- Municipal website updates;
- Social media campaigns;
- Press releases;
- Radio advertising;
- FAQ documents;
- Optional interactive mapping tools or solid waste app options for future phases, if introduced; and
- QR code integration.

Messaging would need to clearly communicate:

- Acceptable and prohibited items;
- Cleanup deadlines;
- Resident responsibilities;
- Tagging, cleanup deadlines, and operational follow-up for items left beyond the allotted time;
- Traffic and safety guidance.

Clear communications would therefore be essential to explain event timing, acceptable and prohibited items, resident responsibilities, cleanup deadlines, and operational follow-up for items left beyond the allotted time. Communications could also include a multilingual, downloadable “FREE” poster for residents to print and place on giveaway items, using a CBRM-developed multilingual poster format and made available on the dedicated program webpage and through social media and QR code links. A detailed draft communications plan is included in Appendix A.

Departmental and Operational Implications

Department	Potential Implications
Communications	Campaign development and promotion
Public Works / Solid Waste Services	Routine rounds, tagging of items left past the deadline, cleanup response, and operational coordination.
Corporate Information Services	Potential future mapping support and database maintenance, if the optional interactive map is introduced.
311 / Customer Service	Increased public inquiries and complaint intake

Alternatives

1. Maintain status quo

Maintaining the status quo would avoid any immediate operational or financial implications; however, opportunities to support reuse, waste diversion, and community participation through a structured curbside giveaway program would not be advanced.

2. Implement the optional map during rollout

Implementing the optional map during rollout could improve visibility and public participation over time but would likely require additional development time, staff resources, testing, moderation, and communications support, which could delay implementation of the initial pilot.

Financial and Resource Implications

The initiative could be implemented primarily through existing staff resources. Resource implications would include staff time for website setup and maintenance, communications, customer service coordination, and program monitoring. Limited external costs may also be required for targeted promotion and public awareness, estimated at a few thousand dollars, and would need to be accommodated within existing departmental budgets.

Legal and Administrative Implications

Implementation would require staff to establish participation rules, acceptable and prohibited item lists, cleanup timelines, and internal oversight responsibilities. Existing policies and operational procedures would need to be reviewed to ensure alignment with cleanup requirements, roadside safety, tagging practices, and complaint response processes.

Communications Plan

As noted above, a communications plan would be required to support implementation and public awareness. Key messaging would need to clearly outline participation dates, acceptable and prohibited items, cleanup deadlines, resident responsibilities, and, for future phases if introduced, use of the optional interactive map.

Risk Considerations

Potential risks include roadside debris, illegal dumping, public misunderstanding regarding acceptable items, traffic and pedestrian safety concerns, and increased complaints if materials are not removed within the required timeframe. A further risk is that the initiative may be perceived as an extension of heavy garbage collection if communications are unclear. These risks may be mitigated through clear program rules, public education, defined cleanup deadlines, and routine tagging and follow-up by Public Works and Solid Waste Services for items left out beyond the allotted time.

Attachments:

A – Draft Implementation Plan

B – References

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

Report Prepared by: Christa Dicks, Municipal Clerk & Director of Corporate Information Services

Appendix A: Draft Implementation Plan

The following draft implementation plan is provided to illustrate a fall 2026 pilot launch supported through communications resources only, with optional interactive mapping introduced between spring and fall 2027 if the program is successful.

Draft Timeline

Phase	Timing	Key Activities	Departmental Responsibilities
Planning and Approval	Summer/Fall 2026	Confirm program scope, proposed event window, budget approach, rules, and communications materials for a fall 2026 pilot.	Lead: CAO / Clerk’s Office. Support: Communications, Public Works / Solid Waste Services, 311 / Customer Service.
Pilot Launch	Fall 2026	Implement a communications-supported pilot weekend without the map tool and monitor participation, complaints, tagged items, and cleanup outcomes.	Lead: CAO / Clerk’s Office. Support: Communications, Public Works / Solid Waste Services, 311 / Customer Service.
Post-Event Review	Late Fall 2026	Review participation, operational impacts, communications effectiveness, tagged follow-up items, and recommendations respecting future events.	Lead: CAO / Clerk’s Office. Support: Communications, Public Works / Solid Waste Services, 311 / Customer Service.
Optional Mapping Enhancement	Spring–Fall 2027	If the pilot is successful, develop and test an optional interactive participation map and resident self-submission tools for future events.	Lead: Corporate Information Services. Support: Communications, Clerk’s Office.

Draft Program Rules and Engagement Expectations

- Residents may place reusable household items curbside only during the designated event period.
- All giveaway items must be clearly marked “FREE.” Communications would provide a CBRM multilingual, downloadable “FREE” poster that residents could print and place on giveaway items, using a CBRM-developed multilingual poster format. The poster would be made available on the dedicated program webpage and promoted through social media and QR code links.
- Items must be safe, clean, and in reusable condition.
- Prohibited items would include household garbage, hazardous materials, mattresses, broken furniture, construction debris, refrigerant-containing appliances, and infested or unsanitary materials.
- Residents would be responsible for removing any unclaimed items by 7:00 p.m. on Sunday.
- Items remaining curbside beyond the allotted time may be tagged by Public Works / Solid Waste Services during routine rounds for follow-up and removal.
- The fall 2026 pilot would not include the interactive map. If introduced for future events, participation in the interactive map would be optional, and residents could continue to participate by simply placing clearly marked items at the curb.
- Residents participating in the program would be expected to avoid obstructing sidewalks, roadways, or sightlines, and to follow all applicable safety guidance.
- Complaints and operational issues would be addressed through existing municipal service channels and operational follow-up by Public Works / Solid Waste Services.
- No special municipal collection would be provided as part of the event.

Proposed Pilot Success Measures

- Estimated household participation in the fall 2026 pilot and, if introduced later, optional map or app options for future events.
- Number and nature of complaints or service requests received.
- Number of items tagged for follow-up after the cleanup deadline.
- Operational impacts on Public Works / Solid Waste Services and 311.
- Communications reach and public engagement across website, social media, and radio promotion.
- Staff’s recommendation respecting any future expansion, including whether the program should remain occasional or proceed more frequently based on participation, operational capacity, and program popularity.

Draft Communications Plan

The communications plan is designed to build public awareness, explain participation requirements, and reinforce that the initiative is intended to support reuse and waste diversion rather than heavy garbage collection. Communications should begin approximately four to six weeks in advance of the event and continue through the cleanup deadline.

Timing	Communications Activities	Lead / Support
6 weeks before launch	Launch announcement on the municipal website and social media channels confirming event dates, purpose, and anticipated participation details.	Lead: Communications. Support: Corporate Information Services.
5 weeks before launch	Publish dedicated webpage with program rules, acceptable and prohibited items, cleanup deadlines, FAQs, and information on how residents may participate in the fall 2026 pilot. This page could also include a CBRM multilingual, downloadable “FREE” poster for residents to print and place on giveaway items, using a CBRM-developed multilingual poster format. For future phases, if introduced, the page could also support optional map information.	Lead: Communications. Support: Corporate Information Services, Clerk’s Office.
4 weeks before launch	Begin scheduled social media campaign and distribute media release to local media outlining event purpose, timing, and participation requirements.	Lead: Communications.
3 weeks before launch	Launch targeted radio advertising and continue reminder posts focused on acceptable items, prohibited items, and resident responsibilities.	Lead: Communications. Support: Public Works / Solid Waste Services for operational messaging.
2 weeks before launch	Promote event participation, publish reminder content on cleanup deadlines, and provide 311 / Customer Service with key messaging and FAQs. If an optional map is introduced for future events, this step could also include map participation messaging.	Lead: Communications. Support: Corporate Information Services, 311 / Customer Service.

1 week before launch	Issue final reminder messaging across all channels, including event timing, safety reminders, and cleanup requirements for unclaimed items.	Lead: Communications. Support: Public Works / Solid Waste Services, Corporate Information Services.
Event week and cleanup deadline	Provide live reminder messaging during the event period and on cleanup deadline day, with emphasis on removal requirements for unclaimed items and routine monitoring by Public Works / Solid Waste Services.	Lead: Communications. Support: Public Works / Solid Waste Services, 311 / Customer Service.
1 week after event	Publish a short post-event update thanking residents and confirming cleanup completion; provide Council with a report summarizing participation and operational results.	Lead: Communications. Support: Clerk's Office, Public Works / Solid Waste Services.

Sample Weekly Message Themes

- **6 weeks before launch:** Save the date and explain the purpose of the pilot.
- **5 weeks before launch:** Explain how the program works and where residents can find the rules and FAQs.
- **4 weeks before launch:** Promote reuse and waste diversion benefits and outline who can participate.
- **3 weeks before launch:** Highlight acceptable and prohibited items and resident responsibilities.
- **2 weeks before launch:** Encourage participation and remind residents of cleanup deadlines. For future phases, if introduced, this stage could also include optional map participation messaging.
- **1 week before launch:** Reinforce event timing, safety reminders, and removal requirements for unclaimed items.
- **Event week and cleanup deadline:** Provide live reminders, participation updates, and final cleanup notices.
- **1 week after event:** Share a thank-you message, confirm cleanup completion, and provide a public update (Council) on participation and results.

Appendix B: References

- Halifax Regional Municipality. "Curbside Give Away Weekend." Halifax Regional Municipality website.
- Halifax Regional Municipality. "Curbside Give Away Interactive Map Terms of Use." Halifax Regional Municipality website.
- City of Ottawa. "Waste Reduction and Education – Community Programs and Events." City of Ottawa website.
- City of Ottawa. "Join the neighbourhood-wide treasure hunt on Giveaway Weekend." City of Ottawa Newsroom.
- City of Markham. "Recycling & Garbage." City of Markham website.
- City of Markham. "Earth Month." City of Markham website.

STAFF REPORT

To: Mayor & Council
Submitted by: Demetri Kachafanas, K.C., CAO
Date: June 23, 2026
Subject: Wayfinding Signs – Final Colour Palette and Accessibility Considerations

Recommendation

It is recommended that CBRM Council:

1. Approve the dark blue, white, and purple colour palette, as reflected in the 30th anniversary colour palette and as set out in Attachment A of this report, as the colour palette for the municipality's wayfinding signs; and
2. Direct that the final wayfinding signage design continue to meet applicable accessibility guidelines.

Purpose

The purpose of this report is to provide Council with an update on the municipality's wayfinding signage project, seek approval of the final colour palette, and confirm that the final signage design will continue to meet applicable contrast, colour, and accessibility guidelines.

Background

The municipality's wayfinding signage project has advanced to the implementation stage through a revised approach that expanded the number of signs delivered while remaining within the approved budget. Working with the provincial sign shop has made it possible to produce reflective, durable, high-contrast signage suitable for outdoor visibility, while maintaining appropriate contrast and glare reduction considerations.

The original wayfinding strategy, prepared by Fathom Consulting and accepted in principle by Council, carried an estimated cost of approximately \$2,147,500 and included gateway signs, along with a green and yellow colour palette. Accessibility was considered as part of the overall wayfinding strategy; however, during implementation review, staff revisited the colour palette against current draft federal accessibility guidance and recognized accessibility best practices, which place specific emphasis on readability, luminance contrast, reduced glare, and legibility for outdoor signage. The implementation

review identified an opportunity to strengthen alignment with those accessibility considerations while maintaining the approved project budget. The quote received for the gateway signs also exceeded the estimate in the original proposal. As many communities already had gateway features in place, those signs were removed from the final project scope.

Current draft federal accessibility guidance and recognized accessibility best practices emphasize strong contrast, reduced glare, and clear legibility for wayfinding signage. The guidance indicates that signs should maintain strong contrast with their background, reduce glare caused by direct light sources or reflective surfaces, and achieve a luminance contrast of at least 70%. It also identifies white or yellow text on a black, charcoal, or other dark background, including dark blue, as among the most visible approaches. For this reason, the proposed dark blue, white, and purple colour palette is recommended for the final signage design, as it provides a stronger contrast base for highly visible lettering while supporting consistency with accessibility requirements.

The recommended colour palette balances accessibility, visibility, modernization, and municipal identity. Dark blue provides a strong, low-glare background that supports the readability of white lettering at typical viewing distances and in changing outdoor light conditions. White provides clear contrast for primary text and directional information, while purple can be used as a secondary accent without competing with regulatory or emergency sign colours. Although the blue-based palette was introduced through the municipality's 30th anniversary design work, staff recommend its use for permanent wayfinding because it supports visibility, contrast, accessibility, and modernization objectives. The palette also supports the municipality's broader modernization efforts by moving toward a more contemporary and accessible visual identity across public-facing municipal assets.

The project was led collaboratively by staff in Communications, Public Works and Planning & Development, with funding support from the Atlantic Canada Opportunities Agency (ACOA). The total project budget is \$1,000,000, including a municipal contribution of \$600,000 from deferred capital related to the former compost facility and \$400,000 provided through ACOA.

As a partner department, Public Works worked with the provincial sign shop to produce signage similar to provincial highway standards, allowing the project to proceed in a more affordable and practical manner. Some preliminary sign production has proceeded under this model, with final colour direction subject to Council approval. Council's decision through this report is a request to approve the final colour palette and direction that the signage continue to meet applicable contrast, colour, and accessibility guidelines. The Mayor's public presentation of the design mock-ups helped illustrate to the community what the final signage may look like. Following approval of the final colour palette, staff will continue implementation of the signage project across communities throughout the municipality as originally intended.

Financial Implications

The total approved project budget is \$1,000,000, consisting of \$600,000 in municipal deferred capital related to the compost facility and \$400,000 in funding from ACOA. The revised implementation approach allowed the municipality to deliver an expanded signage program and related improvements

within the approved funding envelope. No additional budget allocation is requested through this report. A delay, redesign, or failure to complete the signage installation could affect the project's eligibility under the ACOA funding agreement.

Strategic Alignment / Accessibility Considerations

This project supports municipal objectives related to modernization, community visibility, visitor experience, and navigation throughout the municipality. The final signage design reflects accessibility considerations by prioritizing contrast, legibility, and reduced glare in accordance with current draft federal accessibility guidance and recognized accessibility best practices for outdoor wayfinding signage. The proposed dark blue, white, and purple colour palette supports improved readability for a broad range of users and provides a contemporary and consistent visual approach across municipal signage.

Conclusion

The municipality's wayfinding signage project has advanced through a revised and more practical implementation model that increased the number of signs delivered while remaining within the approved project budget. The project has also supported related public-facing improvements, modernization objectives, and accessibility-informed design decisions. Council approval of the proposed dark blue, white, and purple colour palette will confirm the final colour direction for the wayfinding signs and support improved accessibility, legibility, and consistency with applicable accessibility guidance and best practices.

Alternatives

1. Maintain the status quo

Maintaining the status quo would mean proceeding with the green and yellow colour palette previously accepted in principle by Council. This option would not reflect the accessibility improvements identified through the implementation review. Any significant delay, redesign, or failure to complete the signage installation could affect the project's eligibility under ACOA's funding agreement.

2. Undertake a new branding exercise

Council could direct staff to undertake a broader branding exercise to determine a new design and colour palette. Staff do not recommend this option, as it would require additional time and resources, may compromise the existing funding agreement with ACOA, and could have financial implications requiring CBRM funds not allocated under the approved 2026/27 budget.

Attachments:

A – CBRM Branding and Wayfinding Strategy Design Intent

B – CAN-ASC-2.4- Wayfinding and Signage

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

Cape Breton Regional Municipality Branding and Wayfinding Strategy Design Intent

PSCO

January 15, 2026



Fathom

We are Fathom Studio.

Fathom Studio is a team of architects, planners, landscape architects, wayfinding specialists, interpretive planners and designers collaborating with clients and communities to bring visions into the built form. Fathom believes in the approach of multiple disciplines working hand-in-hand to create beautiful designs and solutions. Fathom is deeply invested in where they work, having made its name producing high-quality, well-designed public, post-secondary, community, and civic buildings within the constraints of time and budget. For 25 years, major clients throughout the Atlantic provinces, across Canada, and abroad have commissioned Fathom to solve complex problems while providing expert service. The firm offers multidisciplinary solutions and creativity to every problem—the results of deep collaboration between disciplines, clients, and community.

Our distinction lies in a sincere belief in the power of interdisciplinary, emphasizing the benefits of the collective intelligence of many brains, hearts, and methods of practice. Fathom collaborates at all scales, from museum exhibits to cultural centres, from downtown streetscapes, to comprehensive master plans.

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Release

January 15, 2026

Workmanship

All workmanship must be square and true with a high finish quality. The contractor must inspect all raw materials for defects prior to fabrication.

All work shall be done by workers skilled in each section of the work, to quality standards set by each industry, authority, or trade guild. Unless noted otherwise, the highest quality standards set by each industry, authority, or trade guild must govern the work.

Minimize, to the greatest extent possible, damage to adjacent or underlying surfaces during demolition, removal, or relocation of existing items.

Responsibility

Where an industry or government standard does not exist, materials and systems must be installed in accordance with manufacturer's instructions and recommendations.

Responsibility for defects in materials, fabrication or finishing will be assumed by the contractor. Any product deficiencies which arise from transportation or installation remain the responsibility of the contractor.

Shop drawings and details must be submitted to the client for approval prior to fabrication.

Samples for each material and fabrication method must be supplied to the client for review and approval, including but not limited to hardware, post, panels, paint, and applied graphics.

All copy and artwork must be proofread and approved by client before printing. All measurements and site conditions will need to be verified by the contractor.

Material specifications

All materials supplied by the contractor must be new materials complying with the relevant standards as specified, or as normally applicable to the work where specific standards are not stated.

Alterations to specifications

Signs must be fabricated as specified in this document, unless substitutions are highlighted and client-approved in shop drawings. A sample and documentation must be provided to the client, and the client must provide written approval before fabrication.

Permitting and coordination

Contractor must apply for permits for all sign installations, and abide by provincial and municipal legislation.

Installation specifications

Where signs are being installed in public rights-of-way, it is the fabricator's responsibility to ensure that engineering requirements are followed.

Engineering

Detailed drawings are NOT intended for construction. The contractor must submit fabrication shop drawings for the client's approval before fabrication commences. Shop drawings must be accompanied by a stamped, approved drawing from a structural engineer.

Conditions

The contractor must ensure that all signs are designed, built and installed appropriate to the conditions of each installation. Any dangers, insufficiencies, or other issues of installation—both exterior and interior—must be identified in writing to the client.

Contents

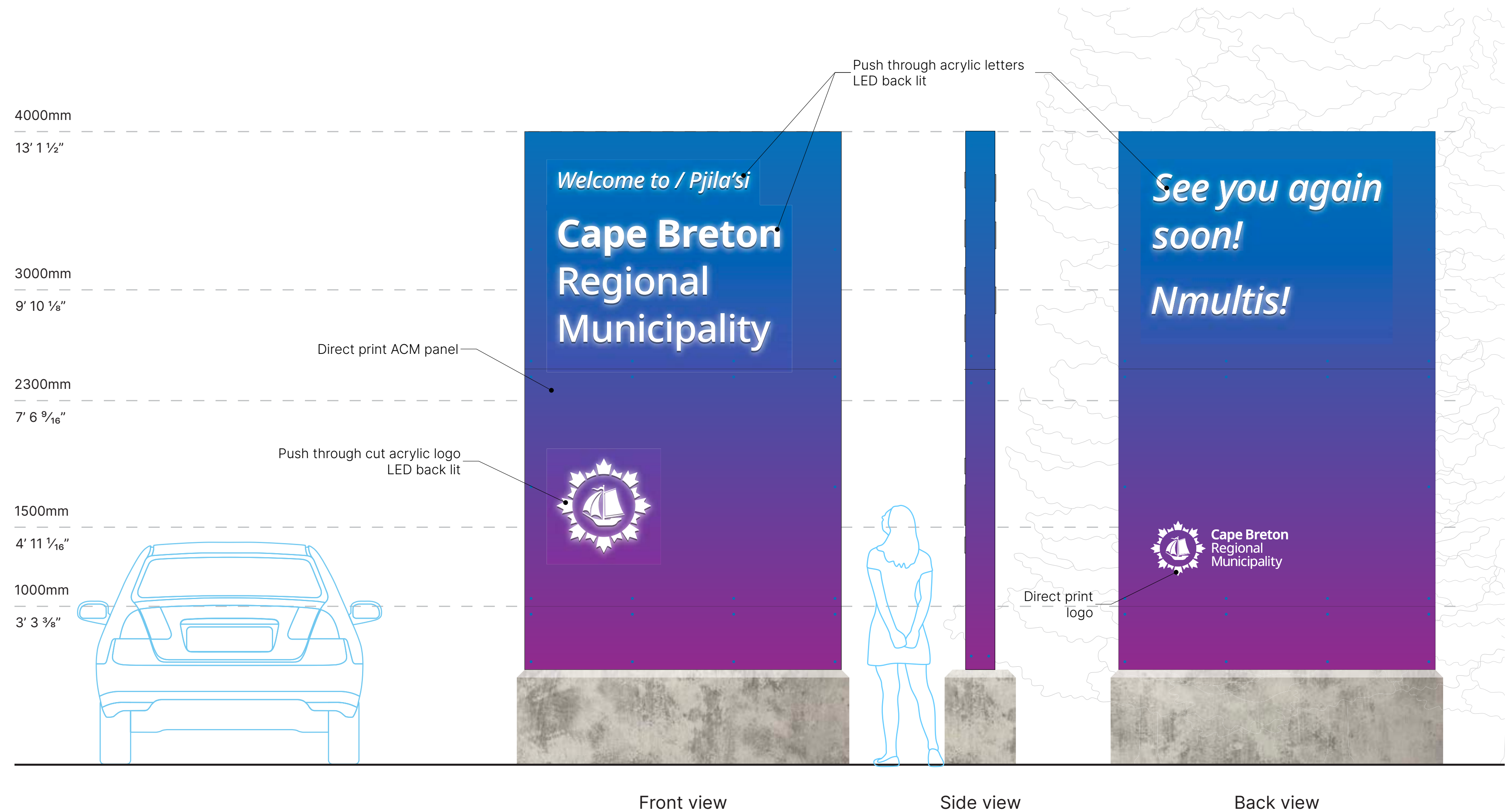
5 Gateway Identification—Major

9 Pedestrian Orientation

Gateway Identification—Major

Design Specifications

Sign Code	GID.1
Intent	This is a heavily-branded sign, intended to let visitors know they have entered Cape Breton Regional Municipality. This sign should be placed at major entry points only, such as along Highway 105 and Route 4.
Sides	Double-sided
Nominal Dimension	2000mm x 4000mm
Mode and Users	Vehicular sign 100km/h and below
Structure	Sign panel: 3mm thick ACM panel Internal framework: stainless steel hollow sections Fasteners: powder-coated countersunk screws, galvanized steel bolts and washers Base: concrete
Text	Front side: 12mm thick cut-acrylic letters and logo in white Back side: 12mm thick cut-acrylic letters in white, direct print logo in white
Coatings and Special Treatments	All panels are finished with 3M anti-graffiti protection layer
Mounting and Footing	Concrete base is set to a depth determined by the site engineer. Internal framework is bolted to the base. Sign panel is screwed to framework.
Illumination and Retro-reflectivity	Front side: text and logo back-lit Back side: text back-lit
Orientation	Perpendicular to the vehicular path of travel
Note	Apply isolation layer between ACM and stainless steel to prevent direct contact.



Solar System

Lighting Specifications

Lighting Source	LED
Material	Tetra Max 50K (24V) Small
Colour Temperature	5000K
Quantity	149 total modules, including 102 for the front side and 47 for the back.
Number of Power Supply	2
Primary Circuit (120 VAC)	2.2 Amps
Total Module Watts	92.98 Watts
Daily Power Draw (based on 12 hours running time)	1.11 kWh
Total Lumens	14900
Reference	Current (Tetra) Signage Support Team: tetradrawings@currentlighting.com

Note

- This specification is estimated by Current (Tetra) Signage Support team. The sign contractor is responsible for verifying module placement and quantities to ensure even illumination.
- All electrical cabling and conduits must be concealed from view. No exposed wiring or components are permitted on the exterior façade. All switches must be recessed and fully covered by a flush-mounted access panel painted or finished to match the surrounding surface.
- The contractor must provide shop drawings to CBRM for review and approval prior to fabrication.

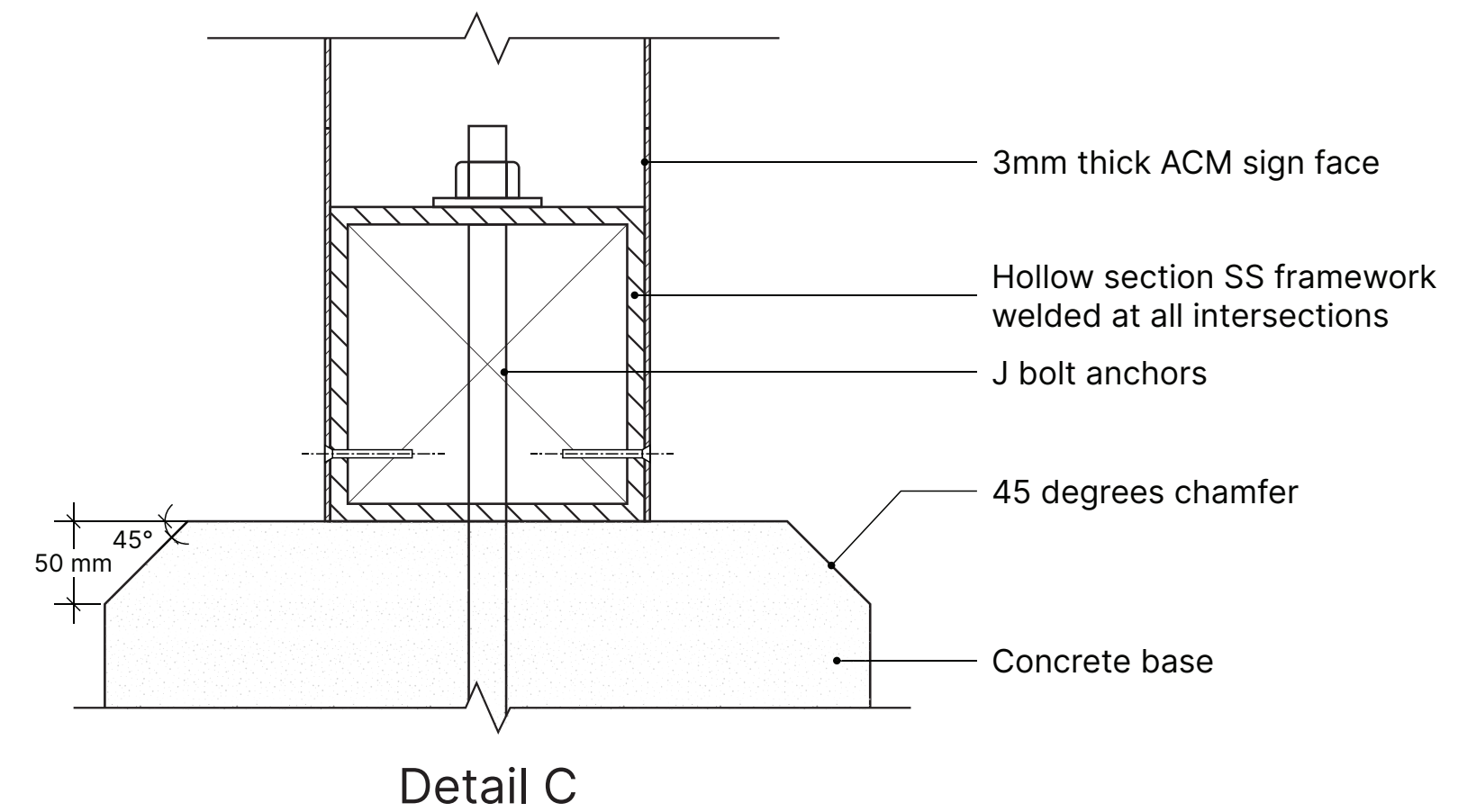
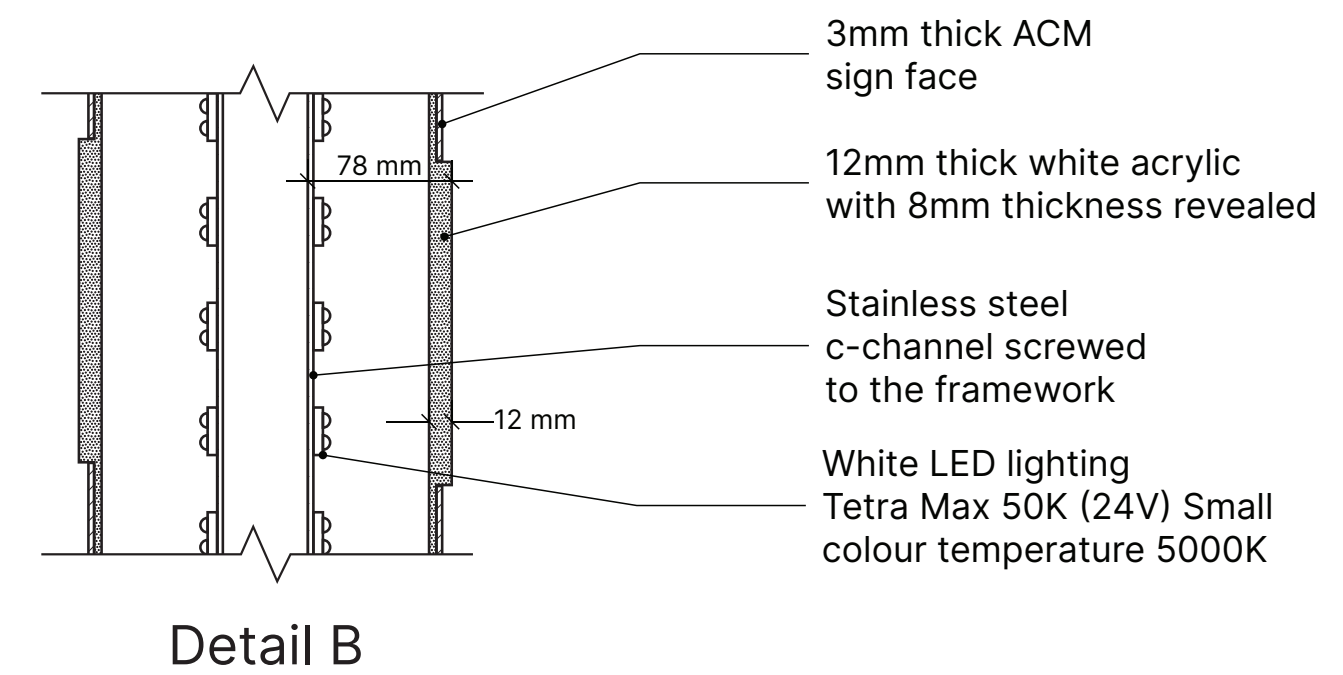
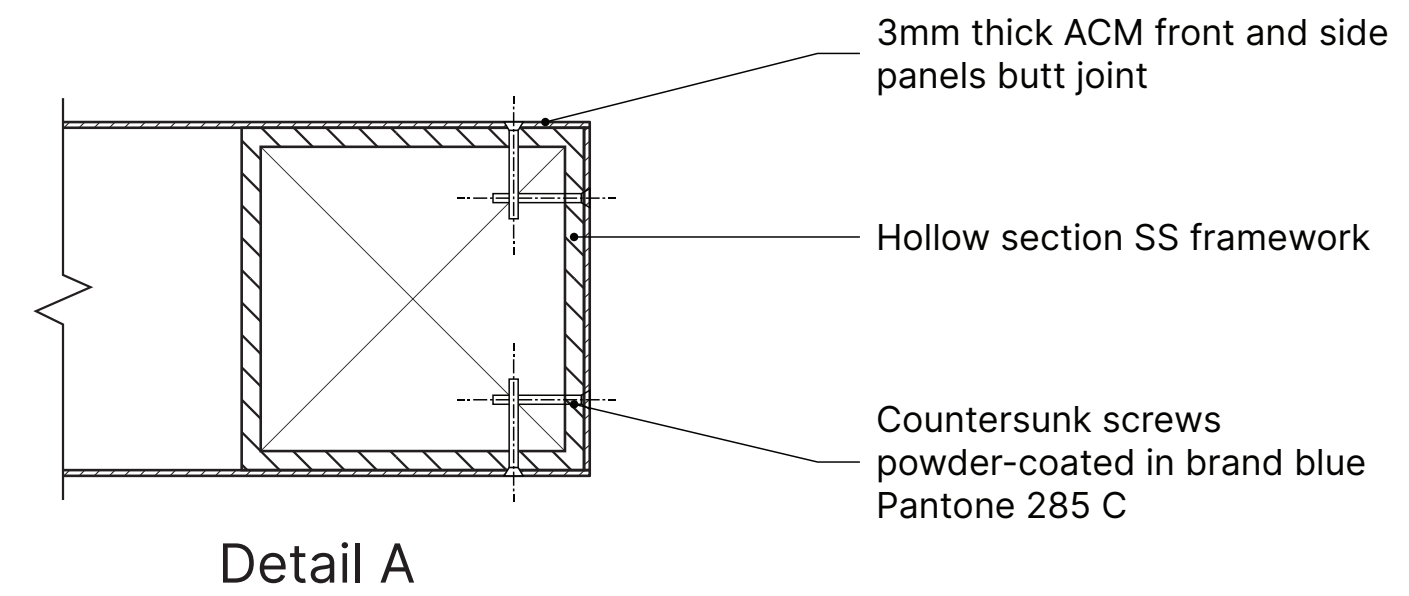
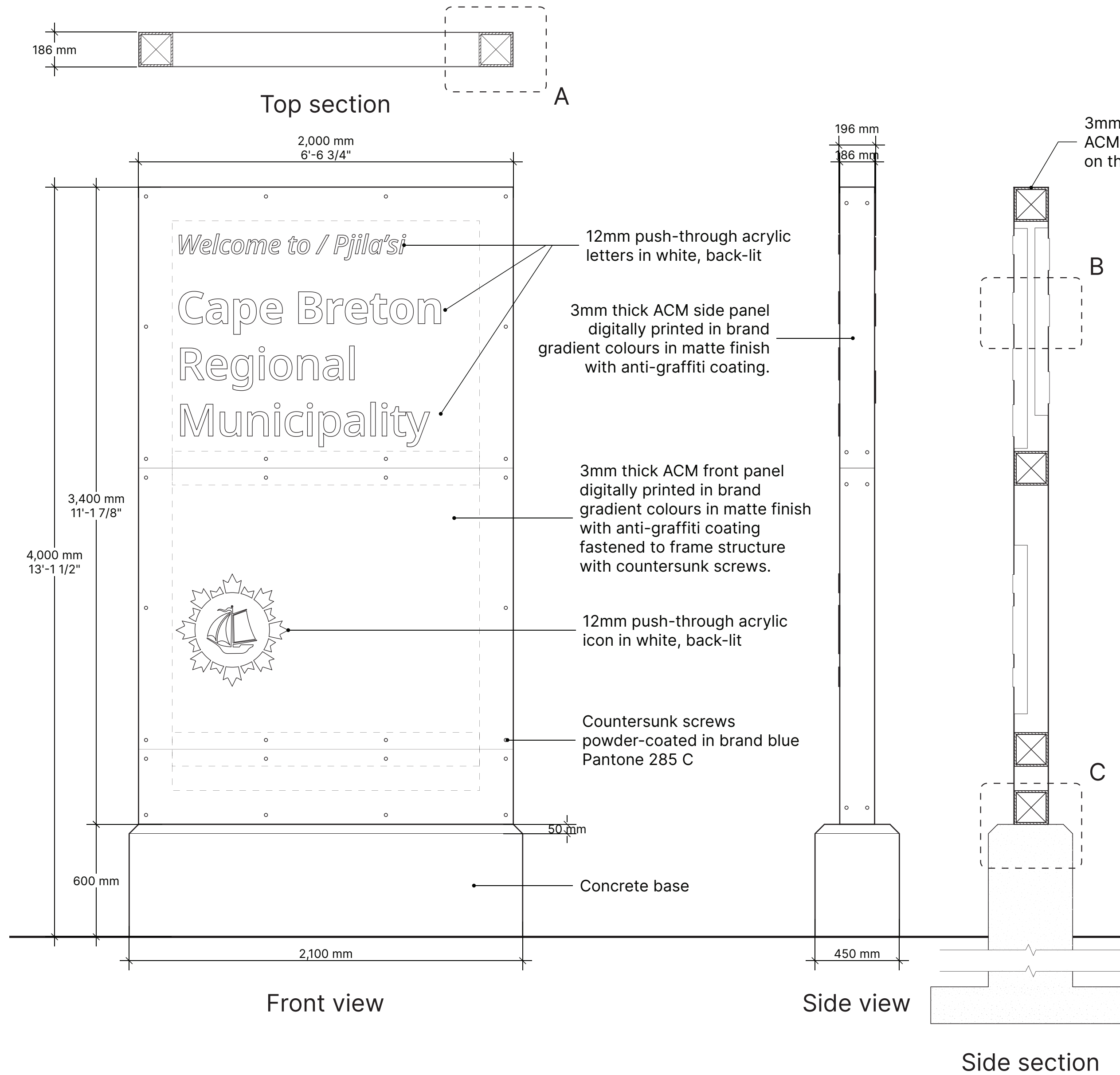
Solar Kit Specifications

Power System	EcoFlow DELTA Pro 3 + DELTA Pro 3 Extra Battery <ul style="list-style-type: none">• Quantity: 1• Output: \approx 8 kWh total (system provides a minimum of 48 hours of operational autonomy without solar input)
PV	Frankensolar - Longi - LR7-72HGD-600M - Bifacial <ul style="list-style-type: none">• Quantity: 2• Power(minimum): 600W per panel, 1.2 kW per site
Accessory	Photocell/illumination sensor to activate the system during low-light conditions, regardless the time of day. The sensor should be configured with an appropriate delay or hysteresis to prevent frequent on/off cycling and to avoid unnecessary illumination under marginal conditions.
Reference	EcoFlow Technical Support Team: support@ecoflow.com

Note

- This specification is estimated by EcoFlow Technical Support Team. Final system design and compliance with applicable codes shall be validated by a licensed electrical contractor and approved by local jurisdiction prior to implementation.
- PV should be mounted and securely fastened to a post.
- Lithium batteries may restrict charging at sub-freezing temperatures. The power system shall be installed in a weather-rated enclosure with appropriate thermal protection (insulated cabinet and/or temperature management) to maintain battery charging capability in winter.
- All mounting and attachment details shall be included in the sign contractor's shop drawings.
- The solar system must not be installed in any location visible above the sign.

Fabrication Drawing

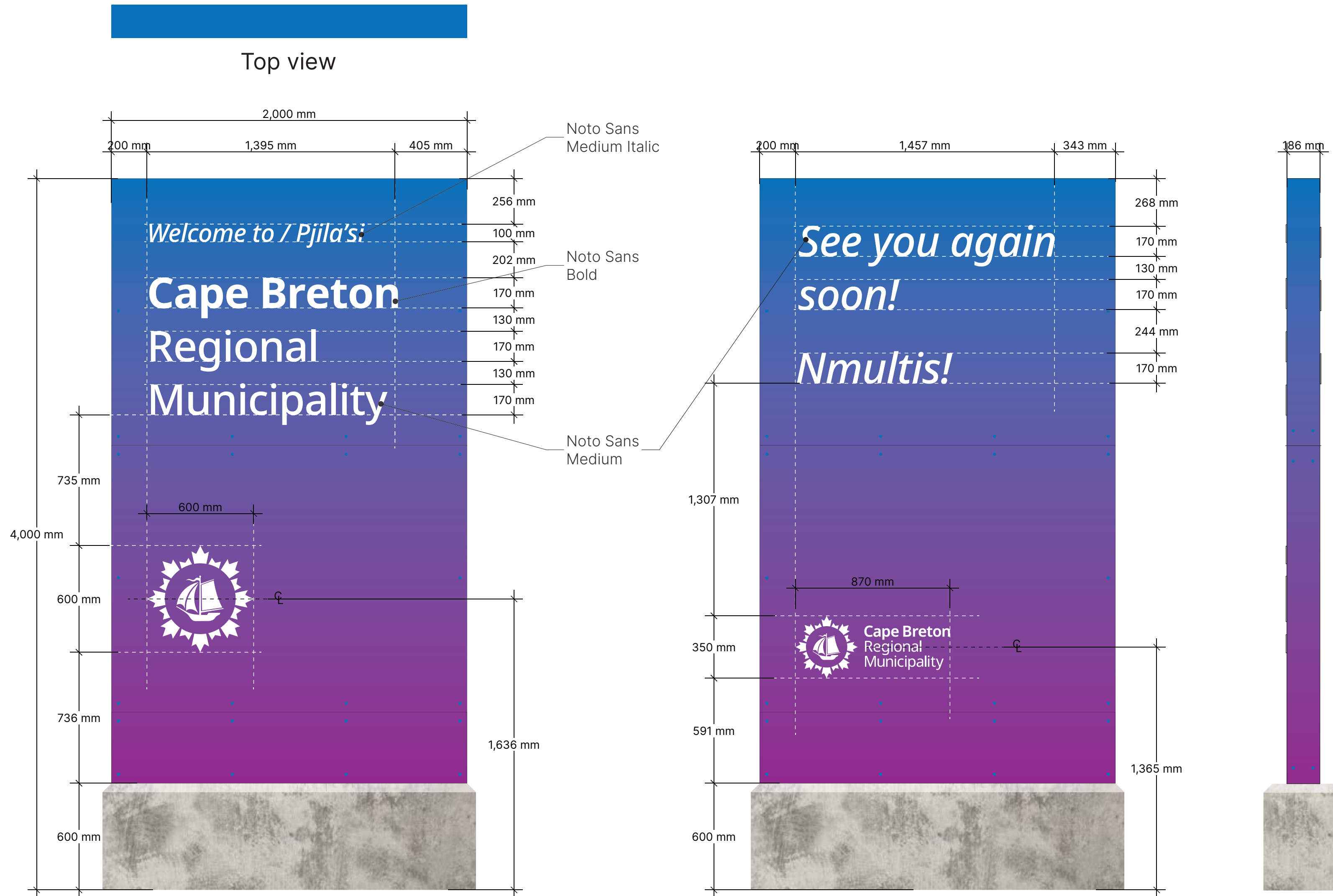


NOTE

- All fixtures (washers, bolts, screws, etc.) must be finished in requested colour and finish.
- Concrete form is set to a depth determined by the site engineer.
- Gauge of horizontal and vertical hollow sections to be determined by site engineer.
- ACM sign faces with backlit letters must be demountable for maintenance purposes.

Sign Panel Layouts

Top view



Front panel layout & font specifications

Back panel layout & font specifications

Side view

Pantone 285 C	R 0 G 113 B 185	C 88 M 53 Y 0 K 0	#0071b9
White	R 255 G 255 B 255	C 0 M 0 Y 0 K 0	
Brand gradient			

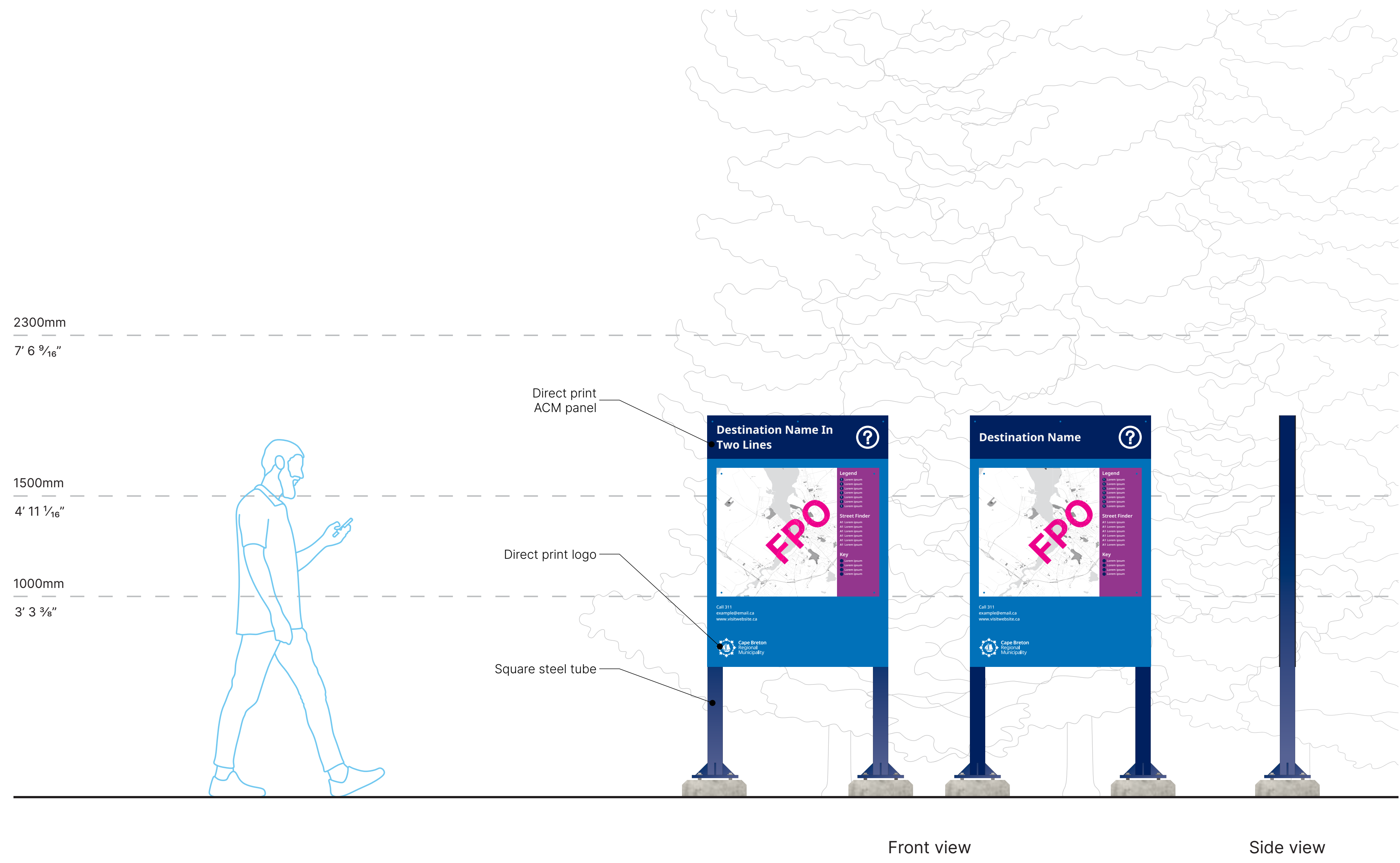
Pantone 285 C Pantone 513 C

Colour specifications (extracted from CBRM brand sheet)

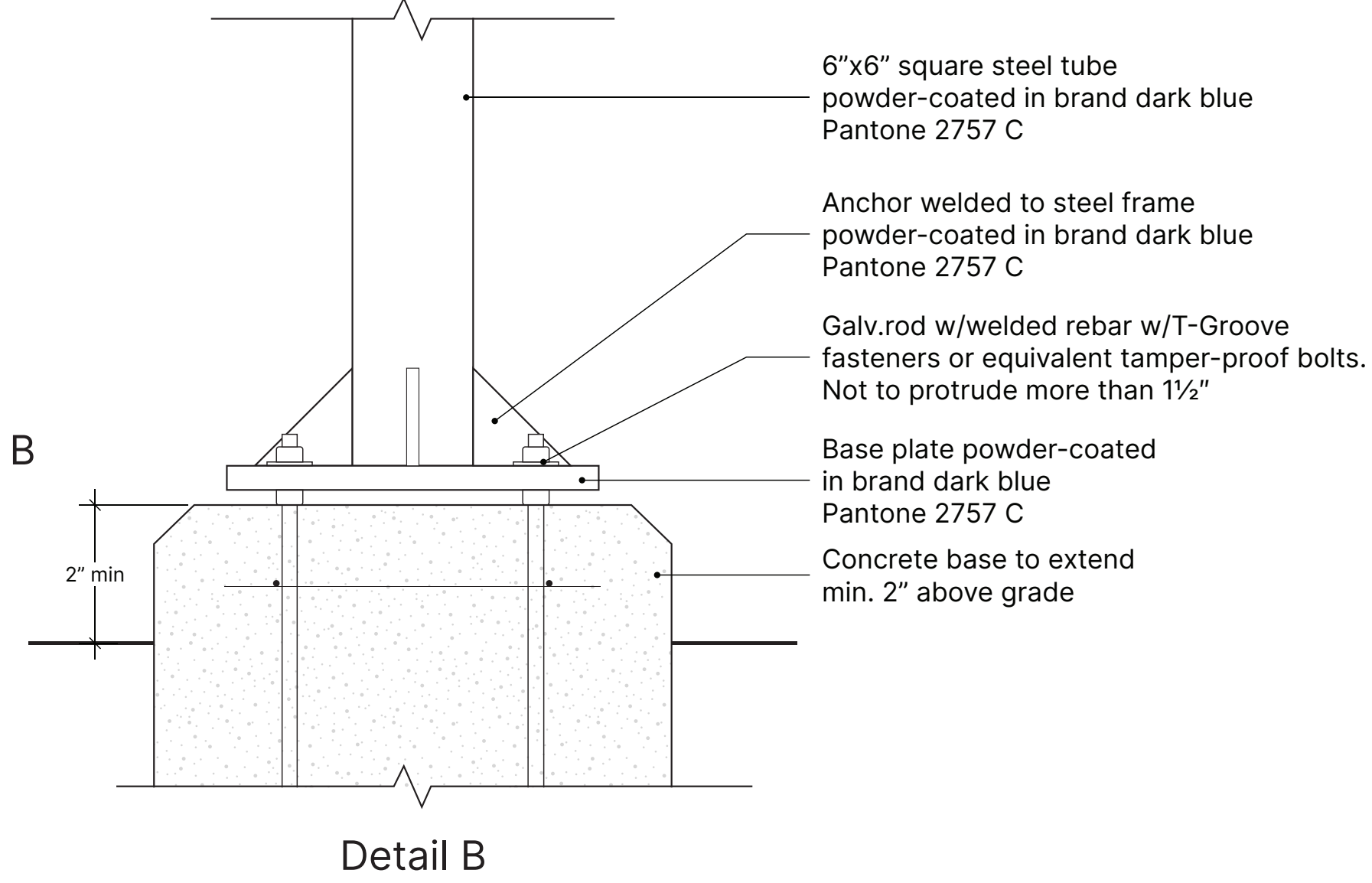
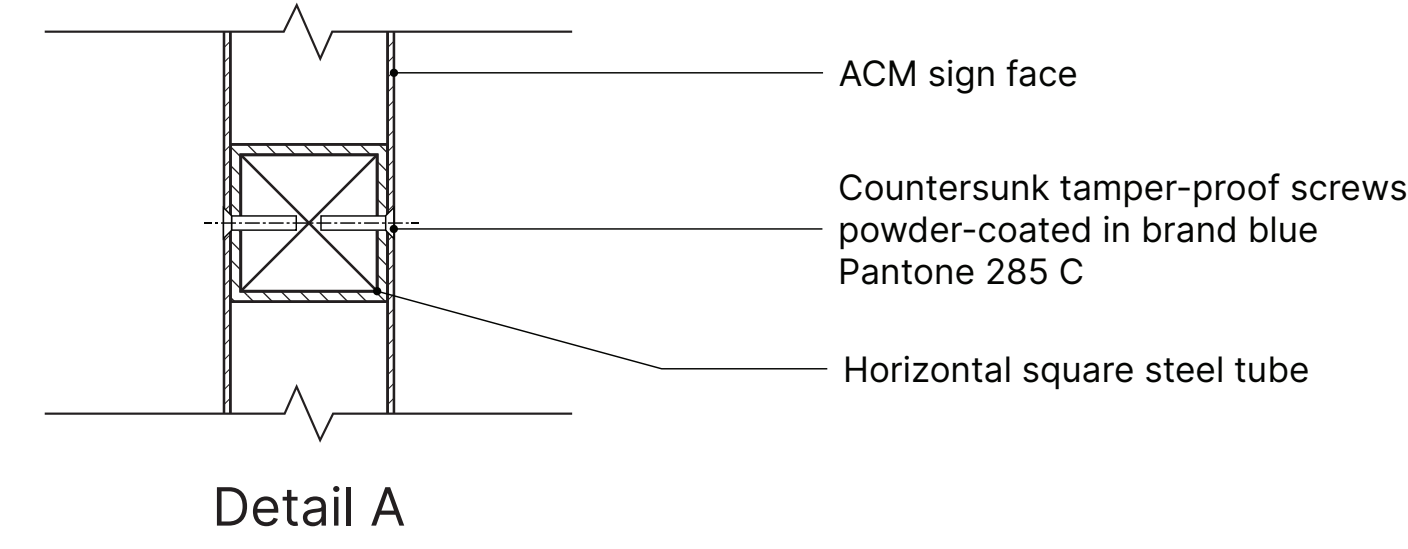
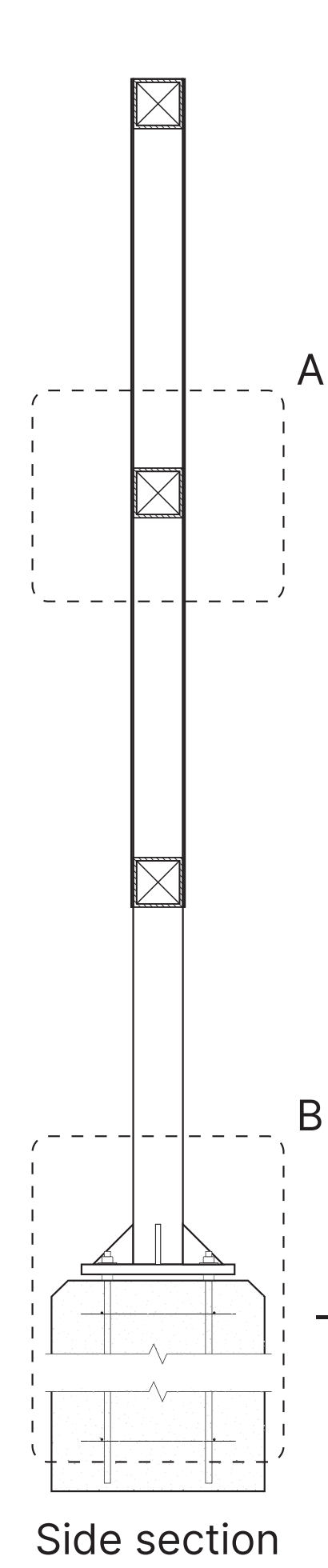
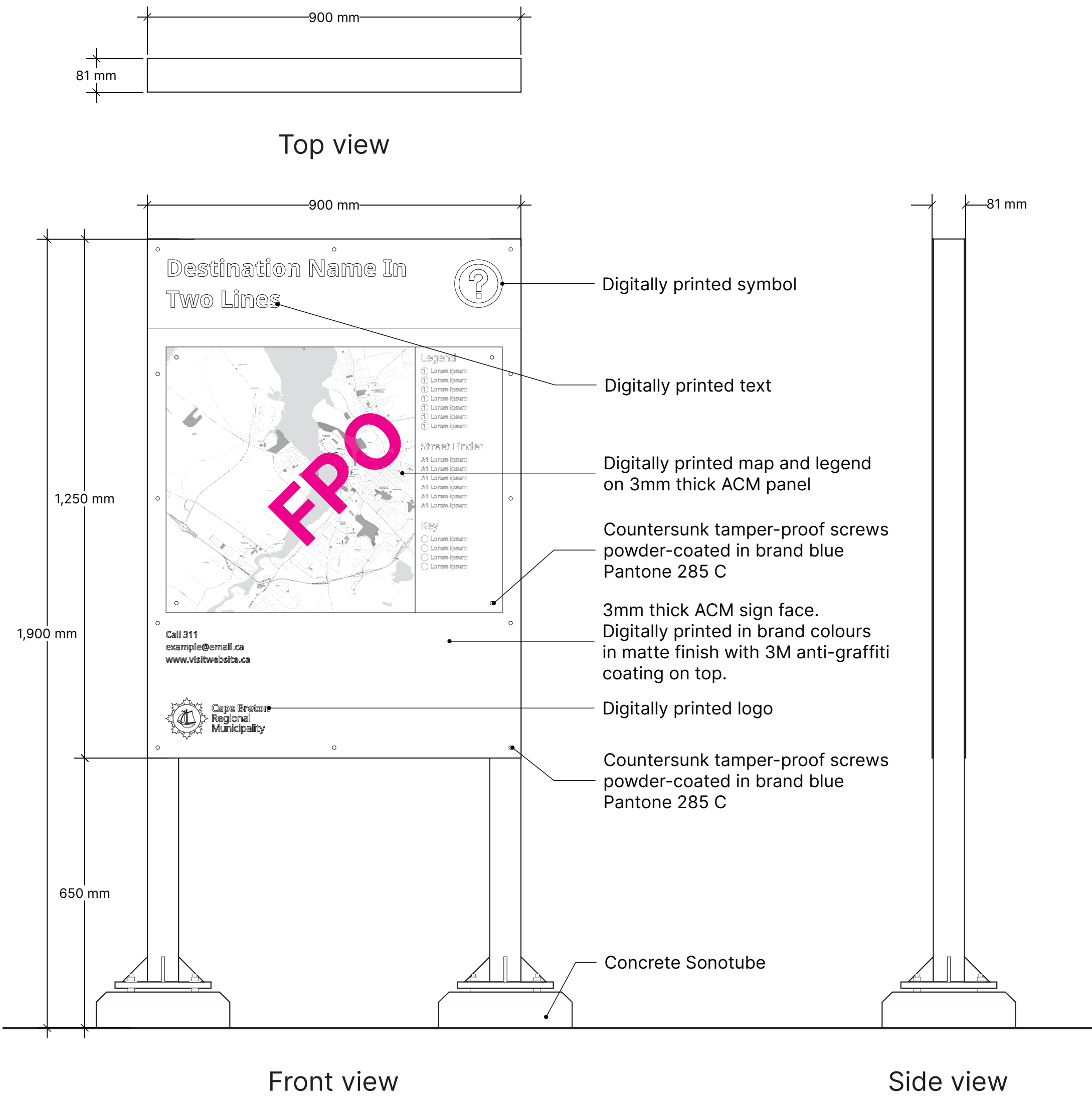
Pedestrian Orientation

Design Specifications

Sign Code	PEO.1
Intent	Lists all the attractions and points of interest in the municipality. Sign should be installed in pedestrian-oriented areas only.
Sides	Double-sided (Could be single-sided based on site context)
Nominal Dimension	900mm x 1900mm
Mode and Users	Pedestrian sign
Structure	Sign panel: 3mm thick ACM panel Framework: 3"x3" painted square steel tubes Anchors: painted steel plate Fasteners: galvanized steel bolts, and washers Base: concrete Sonotube
Text and logo	Direct print
Map and Legend	Direct print on 810mm x 640mm detachable 3mm thick ACM panel
Mounting and Footing	Concrete Sonotube is set to a depth determined by the site engineer. Framework is welded to base plate. Base plate is bolted onto concrete Sonotube. Sign panel is screwed to framework.
Illumination and Retro-reflectivity	Non-illuminated
Orientation	Perpendicular or parallel to the pedestrian path of travel based on site context
Note	Isolation layer to be applied between ACM and stainless steel to prevent direct contact <i>Map design is not in scope.</i>

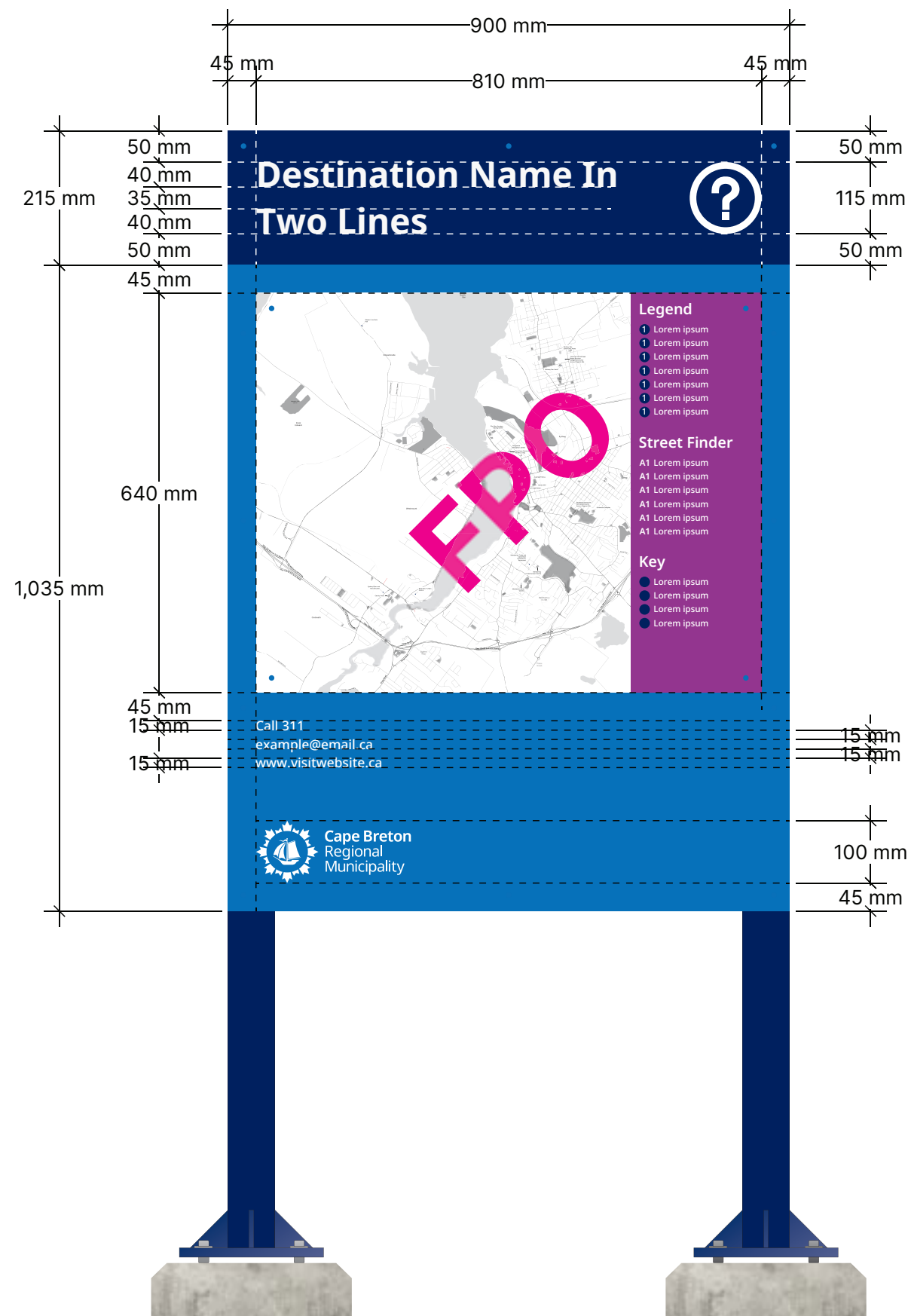


Fabrication Drawings

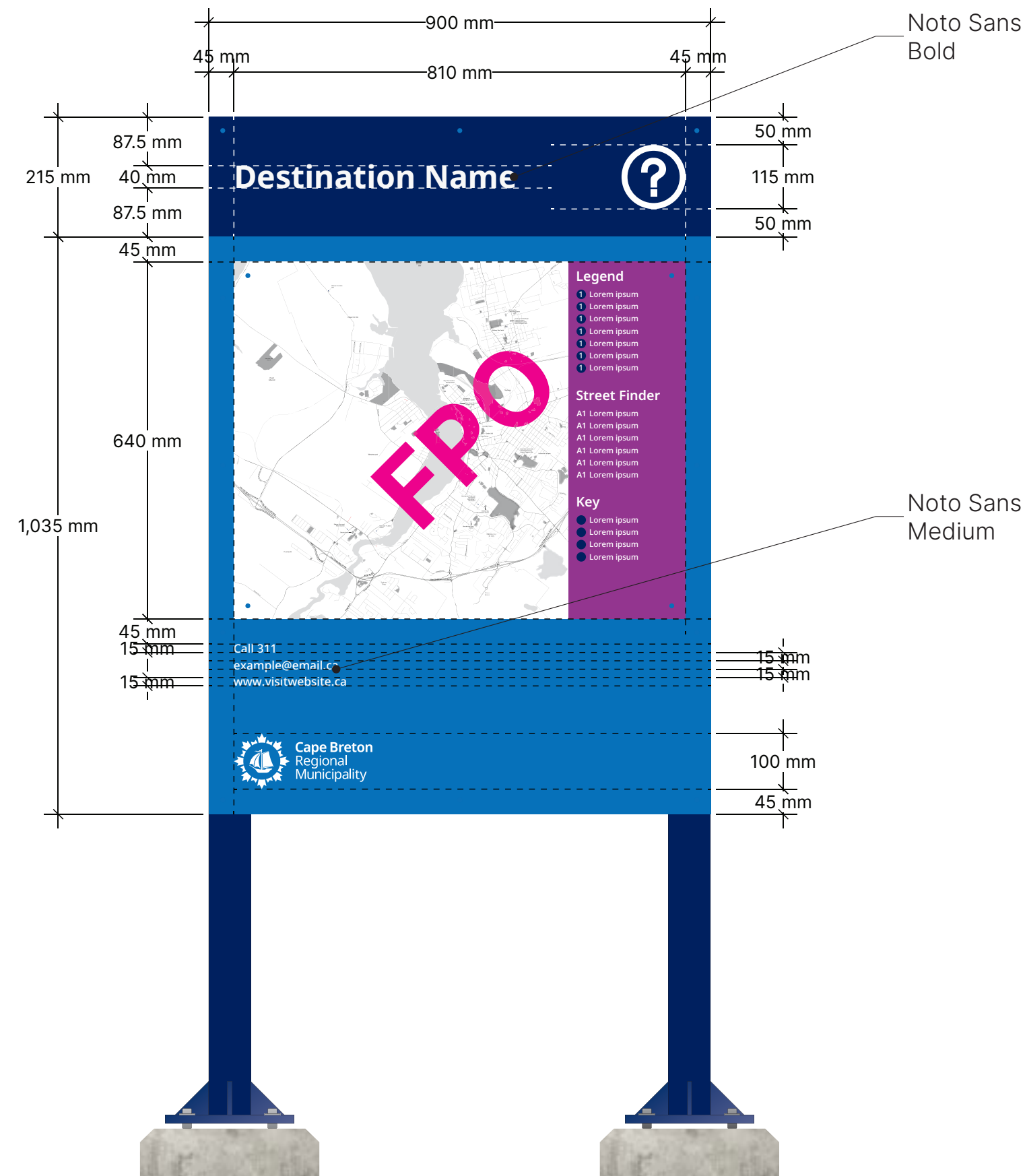


- NOTE**
- All fixtures (washers, bolts, screws, etc.) must be finished in requested colour and finish.
 - Concrete form is set to a depth determined by the site engineer.
 - Gauge of horizontal and vertical steel tubes to be determined by site engineer.

Sign Panel Layouts



Two lines layout



One line layout
Font specifications

Pantone 2757 C	R 0 G 31 B 96	C 100 M 92 Y 31 K 31	#001f60
Pantone 285 C	R 0 G 113 B 185	C 88 M 53 Y 0 K 0	#0071b9
Pantone 513 C	R 147 G 53 B 141	C 49 M 94 Y 5 K 0	#93358d
White	R 255 G 255 B 255	C 0 M 0 Y 0 K 0	

Colour specifications
(extracted from CBRM brand sheet)



CAN-ASC-2.4 – Wayfinding and Signage

Draft Standard



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1 Accessibility Standards Canada: About us

Accessibility Standards Canada, under whose auspices this standard has been produced, is a Government of Canada departmental corporation mandated through the *Accessible Canada Act*. Accessibility Standards Canada's Standards contribute to the purpose of the *Accessible Canada Act*, which is to benefit all persons, especially persons with disabilities, through the realization of a Canada without barriers through the identification, removal, and prevention of accessibility barriers.

Disability, as defined by the *Accessible Canada Act*, means any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment — or a functional limitation — whether permanent, temporary, or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society.

All of Accessibility Standards Canada's standards development work, including the work of our technical committees, is carried out in recognition of, and in accordance with, the following principles in the *Accessible Canada Act*:

- all persons must be treated with dignity regardless of their disabilities;
- all persons must have the same opportunity to make for themselves the lives that they are able and wish to have regardless of their disabilities;
- all persons must have barrier-free access to full and equal participation in society, regardless of their disabilities;

- all persons must have meaningful options and be free to make their own choices, with support if they desire, regardless of their disabilities;
- laws, policies, programs, services, and structures must take into account the disabilities of persons, the different ways that persons interact with their environments and the multiple and intersecting forms of marginalization and discrimination faced by persons;
- persons with disabilities must be involved in the development and design of laws, policies, programs, services, and structures; and
- the development and revision of accessibility standards and the making of regulations must be done with the objective of achieving the highest level of accessibility for persons with disabilities.

These principles align with the principles of the United Nations' *Convention on the Rights of Persons with Disabilities*, ratified by the Government of Canada in 2010 to recognize the importance of promoting, protecting, and upholding the human rights of persons with disabilities to participate fully in their communities. Standards developed by Accessibility Standards Canada align with Articles in the Convention.

Accessibility Standards Canada seeks to create standards that are aligned with its vision. This includes commitments to break down barriers to accessibility and abide by the principle of “nothing without us” in our standards development process, where everyone, including persons with disabilities, can expect a Canada without barriers.

As part of the “nothing without us” principle, Accessibility Standards Canada promotes that accessibility is good for everyone, as it can have society wide benefits. As a result, Standards developed by Accessibility Standards Canada are designed to achieve the highest levels of accessibility. This means that Accessibility Standards Canada standards create equity-based technical requirements while taking into consideration national and international best practices, as opposed to focusing on minimum technical requirements.

This approach is meant to push innovation in standards and develop technical requirements that have broad positive impacts. This approach to innovation strives to improve the outcomes for all Canadians, including creating employment opportunities and solutions that contribute to Canada's economic growth.

The standards development process used by Accessibility Standards Canada is the most accessible in Canada, if not the world. Accessibility Standards Canada provides accommodations to meet the needs of Technical Committee members with disabilities. Accessibility Standards Canada provides compensation for people with disabilities to encourage their active participation. Accessibility Standards Canada ensures an accessible public review process, including accessible permission forms and multiple formats of the standard, to encourage Canadians with disabilities to comment. To facilitate an accessible experience for all, our standards are available for free on our website. This includes providing standards in multiple formats, including plain-language, American Sign language (ASL) and langue des signes québécoise (LSQ) summaries. This allows the following groups to benefit from the technical content of our standards:

- people with disabilities;
- people without disabilities;
- the federal public sector;
- private sector;
- non-government organizations;
- indigenous communities; and
- society.

Accessibility Standards Canada applies an intersectional framework to capture the experiences of people with disabilities who also identify as 2SLGBTQI+, Indigenous Peoples, women, and visible minorities. Its standards development process requires that technical committees apply a cross-disability perspective to ensure that no new barriers to accessibility are unintentionally created. In addition, standards developed by Accessibility Standards Canada align with United Nations Sustainable Development Goals, which were adopted by Canada in 2015 to promote partnership, peace and prosperity for all people and the planet by 2030.

Accessibility Standards Canada is engaged in the production of voluntary accessibility standards, which are developed by technical committees using a consensus-based approach. Each technical committee is composed of a balanced group of experts who develop the technical content of a standard. At least 30 % of these technical experts are people with disabilities and lived experience and 30% are from equity seeking groups including 2SLGBTQI+, indigenous peoples, women and visible minorities. These technical experts also include consumers and other users, government and authorities, labour and unions, other standards development organizations, businesses and industry, academic and research bodies, and non-governmental organizations.

All Accessibility Standards Canada standards also incorporate related findings from research reports conducted through Accessibility Standards Canada's Advancing Accessibility Grants and Contributions program. This program involves persons with disabilities, experts, and organizations to advance accessibility standards research and supports research projects that help with the identification, removal, and prevention of new barriers to accessibility.

Accessibility Standards Canada standards are subject to review and revision to ensure that they reflect current trends and best practices. Accessibility Standards Canada will initiate the review of this standard within four years of the date of publication. Suggestions for improvement, which are always welcome, should be brought to the notice of the respective technical committee. Changes to standards are issued either as separate amendments or in new editions of the standards.

As a Standards Council of Canada Accredited Standards Development Organization, all Accessibility Standards Canada standards are developed through an accredited standards development process and follow Standard Council of Canada's Requirements and Guidance for Standards Development Organizations. These voluntary standards apply to federally regulated entities and can be recommended to the Minister responsible for the *Accessible Canada Act*.

In addition to its focus on developing accessibility standards, Accessibility Standards Canada has been a leader amongst Canadian federal organizations for promoting and adopting accessibility internal to government. Accessibility Standards Canada is the first organization in the federal government to have a Board of Directors majority-led by persons with disabilities. Accessibility Standards Canada has a state-of-the-art accessible office space for its employees, Board of Directors, and Technical Committee Members. The carefully designed accessible workspace aligns with the organization's belief in the importance of equitable design.

To obtain additional information on Accessibility Standards Canada, its standards or publications, please contact:

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2 Standards Council of Canada Statement

[Reserved for publication]

3 ASC legal notice

Note: This draft standard is under development and subject to change. It should not be used for reference purposes.

Please read this Accessibility Standards Canada (ASC) legal notice before using this draft standard.

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Although Accessibility Standards Canada administers the process and establishes rules to promote fairness in achieving consensus, it does not independently test, evaluate, or verify the content of the standards. During this process, Accessibility Standards Canada makes the draft standard available for comment, review, and approval.

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4 Technical Committee Members

[Reserved for publication]

5 Preface

[Reserved for publication]

6 Introduction

6.1 Background

This Standard provides information about more inclusive ways to allow everyone to navigate indoor and outdoor environments effectively, safely and efficiently. Signs and navigational cues are found everywhere, but they are not always accessible to those who need to use them. Everyone in Canada has the right to interact with environments effectively, safely, and efficiently.

While the standard will apply initially only to federal facilities, other jurisdictions will be encouraged to adopt this standard and develop regulations to implement it.

Consultation with and testing by persons with disabilities is an essential part of whatever is being considered. The technical committee understands that different disabilities impact the way people access information or gain understanding of messages that are conveyed by signage and wayfinding.

During the development of this Standard, the technical committee considered many factors, including lighting, colour contrast, visibility, tactile and braille requirements, vibration when needed, audible and electronic information, and placement of navigational cues. In addition, the advancement of technological solutions for signage and wayfinding has been included in the standard to allow its users to understand what must be considered when making technological choices that may benefit persons with disabilities as they navigate indoor or outdoor environments. Best practices have been outlined to assist with consultation and decision-making regarding the universal impact, affordability and usefulness of elements included in the design of indoor and outdoor spaces.

New trends in urban design relate to person-centered living. One of these is pedestrianization, i.e., where neighbourhoods or streets are built for restricted pedestrian traffic only. This requires very careful consideration of the accessibility challenges it can inadvertently create. We hope this standard can help navigate these and other changes.

While every attempt has been made to present the Wayfinding and Signage Standard in plain language, there are technical language requirements which apply. The definitions section in this Standard should address this issue. Existing Canadian and international standards and other articles and documents are referenced where applicable throughout this Standard.

Note: Tactile diagrams, tactile maps and acoustics are not considered within this Standard's scope of work.

Requirements and recommendations in this Standard are as inclusive as possible. We have no control over the availability of materials that work best, but we have tried to provide the most up-to-date advice. It should be apparent what is absolutely essential or preferred. The goal is to provide succinct and relevant information so that designers and project managers have the information they need to create more inclusive environments for everyone.

6.2 Guiding principles

The practice of design involves more than consideration for usability.

We invite practitioners to not only include the information presented in this Standard but to also consider these principles to create more inclusive environments.

In all aspects of wayfinding and signage, the following principles apply:

- a) **Affordability:** Wayfinding and signage technologies, if used, are accessible without extra costs to users, including extra data charges or costs to purchase new apps (exclusive of the consumer's personal contracts).
- b) **Perceptibility:** Signage and other technologies are designed to communicate information through multiple sensory channels, such as visual, auditory, or tactile means. The inclusion of multi-sensory feedback allows access for individuals who rely on different senses.
- c) **Operability:** Technologies are operable by all users, in indoor and outdoor environments and in all weather conditions.
- d) **Consistency:** The design and implementation of wayfinding and signage is consistent to ensure information is presented in a way that is familiar, logical, and intuitive.
- e) **Usability and safety:** Any technologies are easy to use, safe, and prevent additional obstacles or harm.
- f) **Reliability and integration:** Signage and any incorporated technology are dependable, robust, and easily integrated across platforms, ensuring suitability for use with adaptive solutions (i.e., applications, smart devices, wearable technologies).
- g) **Training/guidance:** Adequate training and support are provided to staff/service providers to enhance users' abilities to effectively use the wayfinding and signage features being implemented.
- h) **Testing and maintenance:** Wayfinding and signage undergoes testing by intended users prior to implementation and be continuously maintained to ensure sustainability.

- i) Empowerment and independence: Wayfinding and signage in its various forms allow for autonomy and independent navigation, providing timely, accurate, and clear information in multiple formats when necessary.
- j) Awareness and education: Implementers and designers provide ongoing public awareness of the purpose and intent of inclusive wayfinding and signage to ensure everyone understands their meaning and intent.
- k) User consultation: Implementers and designers carry out consultation with user groups when establishing/determining or altering the wayfinding and signage solutions.

7 Scope

7.1 General

This Standard provides requirements and guidance on the design, management and implementation of tools and systems that facilitate wayfinding and access to signage throughout physical spaces. This Standard addresses as well the design and implementation of indoor and outdoor signage as part of a wayfinding system. Unless a clause is specified for outdoor or indoor spaces, the requirements shall apply to both.

This Standard:

- recognizes the equity rights of persons with disabilities as Canadian citizens;
- aligns with the *Accessible Canada Act*;
- considers guiding principles; and
- complements other codes and standards related to the accessibility of the built environment.

This Standard identifies ways to prevent barriers for people with disabilities both now and in the future.

This Standard focuses on the implementation of multiple solutions (e.g., sight, sound, tactile, and technology) to provide individuals with a variety of options to meet their needs and facilitate independent navigation.

7.2 Inclusions

The following topics are covered in this Standard:

- Principles for the application of new and emerging technologies
- Wayfinding cues

- Tactile Walking Surface Indicators (TWSI)
- Paths of travel
- Lighting
- Colour contrast
- Signage
- Tactile signage
- Braille
- Pictograms and symbols
- Audible signs
- Electronic signs
- Maps (non-tactile)
- Technological solutions

7.3 Exclusions

The following topics are not covered in this Standard:

- a) Tactile maps and diagrams

Note: These are not included in this standard at this time as a literature and standards review has indicated a lack of consistency in the approach and application of these tools. More consideration is needed.

- b) Acoustics

Note: This will be a separate standard: CAN-ASC-2.5/ICC A118 Acoustics in the built environment.

- c) Assistive listening systems

7.4 Terminology

In this Standard, three terms are defined as follows:

- **Shall:** Expresses a requirement, or a provision that the user is obliged to satisfy to comply with the standard.
- **Should:** Expresses a recommendation, or that which is advised but not required.
- **May:** Expresses an option, or that which is permissible within the limits of the standard.

Notes accompanying clauses do not include requirements or alternative requirements; the purpose of a note accompanying a clause is to separate explanatory or informative material.

Notes to tables and figures are considered part of the table or figure and may be written as requirements.

Annexes are designated normative (mandatory) or informative (non-mandatory) to define their application.

8 References

This Standard refers to the following publications, and where such reference is made, it shall be to the edition listed below:

Accessibility Standards Canada

CAN-ASC-2.1 — Outdoor Spaces (draft)

Braille Literacy Canada

Accessible Signage Guidelines. 2024

CSA Group

CAN/ASC B651:2023 Accessible Design for the Built Environment

International Organization for Standardization

ISO 23599:2019 Assistive products for blind and vision-impaired persons — Tactile walking surface indicators

ISO 21542:2021 Building construction — Accessibility and usability of the built environment

ISO 7001:2023 Graphical symbols — Registered public information symbols

Other publication

Accessible Canada Act, 2019

9 Definitions, symbols, and abbreviations

9.1 Definitions

The following definitions shall apply in this Standard:

Accessible — Any space, feature, element, site, environment or facility that can be used (e.g., located, approached, entered, exited or operated) by individuals with diverse abilities ensuring equitable access, navigation, and operation. This term can also apply to services, practices, and programs.

Accessible format — A format that presents information in a way that can be perceived, understood, and used by all individuals. Examples include braille, large print, audio, electronic text compatible with assistive technologies, and tactile formats.

Alternate format — Information presented in braille, in large print, electronically (e.g., on removable or portable media), or in an accessible format.

Note: Large print is considered to be 14 point or larger sans serif font.

Bollard — Short post used to create a protective or architectural perimeter. They are vertical posts that come in different shapes and sizes. They are sometimes used to guide traffic or to provide an architectural barrier around a building. As architectural elements, they come in a wide variety of shapes and styles to accentuate or visually stand out in their settings. They are often made of metal, stone, cement or plastic and can include decorative elements.

Braille — A method that uses raised dots to signify letters and numbers. In Canada, Unified English Braille (UEB) serves as the standard for braille in the English language. “Le code braille français uniformisé pour la transcription des textes imprimés” is the code to be used for information provided in French.

Cane-detectable — An object or surface texture modification that can be identified within the reach of a long white cane.

Colour rendering — The process of converting image data that describes the colour-space coordinates of a scene’s elements into output-referred image data that represents the colour-space coordinates of those same elements as they appear in a reproduction.

Note: Colour rendering typically involves one or more of the following steps: adjusting for differences in viewing conditions between the input and output, mapping the tone scale and colour gamut to fit the reproduction’s dynamic range and colour capabilities, and applying adjustments based on viewer preferences.

Colour Rendering Index — A dimensionless value, measured in Ra, that indicates how accurately a light source reveals the colours of various objects when compared to a standard or natural light source.

Communication — Includes languages, display of text, braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader, and augmentative and alternative modes, means and formats of communication, including accessible information and communication technology.

Frontal reach — The distance a person can extend either arm, to the front and not to the side, without losing their balance, in a standing or seated position.

Functional reach — The distance a person can reach forward or to the side beyond arm's length while keeping a fixed base of support in a standing or seated position.

Source: Modified from Medical Dictionary for the Health Professions and Nursing © Farlex. 2012 to add seated position

Note: The collective term for frontal reach and lateral reach is functional reach.

Glare — Bright light reflected from a surface, floor, window or screen. Glare occurs when one part of the environment is much brighter than the general surrounding area, causing discomfort, or loss in visual performance.

Graphical symbol — A visually identifiable figure or image that conveys specific information or meaning without relying on written or spoken language.

Lateral reach — The distance a person can extend either arm, to the side and not to the front, without losing their balance, in a standing or seated position.

Light Reflectance Value — A numerical measure of the fraction of visible light that a surface reflects when illuminated by a light source.

Luminance — The measure of light that a surface emits or reflects in a specific direction.

Lux — The SI unit of illuminance, representing the amount of light that falls on a surface.

Note 1: 1 lux (abbreviation: lx) is equal to the illuminance produced on a surface of area 1 m² by a luminous flux of 1 lumen (lm) uniformly distributed over that surface.

Note 2: Non-metric, non-SI units: lumen per square foot (symbol: $\text{lm}\cdot\text{ft}^{-2}$), foot-candle (abbreviation: fc): $1 \text{ lm}\cdot\text{ft}^{-2} = 1 \text{ fc} = 10,764 \text{ lx}$.

Michelson contrast — Contrast (modulation) which measures the relation between the spread and the sum of the two luminances.

Pictogram — Also called glyph, is an efficient visual means of conveying a specific message or instruction concisely.

Note 1: Pictograms that show a person in a specific action or that illustrate the function of a room are most easily recognized.

Note 2: Pictograms are composed of two elements: a graphical symbol that is broadly associated with a specific message, and the background on which the symbol is positioned (referred to as the field) which may provide additional meaning or context through its shape and colour.

Note 3: Pictograms (except for overhead signs) are always used in combination with raised text and the equivalent braille information.

Note 4: Pictograms include icons, arrows, public information, accessibility and safety symbols and are intended to succinctly convey actions, directional information or provide a room function.

Signage — Means of conveying information about direction, location, safety or action and designed to be clear, concise and consistent. Signage can be audible, text, symbols, tactile or graphical information.

Tactile — Perceptible through the sense of touch; relating to physical surface characteristics intended to be felt rather than seen or heard.

Tactile Walking Surface Indicator — A standardized textured surface designed to be detected underfoot or with a long white cane, providing visual contrast and tactile cues to assist individuals by offering guidance or warnings. There are two types of Tactile Walking Surface Indicators (TWSIs); attention indicators used for hazard warning and direction

indicators used for directional guidance.

Attention indicator — A type of TWSI (Tactile Walking Surface Indicator) design used to highlight potential hazards or key decision points. It consists of truncated domes or cones.

Direction indicator — A type of TWSI (Tactile Walking Surface Indicator) design, used to offer directional guidance to aid in wayfinding across open areas. It consists of elongated flat-top bars.

Uncontracted braille — A letter by letter transcription of text, numbers and punctuation also identified as Grade 1 braille.

Vertical sign — Sign fixed parallel to the wall of a building to which it is attached and with its largest dimension being vertical.

Wayfinding — The process of navigating through an environment by using visual, auditory, or tactile cues to determine one's location and direction toward a desired destination.

Weber Contrast — Relationship between the luminance of a brighter area of interest and that of an adjacent darker area.

Note: Mathematically, the difference between the two luminances divided by the lower luminance.

9.2 Abbreviations

The following abbreviations shall apply in this Standard:

CIE — International Commission on Illumination

Cm — Michelson contrast

Cw — Weber contrast

dB SPL — Sound pressure level measured in decibels

Ft-candles — Foot-candles

GU — Gloss Units

LED — Light Emitting Diode

LCD — Liquid Crystal Display

Lm — Lumen

LRV — Light Reflectance Value

lx — Lux

mm — Millimetres

Ra — Colour Rendering Index

px — Pixel

TWSI — Tactile Walking Surface Indicator

UEB — Unified English Braille

UGR — Unified Glare Rating

UV — Ultraviolet

10 General requirements for lighting and contrast

This Clause outlines requirements and recommendations that apply to all signage and wayfinding. Good lighting and contrast are essential to ensure that the information being conveyed is clear and available to interpret and process visual information.

The requirements in this Clause apply to all aspects of wayfinding and signage. Lighting and the use of colour contrasting materials are essential to the interpretation and understanding of signage and wayfinding.

10.1 Lighting

Good lighting is important mainly for safety and communications. There is no standard set of guidelines that will meet everyone's needs.

As people age, their eyes require more light to function effectively. An eye condition can also affect a person's lighting needs. The same level of light may be fine for a fully-sighted person, excessive for someone with glaucoma and too low for someone with macular degeneration.

In addition to providing visual clarity, lighting is useful in emphasizing important elements of the environment. Lighting makes it easier to identify building elements such as entrances, hallways, obstacles/unsafe areas, stairs, and changes of level.

Light levels, lighting direction, and background decor are factors that help clarify visual information, such as reducing glare.

10.1.1 Application

This Clause shall apply to the lighting of all wayfinding elements (including signage) within the built environment and applicable outdoor spaces.

10.1.2 General lighting design

The lighting design for wayfinding and signage shall:

- a) incorporate the following:
 - i) colour rendering (minimum Ra > 80);
 - ii) colour temperature around 3000 K; and
 - iii) colour rendering index between 60 CRI and 70 CRI; and
- b) consider the following:
 - i) illumination level of vertical and horizontal surfaces;
 - ii) reduction of glare caused by direct light sources or reflective surfaces;
 - iii) consistency and dispersion of luminance; and
 - iv) orientation of light and shadow control.

10.1.2.1 Basic lighting considerations

Lighting design shall:

- a) ensure indoor spaces are lit to a minimum of 100 lx;
- b) ensure outdoor spaces are lit in compliance with Clause [10.1.5](#);
- c) for indoor spaces, be integrated within the handrail only when overhead lighting sources cannot be installed; and
- d) incorporate supplementary lighting, with upward or downward components only, to enhance:
 - i) special features and key orientation elements;
 - ii) key signage and orientation landmarks; and
 - iii) communication or information systems.

Note 1: If lighting is installed in the handrail, the handrail should be visible.

Note 2: Outdoor lighting design may be integrated within the handrail when overhead lighting sources cannot be installed.

Note 3: Care should be taken to avoid the use of devices that operate on a timed mechanism as this may lead to an inadvertent loss of lighting while wayfinding elements are still in use.

10.1.3 Glare and shadow

Various eye conditions cause many people to be impacted by the effects of glare. Glare may lead to discomfort and hinder the ability to perform daily tasks effectively by causing visually contrasting information to be interpreted incorrectly in visual displays.

The lighting design for objects or surfaces causing glare and shadow shall:

- a) use the Unified Glare Rating (UGR) to assess discomfort glare levels caused by light sources; and
- b) ensure that the UGR value does not exceed 22 in circulation areas and does not exceed 19 in habitable rooms.

10.1.3.1 Preventing glare and shadow

Designers should prevent glare and shadow by:

- a) preventing unnecessary light from spilling into unintended areas while softening or dispersing it;
- b) utilizing indirect lighting;
- c) positioning the light source appropriately based on the viewing direction and the intended focal point;
- d) restricting the use of uplighters positioned at floor or low levels that interfere with the user's visual field;

- e) ensuring corridor layouts do not include windows at their endpoints;
- f) selecting light-coloured ceilings and walls to prevent positioning light sources against dark backgrounds;
- g) preventing sudden shifts between brightly lit and dark areas; and
- h) regulating lighting levels at entryways to prevent glare when moving between indoor and outdoor spaces.

10.1.4 Indoor lighting

Both natural and installed lighting have an impact on the perception of information that is needed for navigation of indoor environments.

10.1.4.1 Natural and artificial lighting

Indoor lighting can be natural, artificial, or both.

Indoor lighting design shall:

- a) use available natural light to illuminate entrances and corridors;
- b) integrate artificial and natural lighting to provide comfortable, evenly distributed light at working surfaces and throughout circulation routes, at all times;
- c) control natural light to avoid discomfort, excessively bright light and glare (e.g., using overhanging, shades or UV tinted protection);
- d) use shading to reduce excessive brightness and reflected glare from windows;
- e) avoid positioning sources of light (natural or artificial) at the ends of corridors or behind people at reception areas or counters;
- f) support visual tasks, such as identifying hazards, reading signs, navigating spaces, and interpreting sign language; and

- g) allow an illumination quality that is as close to a full spectrum as possible to aid in identifying edges and colour contrasts which are used as wayfinding cues (this ensures the warm end of the spectrum provides appropriate colour definition).

10.1.4.2 Indoor light fixtures

Indoor light fixtures that specifically illuminate wayfinding elements shall:

- a) be selected with diffusers, lenses, or recessed light sources, so that minimal glare is created;
- b) for surface-mounted fluorescent ceiling fixtures installed below 2440 mm:
 - i) use darkened sides (i.e. not wrap-around lenses); and
 - ii) position them perpendicular to the dominant direction of travel, or as valance-type lighting along the perimeter of a space to create indirect lighting; and
- c) avoid those with multiple pinpoints that result in high-intensity illumination.

Note: Multiple pinpoint light fixtures often add unnecessary glare and leave an afterimage on the retina of people with reduced vision.

10.1.5 Exterior lighting

Exterior lighting presents additional challenges due to changes in natural light that depends on weather conditions. The measurements below are designed to provide guidance for optimum viewing and navigation.

Exterior lighting shall:

- a) maintain lighting levels of 50 lx over frequently used paths of travel, including walkways, paths of travel, stairs, and ramps, measured at the ground;
- b) be positioned such that all ramps, steps, and stairs are lit to clearly define surfaces, treads, risers, nosings, and handrails;
- c) maintain a minimum of 100 lx consistently over building entrances, measured at the ground; and
- d) maintain a minimum lighting level for facilities outside of daylight hours at 50 lx (dusk to dawn).

Note 1: A building entrance is an entrance between indoors and outdoors.

Note 2: The aim is to provide a smooth transition to allow eyes to adjust to the change in lighting levels between outdoors and indoors.

10.2 Luminance contrast

Note: The required luminance contrast value varies based on the visual task and is influenced by:

- a) the size of the smallest detail necessary for recognition;
- b) the time available for detection, such as the immediate identification of hazards and warning signs; and
- c) the lighting environment, including natural daylight, artificial illumination, or a combination of both.

Ensuring proper lighting is crucial for the effective perception of visual contrast (see Clause [10.1](#)). Sufficient illumination, along with minimum reflectance values for lighter surfaces, is necessary to achieve adequate luminance levels for surfaces and building elements, depending on the specific visual task. Typically, lower illumination levels necessitate greater visual contrast to enhance the ability to perceive information, architectural features, and spatial design.

The human eye's capacity to distinguish contrast improves with higher illuminance in the surrounding environment. Minimum luminance contrast values are determined based on changing lighting conditions within buildings, where artificial and natural light interact, as well as in outdoor settings, where daylight fluctuates throughout the day and across seasons. In most cases, individuals with little or no colour vision can still detect luminance contrasts, even if they cannot perceive colour. Colours at the warm end of the spectrum (yellow, orange, bright red, etc.) are easier to recognize than those at the cool end. See Clause [10.4](#) for more information on colour combinations.

10.2.1 General requirements

Luminance contrast design shall:

- a) enhance wayfinding by also clearly defining junctions between walls and floors, doorway recesses and corridor intersections using distinct boundary materials such as carpeting or floor tiles;
- b) serve as a safety measure to define edges or boundaries of objects, such as stair nosings, doors, and handrails;
- c) visually distinguish important architectural features, such as elevators and exit doors, from their immediate environment;
- d) define the boundaries of a room, such as where the wall meets the floor, using colour or tone;

- e) ensure that baseboards in monochromatic environments are contrasted with the wall and floor colours, to provide boundary definition;
- f) be applied consistently to visually identify distinctive objects and important architectural features, such as exit doors and elevators;
- g) include regular maintenance program for both indoor and outdoor environments, to ensure the necessary luminance contrast is preserved throughout the building or outdoor space or facility lifecycle especially for safety-related floor markings such as stair nosing;
- h) not use colours that are close to or identical to those used for regulatory, safety or emergency signage for other types of signage for both indoor and outdoor environments; and
- i) meet the minimum luminance contrast values as those in Table [1](#) (for requirements for glossy or shiny materials see Clause [10.2.2](#) and Table [2](#)).

Note: These are minimum contrast values, higher values are often used to improve the lighting conditions such as when the lighting conditions may at times be low.

Unless specified as outdoor luminance contrast design, such as requirements g) and h), the requirements above shall only pertain to indoor built environments.

Table 1 — Minimum luminance contrast values for matte surfaces according to the visual task

(See Clauses [10.2.1 i\)](#) and [10.2.2 a\) i\)](#))

This table provides the required values of minimum light reflectance value (LRV), Michelson contrast, and Weber contrast for different visual tasks on a matte surface.

Visual task on matte surface by surface type	Minimum LRV* of the lighter surface	Michelson contrast Cm (%)	Weber contrast Cw (%)
Large surface areas, and elements and components to facilitate orientation [†]	≥40	≥30	≥45
Potential hazards, small items, and self-contrasting markings [‡]	≥50	≥60	≥75
Text information [§]	≥70	≥60	≥75

* LRV: The light reflectance value LRV, or CIE Y-value, is expressed on a scale of 0 to 100, with a value of 0 points for pure black and a value of 100 points for pure white.

†: Examples of large surface areas and components to facilitate orientation include, but are not limited to walls, floors, doors, ceiling, handrails, furniture, tactile walking surface indicators, and visual indicators on glazed areas.

‡: Examples of potential hazards, small items, and self-contrasting markings include, but are not limited to visual indicator on steps, glazed areas, switches, and controls.

§: An example of text information is signage.

10.2.2 Luminance contrast of glossy materials

An individual's viewing angle, combined with the placement of light sources and the luminance of reflected objects such as clothing, walls, lighting fixtures, or nearby surfaces, affects the luminance of a glossy surface. These reflections can lead to a decrease in luminance contrast.

Typically, luminance contrast is achieved through the visual distinction between an element and its surrounding surface. For instance, a spherical element reflects light differently from different sides creating high and low luminance surfaces.

- a) The luminance contrast of glossy materials shall:
 - i) meet the luminance contrast requirements specified in [Table 1](#) when applied to rounded elements in buildings, such as tactile inscriptions, door handles, or handrails for wayfinding (see also [Clause 10.2.1](#));
 - ii) have a threshold greater than that for non-reflective materials when used as reflective material on key surfaces (see [Table 2](#)); and
 - iii) follow the specifications outlined under “For brushed metals” in [Table 2](#), when brushed metal is used.
- b) Potential hazards shall not be marked using visual indicators made from highly glossy materials.

Note: Backlit signs ensure sufficient luminance contrast against surrounding surfaces made of brushed metal, such as control buttons.

Table 2 — Minimum luminance contrast values for glossy surfaces according to the visual task

(See Clause [10.2.1 i\)](#))

This table provides the required values of minimum light reflectance value (LRV), Michelson contrast, and Weber contrast for large and small areas of a brushed metal surface.

Visual task on brushed metal surface by surface type	Minimum LRV* of the lighter surface	Michelson contrast Cm (%)	Weber contrast Cw (%)
Large surface areas, and elements and components to facilitate orientation†	≥40	≥40	≥57
Small items necessary to enable use of building elements‡	≥70	≥70	≥82

* LRV: The light reflectance value LRV, or CIE Y-value, is expressed on a scale of 0 to 100, with a value of 0 points for pure black and a value of 100 points for pure white.

†: Examples of large surface areas and elements and components to facilitate orientation include, but are not limited to, walls, floors, doors, ceiling, base plates of controls, and tactile walking surface indicators.

‡: Examples of small items necessary to enable use of building elements include, but are not limited to, control buttons and inscriptions on controls.

10.3 Colour choice

If a feature of a building needs to stand out, the best way to accomplish this is to use bright colours that contrast with adjacent surfaces.

Colours shall:

- a) be utilized to assist in identifying doors, floors, or departments within a building and to support wayfinding;
- b) be bright or have a highly contrasting tone, or both to assist with wayfinding (e.g., if used as part of a signage band located on walls at eye level, this band makes it easier to follow than monolithic wall colouring, and can be the visual cue for other essential signs); and
- c) have high contrast with walls or doors to emphasize changes in direction, the end of corridors, or open areas at intersections, visually defining end walls or return walls in long corridors.

Note 1: When combining colours, darker shades from the outer edges of the spectrum (such as violet, blue, and red) should be paired with brighter hues from the central spectrum (such as yellow and green).

Note 2: Colour pairings such as red with green or blue with yellow should be avoided when their shades have comparable brightness or intensity.

Note 3: The following combinations should also be avoided: grey and blue, light green and navy blue.

Note 4: To establish contrast between blue and yellow or red and green, pairing dark blue with bright yellow or deep red with pale green is recommended, as these combinations are more distinguishable to the human eye compared to dark green with pale red or a strong yellow with light blue.

Note 5: Colours serve as an effective navigational aid, assisting in the recognition of floor levels or room functions. They enhance tactile and visual signage, such as displaying the number “3” to indicate the third floor.

10.4 Colour patterns

Patterns can cause difficulty with the interpretation of visual information. The information below provides guidance about the use of colour patterns.

Colour pattern selection shall:

- a) avoid heavy or distinct patterns on walls or floors since these can add visual confusion to settings for persons with limited vision;
- b) have simple, repetitive, non-directional patterns that feature monochromatic or low-colour contrast;
- c) be designed to minimize high luminance contrast between darker and lighter sections, ensuring a maximum contrast value of $C_m = 20\%$ ($C_w = 33\%$) for floor patterns; and
- d) avoid floor patterns with high luminance contrast, as they may create the illusion of height variations.

Note: Strong contrast in floor patterns can also contribute to vertigo in some individuals.

11 Wayfinding

11.1 General

Wayfinding is facilitated by well-designed indoor and outdoor environments that incorporate clear paths of travel, along with constructed and natural navigation cues such as edges, landmarks, signage, surface textures, lighting, and acoustics that can be detected through visual, tactile, and auditory means.

Wayfinding systems, including those used to identify landmarks and decision points, should present information that is easy to locate, read, and understand. Effective wayfinding enables individuals to:

- 1) understand the site conditions they may encounter;
- 2) know their position relative to other key locations;
- 3) orient themselves in an appropriate and safe direction; and
- 4) discover new destinations and services independently.

Wayfinding shall:

- a) support orientation through variations in acoustics, surface textures, lighting, and colour following the principle of multi-sensory accessibility, ensuring they are available in formats suitable for individuals with sensory impairments;
- b) provide supportive measures in combinations (i.e., audible and tactile; audible and visual);
- c) be supported through tactile direction indicators (TWSIs) in combination with audible, tactile and visual cues in large or highly complex buildings and extensive areas;
- d) indicate changes in direction when TWSIs are used in large or highly complex buildings and extensive areas;

- e) have detectable paths of travel with visual contrast against adjacent walls to facilitate navigation in large or highly complex buildings and extensive areas; and
- f) have paths of travel maintain a minimum luminance contrast with the surrounding environment, as outlined in Clause [10.2](#), in large or highly complex buildings and extensive areas.

Note 1: Wayfinding systems complement but do not replace the need for accessible customer service.

Note 2: Consider ambient noise levels, placement options, and identification of tactile information to assess whether visual information should be supported by audible and tactile elements.

Note 3: For ease of navigation and to help facilitate wayfinding have paths of travel that intersect at perpendicular angles whenever possible.

11.2 Obstacles

Decorative objects, trees, planters and other items are often placed along paths of travel. While it is important to beautify the environment to create an atmosphere, the information below will be helpful for establishing ways to achieve what is needed without endangering others.

11.2.1 Obstacles on paths of travel

Paths of travel shall:

- a) comply with CSA/ASC B651:23;
- b) not have wayfinding or signage elements obstruct the path of travel in accordance with CSA/ASC B651:23;
- c) have visually contrasting markings to highlight the presence of transparent obstacles, such as glass walls or panels; and

- d) have maintenance plans with provisions for the clearing and repair of all wayfinding and signage elements that are part of the space.

Note: Where protruding objects cannot be removed, they should be placed outside paths of travel or recessed so as not to reduce the width required for unobstructed passage for all persons.

11.2.2 Bollards in paths of travel

Bollards in paths of travel shall:

- a) be placed in accordance with CSA/ASC B651:23;
- b) have a height between 500 mm and 1200 mm to facilitate detection by pedestrians and motorists;
- c) have visual contrast markings in an upper position to be easily detected;
- d) avoid being placed in a triangular or U-shape arrangement as they present a barrier for wheeled mobility devices; and
- e) have a form of ground level detection, plinth or tapping rail when they are wider at the top than at ground level to allow detection.

Note 1: Bollards should have a consistent profile throughout their height from ground level.

Note 2: Where possible, bollards should not be linked with ropes or chains as this presents a hazard to pedestrians.

Note 3: Flexible bollards that can withstand low-speed vehicular impact and return to their original position may be considered near pedestrian crossings to enhance visibility and protect pedestrian zones, where fixed bollards are not feasible.

11.3 Walking surfaces of interior and exterior paths of travel

Interior paths of travel are used to navigate indoor environments in buildings, and large complexes. Exterior paths of travel are used to navigate pathways outside of a building.

Walking surfaces of interior and exterior paths of travel in the built environment shall:

- a) be firm, stable, slip resistant, and free of glare;
- b) avoid the use of busy patterns that can result in visual confusion and disorientation;
- c) use consistent floor surface texture to identify the same type of hazard; and
- d) support orientation and wayfinding at critical navigation points through additional illumination, increased visual contrast, and tactile elements, such as material changes (textural changes) or TWSI.

Note 1: Textural changes may be used to indicate non-hazardous features such as seating areas where TWSIs are not required. Textural changes can complement, but should not replace TWSIs where safety or accessibility compliance is required.

Note 2: In large open outdoor and indoor areas, different textured surfaces should differentiate paths of travel from adjacent areas.

11.3.1 Additional specifications for exterior paths of travel

Exterior paths of travel shall:

- a) for paved surfaces:
 - i) have pedestrian and cycling zones that are physically separated and cane-detectable;
 - ii) have a continuous clear visual and tactile detectable delineation between pedestrian and cycling zones, such as a 300 mm grass section for easy detection, or be on different levels such as the street and the sidewalk;
 - iii) incorporate distinctive surface materials, such as tiles, at intersections or key decision points in outdoor plazas to help users identify critical areas and make informed navigation choices;
 - iv) be simple and not interfere with orientation or safe street crossings when used in decorative crosswalks, including elements such as colour, design, imagery, texture, or material that enhance aesthetics beyond standard crosswalk treatments; and
 - v) include two white transverse lines bordering the crosswalk (for all crosswalks).
- b) for paved and unpaved surfaces:
 - i) include identification of the location and nature of the path(s) to the building at the entrance(s) to the site, from any parking space, and at decision points (intersections) within the site;
 - ii) provide a dedicated pedestrian pathway that is visually and tactilely separated from other modes of transportation, such as scooters and bicycles;

- iii) use contrasting colours for pathway edges against the surrounding landscape to support wayfinding (e.g., a light-coloured path against darker greenery allows individuals to better differentiate the route and follow it more easily);
- iv) feature high-contrast railings along pathways or near stairs to enhance visibility; and
- v) connect accessible parking spaces and drop-off zones that are connected to the accessible entrance.

Note 1: Avoid shared infrastructures, including cycling paths between access points to buses and public transportation, as they are not considered accessible.

Note 2: Architectural elements may be included to help maintain visibility of wayfinding and signage elements during different seasons.

Note 3: Decorative crosswalks should be avoided across roadways that have high volumes of traffic or a high percentage of truck traffic, or both, specifically, major and minor arterial roadways.

Note 4: Unpaved paths of travel should be separated from faster moving vehicles (e.g., scooters, bicycles, e-bikes, electric cars) to enhance the safety of people of all abilities.

11.4 Tactile Walking Surface Indicator (TWSI)

Note: This Standard uses the terminology “attention indicator” and “direction indicator” to align with other National Standards of Canada. International Standards may use different terminology such as “attention pattern” and “direction pattern.”

11.4.1 Design according to function

11.4.1.1 General requirements

TWSIs shall:

- a) be placed in areas lacking constructed or natural navigation cues;
- b) be arranged in a clear and structured sequence, with defined start and end points, marking intersections, decision points, or potential hazards along the way;
- c) be of enough depth in the direction of travel to provide adequate detectability and appropriate response by the users, such as stopping and turning;
- d) have their starting point well-defined and easily identifiable, aligning with constructed and natural navigation cues; and
- e) have a smooth adjacent walking surface of at least 600 mm wide.

Note 1: TWSIs are not to be used to compensate for inadequate design.

Note 2: TWSIs can additionally be installed independently to mark hazards or specific locations for individuals to navigate from one destination to another safely.

Note 3: TWSIs can be used to accommodate a range of accessibility requirements and support safe and independent navigation. TWSIs also allow users to orient themselves effectively at intersections and directional crosswalks.

Note 4: Smooth adjacent surfaces make TWSIs easier to detect and distinguish by foot or cane. To reduce confusion, paving joints or gaps should be minimized. Where unavoidable, such gaps should be limited in coverage and kept narrow and shallow to prevent interference with tactile cues.

11.4.1.2 TWSI detection

TWSIs shall:

- a) ensure detectability underfoot and with a long white cane;
- b) ensure clear differentiation between direction and attention indicators for individuals who rely on them for navigation;
- c) be placed adjacent to or surrounded by smooth surfaces to support effective detection; and
- d) feature a slip-resistant surface (see Annex [A](#)).

Note 1: Different slip resistances between the TWSI and adjacent surfaces should be avoided.

Note 2: A consistent pattern should be maintained for each type of TWSI in order to prevent confusion.

Note 3: The slip resistance of TWSIs should also respect the criteria presented for slip resistance of other surfaces in CAN-ASC-2.3 (draft).

11.4.2 Attention indicator surfaces

11.4.2.1 General

Attention indicators provide critical safety information to everyone at potentially dangerous locations. They may be used to indicate pedestrian crossings, curbs, railway platforms, stairways, ramps, escalators, moving walkways, and elevators to enhance safety and awareness.

Attention indicators shall:

- a) only be used to identify potential hazards or provide guidance at intersecting points in a path;
- b) be standard within a building, facility, site, or complex of buildings;
- c) be clearly differentiated from direction indicators; and

- d) extend across the full width of a path of travel and perpendicular to the direction of travel when approaching a hazard.

Note 1: It's important to provide consistent safety information so that people will recognize potentially dangerous situations in any location.

Note 2: In outdoor environments, cast iron is a durable material which doesn't create glare and provides contrast.

Note 3: In indoor environments, the use of carpet, changes in flooring or the use of different materials at intersecting corridors provides useful wayfinding information.

11.4.2.2 Location

Except when the location is protected by a guard complying with clause 6.16.4 of CAN-ASC-2.1 (draft), an attention indicator shall be at the following locations:

- a) Stairs and ramps:
 - i) at the tops of stairs and ramps;
 - ii) at landings where there is a door leading onto the landing; and
 - iii) at landings longer than 2,100 mm where there are no continuous handrails.

Note: When installed at the bottom of a ramp ensure that a proper setback is used so that wheeled mobility device users are not destabilized at the bottom of the ramp but detection of the ramp is still possible for other users requiring the warning.

- b) In outdoor spaces:
 - i) be continuous across the width of the stair with a maximum gap of 75 mm to the end of the tread;

- ii) have a depth between 600 mm and 650 mm, starting one tread depth from the edge of the stair; and
- iii) be provided at:
 - 1) each intermediate landing that has an entrance into a stair system;
 - 2) where the regular stairway pattern is broken; and
 - 3) where the run of the landing is greater than 2100 mm in length and does not have a continuous handrail.
- c) Paved and unprotected drop-off edge where:
 - i) the change in elevation is greater than 250 mm; or
 - ii) the slope is steeper than in a ratio of 1:3 (33%).
- d) Both sides of ground-level railway crossings.
- e) Exposed perimeters of reflecting pools and fountains.
- f) Curb ramps and depressed curbs.
- g) Access points to a vehicular pathway or zone where no curbs or physical barriers distinguish paths of travel from vehicle travel areas.
- h) Where there is a hazard.
 - i) Where there is a change in direction within a tactile guidance path using direction indicators.
 - j) Where an amenity is present along a tactile path to aid in identification.

Note: At changes in direction within direction indicators, attention indicators should be configured in a square pattern centered on the direction indicators, with each side of the square being 600 – 650 mm.

11.4.2.3 Placement

Attention indicators shall:

- a) span the entire width of the hazard, covering all approach directions when signalling a hazard, and be positioned at least 300 mm away from the hazard;
- b) be positioned 300 mm from the sidewalk edge when indicating a pedestrian crossing;
- c) be installed at a 90° angle to the travel direction while extending across the full width of the crossing;
- d) be positioned 300 mm away from the curb edge when used to mark at-grade curbs separating sidewalks from vehicle lanes;
- e) be placed at the top landing in buildings where a staircase is located in an open space; and
- f) be arranged to ensure clear visibility of the first and last steps when used at stair landings to avoid any visual confusion.

Note: To reduce the likelihood of tripping or stumbling, stair flights and landings made of different materials should have similar frictional properties.

11.4.2.4 Luminance contrast

Luminance contrast for attention indicator surfaces shall:

- a) have a difference in light reflectance or CIE Y-value with their immediate surrounding surface, greater than 30 points for integrated units and greater than 40 points for discrete units, with a minimum reflectance value of the lighter surface of 50 points; and

- b) be achieved between the attention indicators and the surrounding area. If the required contrast cannot be attained, a continuous band of at least 100 mm wide with suitable contrast shall be placed adjacent to the attention indicators.

Note 1: Integrated units are single components that consist of domes, cones, or elongated bars formed together on a base surface or plate.

Note 2: Discrete units are independently installed tactile elements, such as domes, cones, or elongated bars, that are incorporated into ground or flooring surfaces as separate components.

Note 3: The effective area of the attention indicators should have a high visual contrast (see also Clause [10.1](#), [10.2](#) and [10.3](#)) with the immediate surrounding pedestrian surface in both wet and dry conditions.

11.4.2.5 Configuration

Configuration of attention indicators is important to ensure their effectiveness when in use.

11.4.2.5.1 Arrangements of a single plate

Attention indicators design shall:

- a) have truncated domes or cones positioned in a square grid pattern, either aligned parallel or set at a 45° angle to the primary direction of travel; and
- b) have edges bevelled or level with the surrounding surface (e.g., height of 3 mm or less) to avoid tripping.

Note: The diagonal configuration tends to be easier to detect for cane users.

11.4.2.5.2 Dome height

Truncated domes or cones shall have a height ranging between 4 to 5 mm.

Note: Truncated domes or cones are more noticeable when adjacent to smooth surfaces like rubber, plastic or metal rather than rougher materials such as manufactured paving stones or textured concrete.

11.4.2.5.3 Dome diameter

Truncated domes or cones shall:

- a) have a top diameter between 12 mm and 25 mm, as indicated in Table [3](#);
- b) have the bottom diameter 9 mm to 11 mm larger than the top diameter; and
- c) have an allowable variation in the top diameter that does not exceed ± 1 mm.

Note: A 12 mm top diameter is considered the most effective size for individuals to detect and differentiate through the soles of their shoes.

Table 3 — Dome diameter and spacing combinations

(See Clauses [11.4.2.5.3](#) and [11.4.2.5.4](#))

This table provides the top diameter, base diameter, and spacing requirements for flat-topped domes or cones.

Top diameter of flat-topped domes or cones (mm)	Base diameter of flat-topped domes or cones (mm)	Spacing between the centres of adjacent domes or cones (mm)
12	21 to 23	42 to 61
15	24 to 26	45 to 63
18	27 to 29	48 to 65
20	29 to 31	50 to 68
25	34 to 36	55 to 70

11.4.2.5.4 Dome spacing

Dome spacing shall have a minimum distance between the centre points of two neighbouring truncated domes or cones, whether aligned parallel or at a 45° diagonal angle to the travel direction, in accordance with the ranges specified in Table [3](#).

11.4.2.5.5 Dimensions of attention indicators

This Clause does not apply to railway platforms, where national laws, regulations, and standards take precedence.

Attention indicators shall:

- a) be installed cross the full width of the hazard when used as hazard indicators;
- b) have a depth between 600 mm and 650 mm, with one side aligned to the edge of the hazard; and

- c) have an increased depth to enhance detectability and allow for a longer stopping distance when no set-back is present.

11.4.3 Direction indicator surfaces

Before installing direction indicators, input from users should be obtained, and user testing should be completed. Consistency is paramount when installing these features. Direction indicator surfaces may be placed at transportation terminals and stations, as well as open spaces such as plazas or public spaces.

11.4.3.1 General

In large or open spaces, a tactile pathway or guiding line for navigation is required.

Direction indicators shall:

- a) be used to indicate directional orientation especially where no other clues in the built environment indicate the path to follow; and
- b) not rely on natural guiding patterns in areas where hazardous situations, such as driveways or vehicle entrances, are present.

Note 1: Direction indicators are recommended for safety and guidance in outdoor environments.

Note 2: The designated route should connect the entrance with all key locations throughout the premises, including but not limited to service desks, elevators, stairs, and escalators.

Note 3: An overuse of tactile direction indicator paths may lead to confusion. In a confined area, such as a lobby or transit facility, one or two paths should be sufficient.

Note 4: Some existing elements of the built or natural environment provide wayfinding clues so that Direction Indicator Surfaces may not be required. Examples include:

- 1) a wall adjacent to the sidewalk if it goes straight and there are no obstacles or other hazards;
- 2) a small wall, hedge, or curb (i.e., there are no acoustic cues and these elements may be detected only with a long white cane);
- 3) a covered walkway which provides acoustic wayfinding cues; and
- 4) corridors up to 3 m wide inside a building that are free of obstacles and provide acoustic cues. However, if the corridor includes rooms or offices open to the public, a tactile path and braille/tactile signage are essential.

11.4.3.2 Luminance contrast

Direction indicators shall:

- a) have a luminance-contrast of at least 50 % with the surrounding surface;
- b) have an adjoining continuous luminance contrast band at least 100 mm wide installed adjacent to it when the required contrast is not achievable; and
- c) not be yellow.

Note: Direction indicators are not yellow to differentiate from attention indicators.

11.4.3.3 Configuration

11.4.3.3.1 Arrangements

A direction indicator shall be constructed of parallel flat-topped elongated bars with a maximum end-to-end spacing of 30 mm that extend in the direction of travel.

11.4.3.3.2 Height of bars

Flat-topped elongated bars shall have a height between 4 mm and 5 mm.

Note 1: In indoor settings with highly smooth surfaces, a height of at least 4 mm is recommended.

Note 2: Flat-topped elongated bars are more easily detectable when placed adjacent to extremely smooth surfaces, such as plastic, metal, or rubber, compared to rougher materials like textured concrete or manufactured paving stones.

Note 3: Excessive height beyond the required level for effective detectability may increase the risk of tripping.

11.4.3.3.3 Length of bars

Flat-topped elongated bars shall:

- a) have a top length of more than 270 mm with the bottom length extending an additional 9 mm to 11 mm beyond the top; and
- b) have a drainage gap between 10 mm and 30 mm to allow proper water flow if there is risk for water build up between them.

11.4.3.3.4 Bar width

Flat-topped elongated bars shall:

- a) have their top width range between 17 mm and 30 mm as detailed in Table 4; and
- b) have their bottom width 9 mm to 11 mm larger than the top width.

Note: A 17 mm top width is considered the most effective dimension for individuals to detect and differentiate using the soles of their shoes.

Table 4 — Flat-topped elongated bar width and spacing combinations

(See Clauses [11.4.3.3.4](#) and [11.4.3.3.5](#))

This table provides the top width, base width, and spacing requirements for flat-topped elongated bars.

Top width of flat-topped elongated bars (mm)	Base width of flat-topped elongated bars (mm)	Spacing between the centrelines of adjacent flat-topped elongated bars (mm)
17	26 to 28	57 to 78
20	29 to 31	60 to 80
25	34 to 36	65 to 83
30	39 to 41	70 to 85

11.4.3.3.5 Bar spacing

Bar spacing is the measured distance between the centrelines of adjacent flat-topped, elongated bars.

The bar spacing shall:

- a) correspond to the top width, as specified in Table [4](#); and
- b) have a top width tolerance of ± 1 mm.

11.4.3.3.6 Width of pattern

The width of a direction indicator shall:

- a) be between 250 and 300 mm when installed to a defined route; and
- b) if installed across a path of travel as an indicator of a facility or changing diverging route:
 - i) be between 600 and 650 mm; and

- ii) have the elongated bars running in the direction toward the facility or changing route.

12 Signage

12.1 General

Signage is a critical part of making buildings, structures and designed spaces coherent, functional and safe for all users. This includes employees, visitors and first responders. Signage provides direction at key decision points along natural paths of travel and works in concert with natural features of architecture, structures, lighting, and sound. Signage combines a variety of cues including common terminology, symbols, colour, and tactile features to help persons of all abilities navigate these spaces efficiently — whether locating rooms, services, amenities or emergency features.

Signage shall:

- a) be installed in a consistent placement to create predictability for the user;
- b) when it is directional signage, lead people all the way to their destination and back without feeling lost, even when they are unfamiliar with an environment;
- c) include tactile text, graphical symbols, pictograms, and braille when installed within lateral reach or frontal reach;
- d) be low glare and provide high contrast;
- e) not be obstructed;
- f) use the symbol of access where it is necessary to identify a specific barrier-free route, or amenity designed to meet the needs of specific people;
- g) have the text and braille associated with the symbol of access indicate that the route or amenity is accessible;

- h) have all audible and visual signs, including those provided for indoor or outdoor mapping tested by people who will use them to confirm usability and clarity; and
- i) be properly maintained.

Note: Signs should be easy to read and intuitive to the user. Use of plain language and recognized graphical symbols are encouraged. The following two standards provide useful methods for testing comprehension and perceptual quality:

- 1) ISO 9186-1:2014 Graphical symbols — Test methods — Part 1: and Method for testing comprehensibility
- 2) ISO 9186-2:2008(2024) -Graphical symbols — Test methods — Part 2: Method for testing perceptual quality

12.2 Types of signage

Signs are used in a wide range of indoor and outdoor environments.

The categories below describe different types of signage and their associated accessibility requirements to support independent navigation, orientation, information access, and safety for all users, including persons with disabilities.

Signs shall:

- a) be in an accessible format for the types of signage identified in Clauses [12.2.1](#), [12.2.2](#), [12.2.3](#), [12.2.4](#), [12.2.5](#), [12.2.6](#), and [12.2.7](#).

12.2.1 Orientation Signs

Orientation signs provide assistance to people in navigating the facility or environment they are in.

Note 1: Examples of orientation signs include maps, sketches, models, and directional signs for elevators and washrooms.

Note 2: Examples specific to outdoor environments trailhead orientation panels, park entrance directories, and “you are here” maps located at trail junctions or large open sites. Directional signs that convey directional guidance from one location to another, conventionally incorporating arrow symbols to fulfill their function.

12.2.2 Identification signs

Identification signs provide general orientation or specific information.

Note 1: Examples of Identification signs include signage for buildings, washrooms, egress, stairwells, doorways, or offices.

Note 2: Examples specific to outdoor environments campsite number signs, cabin or yurt identifiers, accessible beach or picnic shelter identification signs.

12.2.3 Regulatory signs

Regulatory signs that denote forbidden actions (Prohibition Signs), or a mandatory action (Mandatory Signs).

Note 1: Examples of prohibition signs include no entry sign, no stopping sign, no smoking sign, no open fires, no off-leash pets, no swimming.

Note 2: Examples of mandatory signs include dismount bikes sign, keep right sign, keep clear sign, stay on marked trail.

12.2.4 Warning and danger signs

- 1) Warning signs denote a potential hazard.
- 2) Danger signs denote a definite hazard.

Note 1: Examples of Warning signs include radioactivity warning sign, emergency exit sign, area of refuge sign; Caution: floor slippery when wet, crane overhead; Danger: flammable material, poison substance, electric hazard

Note 2: Examples specific to outdoor environments wildlife warnings (e.g., bear in area), steep slope or falling rock alerts, trail closure due to flooding or storm damage.

12.2.5 Information signs

Information signs deliver general, explanatory, or interpretive information in addition to other types of signs.

Note: Examples of Information signs include hours of operation, instructions for accessing a room, interpretive content related to public art, educational panels in parks, heritage descriptions.

12.2.6 Temporary signs

Temporary signs convey safety information, directional guidance, or essential event-related information, including construction notices, temporary closures, detour routes, and event-related information necessary for navigation or participation.

Note 1: Examples of Temporary signs include construction zones, temporary washroom closure, wet floor, detour signage for an outdoor festival.

Note 2: Signs not related to safety, wayfinding, or essential access, such as decorative displays or informal community notices (e.g. bake sales), should follow best practices for legibility and placement, but accessibility requirements are not mandatory.

12.2.7 Parking Signs

Parking signs provide information about parking directions, instructions, etc. in a parking facility. This type of sign is exclusively to be read by motorists.

Note: Refer to other sign types for signs that are not exclusively designed for motorists in a parking facility, such as signage designed for pedestrians.

12.2.8 Requirements for different types of signage

Signage shall:

- a) for signs intended to be read by pedestrians, include tactile characters and braille in:
 - i) identification signs
 - ii) mandatory signs; and
 - iii) warning signs; and
- b) be installed close to the designated area where information is needed as information signs. For example, hours of operation may be installed on the non-operational door swing when possible;
- c) for any vertical sign:
 - i) not create an obstruction within the path of travel;
 - ii) when installed outdoors, be placed in a location that does not intrude into the path of travel; and
 - iii) maintain at least 70% luminance contrast with its surrounding environment, including mounting elements such as the pole;

Note: Examples include signs denoting parking types or accessibility parking stalls and signs for parking payment instructions.

- d) be cane-detectable, stable and fixed securely for temporary signs;
- e) for a designated accessible parking space:
 - i) be identified by a vertically mounted sign that:
 - 1) is at least 300 mm wide by 450 mm high;
 - 2) has the centre of the sign between 1500 and 2000 mm from the ground; and
 - 3) incorporates the International Symbol of Access; and
 - ii) when paved, have the International Symbol of Access painted on the pavement that is:
 - 1) at least 1000 mm long; and
 - 2) luminance (colour) contrasted with the background pavement by at least 70%; and
- f) for digital or electronic signage ensure compliance with Clause [12.11](#), including requirements for visual clarity, accessibility of audio content, screen contrast, and non-flashing elements.

12.2.9 Signs for outdoor spaces

Trailhead signs in outdoor spaces shall be provided at the start of trails and wherever trail conditions change significantly and include:

- a) length or distance of the trail or trail segment;
- b) maximum and typical running slope and cross slope;
- c) surface type, firmness, and stability;
- d) presence of any obstacles (including stairs) or hazards; and

- e) minimum and typical trail width.

Note 1: The location of amenities (if present) should also be provided.

Note 2: A significant change in trail conditions includes but is not limited to large changes in incline, slope direction, type of ground cover, trail width, or the frequency or size of trail obstacles.

Note 3: Trail maps may be used to show alternate routes, where available.

12.3 Quality of information

Information provided by signs shall:

- a) be concise and written using direct and plain language;
- b) avoid the use of jargon, acronyms, and abbreviations; and
- c) include alternative communication methods, i.e., an audible technology, braille booklet or similar alternate format where there is an established need.

Note 1: When a sign contains more than one language, each language should be presented on the same sign in a side-by-side format. When space does not allow for side-by-side format, one language may appear above the other which is known as over-under format. Whether side-by-side or over-under format, both languages should be presented equally in all respects, including size, font, colour, prominence, and respect for conventions and grammar.

Note 2: Motion sensors or QR codes that trigger an audio recording of the information and other technologies that automatically read aloud text are examples of valid options that may be used.

12.4 Configuration

Sign configuration pertains to the physical properties, presentation, and design of signs.

Signs shall:

- a) have surfaces, including raised and background surfaces, with very low reflection and glare, not exceeding 50 gloss units, except where retroreflective finishes are required for safety or operational purposes (e.g., signs used in low-light conditions on trails, emergency signage, or vehicular access areas);

Note 1: Sign surfaces should generally be matte or low-sheen to prevent glare from sunlight or artificial lighting. Retroreflective sign faces are typically used only where increased visibility at night or in remote areas is necessary, such as at unlit trailheads or in emergency situations.

Note 2: A gloss unit is defined as a numerical value used to represent the level of gloss or shine observed on a surface when light is reflected from it.

- b) where required to be illuminated, have an illumination level on the surface of at least 200 lx, measured uniformly across the sign face to ensure visibility and legibility in low-light conditions;
- c) be mounted to surfaces with a matte or non-reflective finish to minimize glare and support legibility, except where retroreflective mounting surfaces are required for safety or operational purposes (e.g., trail marker posts in remote areas, roadside signage, or emergency access points);

Note: In most outdoor settings, signs should be mounted to materials such as matte-coated metal, wood, or powder-coated aluminum posts. Retroreflective mounting is typically reserved for vehicular signs or remote locations where visibility at night is critical.

- d) be produced using materials that are durable and resistant to wear or vandalism (see also Clause [12.7.1](#));

Note: Materials should be selected based on environmental conditions and anticipated public interaction. Outdoor and high-traffic areas may require UV-resistant, weatherproof, or anti-graffiti finishes and tamper-proof mounting systems.

- e) be applied (attached, secured, mounted, adhered) using materials that are durable and resistant to wear or vandalism (see also Clause [12.7.1](#));
- f) be consistently illuminated and free of shadows across their entire surface in indoor environments and exterior locations where controlled lighting is feasible;
- g) in outdoor environments such as parks and trails, where full avoidance of shadows may not be feasible:
 - i) use high-contrast designs with matte finishes to reduce glare; and
 - ii) where required by jurisdiction or operational policy, include retroreflective elements to enhance visibility in low-light conditions;

Note: In federally administered sites, all exterior signage (including pedestrian and vehicular signs) may be required to be retroreflective to ensure visibility in low-light conditions. Where such jurisdictional or operational policies exist, those supersede the general guidance provided in this clause.

- h) have all text and braille left aligned and presented horizontally;
- i) maintain a uniform or consistent design throughout a facility for those providing equivalent information, ensuring consistency in shape, colour, composition, and position;
- j) have flat surfaces, not including tactile characters and braille;
- k) minimize clutter and visual confusion at installation points by combining multiple messages into a single sign where practicable;
- l) have characters, symbols, and backgrounds with an eggshell, matte, or other low glare finish;
- m) have characters, pictograms, and symbols be luminance (colour) contrasted by at least 70% with their background; and
- n) have letters and numbers that:
 - i) are sans serif font;
 - ii) use Arabic numerals;
 - iii) have a width-to-height ratio between 3:5 and 1:1;
 - iv) have a stroke width-to-height ratio between 1:5 and 1:10;
 - v) have the character height sized relative to the intended viewing distance, in accordance with CSA/ASC B651:23, clause 4.6.3, table 7;
 - vi) are measured using the height of an uppercase “X” when determining character size;
 - vii) use a mix of uppercase and lowercase letters (i.e., not appear in all-caps);
 - viii) do not use italics font; and
 - ix) present spacing between lines of text at least 25% to 30% of the point size.

Note 1: In such cases the messages should be prioritized in order of importance to the general viewer.

Note 2: In exterior environments, glare and shadowing may result from natural lighting conditions. Where consistent illumination cannot be maintained, the use of low-glare, high-contrast, and retroreflective materials are recommended.

Note 3: The character heights provided in this Standard are based on minimum values from CSA/ASC B651:23. Designers should consider whether larger character sizes are appropriate in their respective outdoor environments, particularly where increased viewing distances, lighting variability, or complex surroundings may affect legibility.

12.5 Colour contrast

The following information supplements the requirements outlined in [Clause 10](#).

Signs shall:

- a) not incorporate colours that are used for regulatory and emergency signs unless they bear a regulatory or emergency message. These colours include, but are not limited to: red, yellow, blue and green;
- b) be highly contrasting with the surface and the background on which they are mounted;
- c) incorporate pronounced low glare colour contrast to ensure legibility under typical indoor and outdoor lighting conditions;
- d) where retroreflective materials are used for outdoor signage, maintain effective contrast in both natural and low-light conditions without causing excessive glare that impairs readability; and

- e) be luminance (colour) contrasted by at least 70% with its background.

Note 1: For signs, the most visible colours are white or yellow on a black, charcoal or other dark background, such as brown, dark blue, dark green or purple.

Note 2: Black lettering on white is also acceptable, although less readable than the reverse. See Clause [10.2](#) for additional colour contrast information.

12.6 Installation

Installation is an important aspect of ensuring a sign is at an appropriate location for the users.

Permanent and temporary sign installation shall:

- a) comply with Clause [11.2](#); and
- b) be cane-detectable if they are free-standing.

12.6.1 Location of signs

Signs shall:

- a) for signs meant to be read looking down (i.e., mounted on a standalone pole either parallel or angled to the ground), be located between 730 mm to 860 mm above the ground to allow viewing from a seated position;
- b) for outdoor toilet facilities (e.g., portable toilets, outhouses):
 - i) be mounted on the exterior wall beside the entrance door, where feasible.

- ii) where such placement is not possible due to limited wall space, be mounted in the centre of the door with a centreline at 1500 mm above the ground, provided the sign does not protrude or pose a hazard. In this case, the International Symbol of Access shall be mounted below the sign, with its centreline at 1350 mm above the ground.

Note: Mounting tactile and Braille signage directly on doors is not recommended due to potential safety risks when doors are in use. Where no adjacent mounting surface is available (e.g. portable toilet enclosures), door-mounted signage may be used as a last resort. In such cases, ensure the door swings inward, and the sign is mounted flush with minimal projection. If feasible, consider supplementary tactile cues near the approach area to assist with locating the sign.

- c) be installed on the latch side of the door for wall-mounted room identification signs (see also Clause [12.7.3](#));
- d) be located 1500 mm +/- 50 mm from the floor when they are visual and do not contain tactile or braille elements;
- e) be installed at a height of 1150 mm to 1250 mm above the floor for those required to include tactile and braille elements (see Clause [12.2](#) and [12.7](#)) in addition to visual (graphical or pictogram) elements, with the lowest tail of the tactile element starting at 1150 mm and the top end not exceeding 1550 mm;

Note 1: They should be easy to locate and consistently placed in predictable locations across a given campus, facility, or building.

Note 2: See Clauses [12.7.1](#) and [12.7.3](#) for additional requirements for tactile signs.

Note 3: An exception may be made for signs specifically designed for children, where the installation height requirements may be lowered.

- f) include allowances for lowered placement in settings where the building users, such as children, are expected to require a lower sign;
- g) be cane-detectable for A-frame signs (see Clause [11.2.1](#));
- h) be cane-detectable for any signs mounted on posts (see Clause [11.2.1](#));
- i) be located at key decision points along a path of travel for directional signs;
- j) follow a logical sequence, giving users reference points to destinations for directional signs; and
- k) be placed securely so that they do not pose a safety hazard or are an obstruction for ground-mounted signs.

Note: Consistent location of signage in outdoor environments enables a person to anticipate where and when signage can be found. If adhering to these requirements is not feasible in an outdoor environment, a consistent tactile information system (e.g., change in surface texture) could be implemented to identify signage locations. For example, at trail intersections the signage can be in advance of the intersection, located to the right at a fixed height above the ground.

12.6.2 Overhead signs

Overhead signs shall:

- a) be installed with a minimum overhead clearance of 2,050 mm from the finished floor for blade or suspended signs;

- b) not be required to have tactile features if installed out of physical reach (e.g., ceiling-mounted). However, a separate sign containing the message in raised text and braille shall be installed within the reachable tactile zone complying with Clause [12.7.2](#) and [12.7.3](#);
- c) be mounted at consistent locations throughout the building and be viewable from a comfortable viewing distance; and
- d) be visible and clear of obstruction for blade or suspended signage.

Note: In crowded areas, blade or suspended signs should be considered to ensure the message is visible from a distance.

12.6.3 Stairs

Note 1: Information signs should be placed in stairwells to identify all entry and exit points.

Note 2: Floor numbers should be displayed on each level at both the top and bottom of staircases, as well as on handrails.

12.7 Tactile signs

Tactile signs are signs installed within functional reach (lateral reach and frontal reach), that provide all information in visual and tactile formats. These tactile elements include raised letters and braille and may also include specific symbols or pictograms. Tactile signs are soft to the touch and can be traced by users with their fingers.

12.7.1 Tactile sign design and build elements

Tactile signs shall:

- a) have rounded corners, edges that are smooth to the touch, and be free from rough or abrasive elements;

- b) be approachable within 100 mm without encountering protruding objects or standing within a door swing;
- c) include an alternative communication method, such as audible technology, braille or large print booklets, or other digital assistive technologies, when containing large amounts of information, particularly in high-traffic areas or when the sign's location makes providing tactile elements impractical or unsafe;
- d) be produced using materials that are durable and resistant to wear or vandalism; and
- e) be applied (attached, secured, mounted, adhered) using materials that are durable and resistant to wear or vandalism.

Note 1: Information that may change frequently is not required to be tactile.

Note 2: In some cases, signs that include variable messages may display tactile elements for the permanent portion of the sign message.

Note 3: Variable information may be presented in an alternate accessible format where appropriate.

12.7.2 Tactile signs at doors—location and mounting

Tactile signage at doors shall:

- a) where there are double doors, be installed at a consistent location on either side of the doorway;
- b) where the wall space is not sufficient, be installed on the nearest adjacent wall;
- c) not be mounted on the door itself to reduce the collision hazard;
- d) be located on the wall on the latch side of doors or openings to ensure people can read it safely;

- e) be at a distance of 140 mm to 160 mm from the leading vertical edge of the door jamb; and
- f) have a clear wall area around the sign of 75 mm wide.

12.7.3 Tactile signs at eye-level

Eye-level can be interpreted differently depending upon the height of the individual or whether a person is sitting or standing. The requirements below attempt to provide guidance dependent upon different eye levels.

Tactile signs at eye-level shall:

- a) be located and installed in compliance with Clause [12.6.1](#);
- b) be reachable (frontal and lateral) from wheeled mobility devices (both manual and powered) when they are wall-mounted;
- c) include allowances for lowered placement in settings where the building users, such as children, are expected to require a lower sign;
- d) require a clear area of 820 mm x 1390 mm in front of the sign when it is wall mounted; and
- e) when installed on posts, be cane-detectable to comply with Clause [11.2.1](#)).

Note: Signage that is at eye level and tactile should be adjacent to the path of travel and installed within reach (600 mm max).

12.7.4 Tactile characters

Tactile characters shall:

- a) have a slight elevation above the background of the sign, measuring between 0.8 and 1.5 mm, including letters and numbers;

- b) have their height between 16 and 50 mm based on the height of the uppercase letter “X”;
- c) have spacing between the baselines of separate lines of characters within a message ranging from 135 percent to a maximum of 170 percent of the character height;
- d) have text that is sans serif font and use Arabic numerals and not be italic, oblique, script, highly decorative, or displayed in other unusual forms;
- e) have a width-to-height ratio between 3:5 and 1:1;
- f) use uppercase characters;
- g) follow print for braille and tactile characters;
- h) have gently rounded edges for text; and
- i) be accompanied by an equivalent description in braille for all raised text characters, pictograms, or symbols, including arrows on directional signs.

12.8 Braille

There are a number of signs that require braille. These include orientation signs, such as directories; directional signs, such as wall-mounted signs with arrows, and identification signs, such as washroom signs.

Braille shall:

- a) be the Unified English Braille (UEB) for English text;
- b) be the code braille français uniformisé for French text;
- c) accompany each language on bilingual and trilingual signs, ensuring that the corresponding braille is provided for each language;

Note: For further information, see the Accessible Signage Guidelines by Braille Literacy Canada.

- d) be included on all permanent signs installed within a lateral or frontal reach, along with tactile lettering;
 - i) The uncontracted braille shall correspond directly with the tactile lettering;
- e) be uncontracted on signs containing 10 words or fewer;
- f) be contracted on signs containing 10 words or more;
- g) have braille dots placed directly below the corresponding text;
- h) be placed below the entire text of the same language for multi-lined text; and
- i) use durable and smooth material.

Note: Poor material can lead to dots wearing off, changing the letters and affecting the meaning of the braille message.

12.8.1 Braille dots

Braille shall:

- a) have dots that are domed and provide:
 - i) a dot base diameter from 1.5 mm to 1.6 mm;
 - ii) a distance between two dots in the same cell from 2.3 mm to 2.5 mm;
 - iii) a distance between corresponding dots in adjacent cells from 6.1 mm to 7.6 mm;
 - iv) a dot height from 0.6 mm to 0.9 mm; and
 - v) a distance between corresponding dots from one cell directly below from 10 mm to 10.2 mm.

- b) be separated by a minimum of 9.5 mm from any other tactile characters and 9.5 mm from raised borders and decorative elements.

12.9 Pictograms and graphical symbols

Examples of pictograms include the symbol of access, used to illustrate that an amenity, space or path of travel is accessible. An arrow in the upwards position is a pictogram used to denote forward motion on a directional sign. A pictogram of a white cross on a green background communicates first aid.

Pictograms shall:

- a) when used on custom wayfinding signs, include:
 - i) pictograms adopted in Canadian standards publications;
 - ii) pictograms and graphical symbols published and registered by the International Standards Organization; and
 - iii) pictograms that have undergone a testing process;

Note: ISO 9186-1:2014 Graphical symbols—Test methods Part 1: Method for testing comprehensibility is the most commonly used test for comprehension of pictograms and symbols.

- b) adopt the International Pictogram Symbol of Access (ISO PI AC 001, also referred to as the International Symbol of Access) where applicable;

Note: As it is universally recognized, the International Pictogram Symbol of Access is not required to be accompanied by raised text. Positioning braille within the field is possible.

- c) have signs that include tactile characters and braille to clearly communicate the meaning of the pictogram they display;
- d) contrast with their fields, with either a light pictogram on a dark field or a dark pictogram on a light field (see Clause [12.5](#) for colour contrast information);
- e) have their symbols appear on a field and be sized to fill it with the following measurements:
 - i) the field to have a minimum height of 150 mm and be raised 0.8 mm – 1.5 mm from the surrounding surface; and
 - ii) the symbol positioned on the field at 0.8-1.5 mm from the surface of the field;
- f) have symbols that are without a differentiated field at a minimum height of 100 mm; and
- g) conform to the non-reflective and low-glare requirements set out in Clause [12.4](#).

12.10 Audible signs

12.10.1 General

Audible signs provide additional information typically found on print or braille/tactile signs. Depending on the situation, they can be spoken in real time or activated by a push of a button.

Audible signs shall:

- a) be loud enough to be easily heard, the volume may need to be increased depending upon the ambient noise level complying with Clause [12.10.3](#); and

Note: Ambient noise levels vary, so consideration must be given to the range that the ambient noise level will be. The intent is to ensure that the audible sign can be clearly heard at all times by the intended user.

- b) be functional during a power outage.

Note: An audio message may be used in addition to braille where practicable.

12.10.2 Usage of audible signs

Audible signs should be used to:

- a) convey safety information or warnings;
- b) identify emergency exits;
- c) indicate washrooms;
- d) identify major transit areas;
- e) identify major pedestrian crossings and hubs;
- f) provide information indicated on a building directory;
- g) identify reception and service areas; and
- h) indicate other important site features and amenities.

12.10.3 Audible signage performance

Audible information from audible signs shall:

- a) be clear and concise with a sound level from 60 to 90 decibels;
- b) be complemented by vibration for intercom systems to allow individuals to access buildings independently; and
- c) be provided when visual displays are used to present information.

12.10.4 Activation of audible signs

Activation of audible signs shall:

- a) be automatic when audible information is transmitted in a public area with high traffic; and
- b) allow users to readily activate them when set to silent if they are not located in a high-traffic public area.

Note 1: Automatic activation is preferred, particularly when the button to activate the audible information is difficult to locate or the information must be provided quickly.

Note 2: Audible signs may be fitted with an audio input jack or provide Bluetooth connectivity to restrict ambient noise in the environment if appropriate.

12.10.5 Elevators

Audible signs in elevators shall use voice prompts to indicate:

- a) if the doors are open or closed;
- b) whether the elevator is going up or down; and
- c) on what floor the elevator has stopped.

12.11 Electronic and digital signage

12.11.1 General

Electronic and digital signage falls into two categories:

- 1) Light Emitting Diode (LED) technologies that form letters and shapes via patterns of light-electrified dots.

- 2) Refreshable display technologies, such as plasma and LCD that are used for dynamic visual output.

The lighting and formation of electronic and digital signage help increase its visibility, making it easily noticeable in various lighting conditions. Lighting also allows a sign to be viewed from a distance, which makes electronic signs more effective.

Electronic and digital signage shall:

- a) allow sufficient time for viewers to view the message complying with Clause [12.11.7](#);
- b) be tested by people with various abilities to find the right amount of time needed;
- c) not present information in a scrolling or animated format;
- d) provide high colour contrast for the text and background; and
- e) have low-glare and low-reflection displays and protective screens.

12.11.2 Usage

Electronic signs are mainly used where the information lasts for a long time and does not change, such as in a pedestrian walk signal, public facility schedule, or a directional symbol for wayfinding.

Digital signage is mostly used where the message can be changed, such as: digital signage units for next-customer alert systems at kiosks and airport departure and arrival schedules.

Electronic and digital signage displays more information than can be displayed on a fixed screen, such as the screen on a building directory.

Electronic and digital signage use shall accomplish the same functions as traditional signs by displaying content that clearly conveys the message regardless of what is being displayed.

12.11.3 Design and installation

The screen size of the unit and the size of the chassis, the accessible controls, feedback confirmation for actions like pressing buttons, and easy maintenance and repair are crucial for accessibility.

Electronic and digital signage design and installation shall:

- a) account for:
 - i) noise level and time-of-day traffic considerations;
 - ii) proximity to reflections by ambient lighting;
 - iii) proximity to reflective acoustic surfaces;
 - iv) proximity to physical obstacles to access within the built indoor or outdoor environment;
 - v) direct placement in the path of sunlight; and
 - vi) installation considerations for indoor built environments (i.e., lighting and visual contrast).
- b) include features that allow remote activation and programming to adapt to changing circumstances, such as next stop alert systems on transit vehicles and queuing wait times at customer service hubs.

12.11.4 Illumination

Electronic and digital signage illumination design shall:

- a) favour models that allow for video brightness settings to be adjusted automatically according to local light conditions over those that have a pre-determined schedule, or which are user-defined;

- b) include a backlight feature to increase contrast and visibility in low-light conditions or in areas with high ambient lighting; and
- c) favour display technologies such as LED displays that economize on electricity consumption.

Note 1: Factors such as the display size, the expected hours of operation, and pixel pitch are considered to help determine and lower energy consumption.

Note 2: Pixel pitch is the relative proximity of the light pixels that make up a LED display. Pixel pitch will dictate the best viewing distance when accessing on-screen information.

12.11.5 Reflectivity and clear visibility

Signs shall:

- a) have protective coatings or lenses installed on the display surfaces of electronic and digital signs, whether used indoors or outdoors, to promote durability, protect against impact, minimize the impact of weathering, and ensure clear visibility and perception in varying lighting and environmental conditions; and
- b) use non-reflective matte screen finishes on electronic signs to display content with reduced glare and reflectivity.

12.11.6 Colour factors

Electronic and digital signage shall:

- a) avoid black backgrounds when placing LED-driven signage in the direct path of sunlight and instead use lighter backgrounds, to maintain the required ratios, indicated in this Clause;

- b) achieve a contrast ratio of at least 4.5:1 for regular text and a ratio of 3:1 for large text when determining background and text colours;

Note: Large text is defined as having a point size of 18 points or 14 points bold and larger, while regular text is consistent with font sizes usually found in body text.

- c) ensure that chosen colour combinations for text and background are tested for minimum contrast using a credible digital colour contrast analyzer;

Note: See Clauses [10.2](#) and [12.5](#) for further information on colour contrast.

- d) favour solid backgrounds over gradient or pattern-based backgrounds to prevent confusion and reading difficulties; and
- e) avoid using colour as the sole means of communicating messaging.

12.11.7 Messaging

Consider how a person who obtains information through alternate methods like audio or tactile means can receive the same messaging easily. Some alternatives include accessible/inclusive seating, simultaneous audio presentation of the message, messaging available via audio by pressing a button or through a pre-recorded message via phone.

Messaging shall:

- a) avoid scrolling text and motion in displayed content;
- b) be timed appropriately for electronic and digital signage, ensuring that the speed of changing messages allows for a best viewing time of 10 to 15 seconds per screen, based on a grade 8 reading level; and

- c) display information in multiple languages by presenting the complete message in one language before transitioning to additional languages.

12.11.8 Animations, flashing elements and graphics

To reduce the possibility of harm to viewers and to promote a clear and comfortable reading experience across a wide public, the following shall be met:

- a) avoid flashing elements, text or backgrounds;
- b) reduce motion by avoiding the use of animated text, shapes or graphics; and
- c) do not include graphics that have no connection to the message.

12.11.9 Acoustics

Audible accessibility for digital and electronic signage shall:

- a) accompany signs that display text with the equivalent audible messaging that conforms to one or more of the following:
 - i) relay the message in real-time and in synchronicity with the messaging;
 - ii) relay information via digital audio recording by pressing a button, activating a sensor, scanning a QR code or picking up a telephone handset;
 - iii) offer acoustic alternatives for the display of complex messaging;
 - iv) when offering content with outputs to video and audio in real-time:

- 1) achieve synchronization of video and sound elements within +/- 25 milliseconds.
 - 2) present the audio messaging equivalent of displayed content to synchronize the speech output.
- v) meet the amplification requirements of Clause [12.10.2](#) and [12.10.3](#) to make it perceptible above the environmental noise levels that exist or occur;
- b) ensure that when digital signage presents simultaneous spoken dialogue and sound design such as music, the accompanying track is lowered by -10 to -20 dB SPL to prevent barriers to message perception;
- c) not use acoustics as the equivalent for relayed displayed content;
and
- d) not use sound effects to accentuate messaging.

Note: Providing a timbre and tone that is compatible across age demographics and accounts for the impact of hearing loss is good practice.

13 Maps (non-tactile)

13.1 General

Maps play a pivotal role in accessible wayfinding and signage, especially to understand and navigate complex environments. A wide range of map types, including location plans, guide maps, and navigation maps in printed and digital forms, serve distinct purposes and may require different or additional design standards.

In outdoor spaces, directories and wayfinding kiosks should indicate current location (i.e., “You Are Here”), details to help with orientation (e.g., north arrow, landmarks, buildings), distances, and accessibility conditions (i.e., gradient, surface conditions, widths, obstacles, and hazards).

13.2 Information displayed

The information displayed shall be based on a study and understanding of users' needs, including their location, language proficiency, and specific route requirements.

13.3 Design

Map design and readability shall:

- a) use cartographic design elements to enhance clarity and usability such as title/subtitle, neat lines, legend, and orientation indicators when appropriate;
- b) clearly communicate the key theme(s) of the map; and
- c) ensure that map elements contrast with the background, complying with Clause [10.2](#), [10.3](#), and [12.5](#).

13.4 Orientation

Orientation features, such as a north arrow or a “you are here” pin, shall be used to assist users in understanding the map's orientation and their current position.

13.5 Legend

Legends shall provide clear explanations of features on the map and be easily understandable.

13.6 Index

Maps shall include an index as part of the location plan or guide map to help users locate specific information.

13.7 Scale

The scale of the map shall:

- a) indicate distances required to reach facilities; and
- b) use scale bars or typical walking times to effectively convey this information.

13.8 Positioning

Map positioning shall:

- a) be placed where users are likely to expect them, such as near entrances or decision points;
- b) be easily visible and mounted so that the centreline is 1400 mm from floor level; and
- c) avoid creating physical hazards in their placement.

13.9 Commercial elements

When maps are associated with advertising, commercial elements shall not interfere with users' ability to comprehend and utilize the map effectively.

13.10 Construction and maintenance

Location plans shall:

- a) be constructed of durable materials, appropriate to their position and expected service life;
- b) be easy to clean, repair, and update, as and when required;
- c) undergo regular inspections to ensure they remain legible, conspicuous, comprehensible, and accurate; and
- d) be reviewed and revised as necessary whenever there is a change in the information within the area covered by the plan.

14 Annex A: Slip resistance measurement (informative)

The measurement of slip resistance for TWSIs has been evolving over the last 10 years. Currently there is no perfect solution. Slip resistance should be determined when manufactured, but also should be measured in situ at installation and over time. The location of a TWSI is affected by the conditions of use and environment which has made it difficult to come up with comparative method for all cases.

Currently the experts favour the use of EN 16165:2021-Determination of slip resistance of pedestrian surfaces—Methods of evaluation, which gives the option of 3 slip resistance test methods (oil wet ramp, wet barefoot ramp and pendulum).

The test methods in the EN 16165 standard are:

- Annex A (Normative) Barefoot ramp test
- Annex B (Normative) Shod ramp test
- Annex C (Normative) Pendulum test
- Annex D (Normative) Tribometer test

Of these the pendulum test is relevant to TWSIs, in particular, the following Clauses are considered key.

C.3.4 Flatness of the surface

If the measurement surface is not sufficiently flat, it will not be possible to carry out a reliable measurement. In that case, a different section of the surface should be measured or else a different sample should be selected that does comply with the flatness criterion.

The measurement surface should be rejected if the deviation from a straight line over the length of the surface exceeds 2.0 mm (concave or convex) or if the deviation from a straight line over the width of the surface exceeds 0.5 mm. This should be checked in the middle of the measurement surface with the help straight edges and a feeler gauge set over the appropriate length (135 mm) or width (80 mm).

C.6.10 On profiled surfacing values of Pendulum Test Value (PTV) will often be found to be dependent on the angle between the direction of the test and the direction of the main profile axis and several tests at different angles can be necessary in order to determine the minimum slip resistance offered by that surface. When setting the measurement length of 124 mm, it is important that the slider should start on the top of the profile – this can mean moving the instrument.

(C.6 deals specifically with making measurements on site, rather than in the laboratory.)

Additional considerations: Experts also consider the following Australian standards to be useful:

- AS 4586:2013 Slip Resistance Classification of New Pedestrian Surface Materials
- AS 4586 specifies the requirements and methods for the classification of slip resistance in new pedestrian surface materials. Testing methods relevant to this Standard include:
 - Wet Pendulum Test
 - Dry Floor Friction Test
 - Wet Barefoot Inclining Platform Test
 - Oil-Wet Inclining Platform Test
- AS 4663:2013— Slip Resistance Measurement of Existing Pedestrian Surfaces

- AS 4663:2013 specifies the requirements and methods for measuring the slip resistance of existing pedestrian surfaces. Testing methods relevant to this Standard include:
 - Wet Pendulum Test
 - Dry Floor Friction Test
- AS 4586:2013 and AS 4663:2013 include a definition of profiled surfaces: A surface with a designed raised geometrical pattern that provides volumetric displacement and specifies the test direction for our two types of indicators.

For additional information, see:

Australian Building Codes Board. 2020. Slip-resistance for stairways, landings and ramps, Advisory Note.

<https://www.abcb.gov.au/sites/default/files/resources/2020/Advisory-Note-Slip-Resistance.pdf>

15 Annex B: Bibliography (Informative)

Note: Research findings from Accessibility Standards Canada’s Advancing Accessibility Standards Research Grants and Contributions Program informed the background research and development of this Standard. Related research reports are listed in the Bibliography below.

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<https://www.sarnia.ca/app/uploads/2019/12/City-of-Ottawa-Accessibility-Facility-Design-Standards.pdf>

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<https://www.iso.org/standard/56797.html>

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Guidelines for the design and use of information index signs
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<https://www.iso.org/standard/57385.html>

ISO 17049:2013, Accessible design—Application of braille on signage,
equipment and appliances <https://www.iso.org/standard/58086.html>

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Requirements and recommendations
<https://www.iso.org/standard/72126.html>

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STAFF REPORT

To: Mayor & Council
Submitted by: Demetri Kachafanas, K.C., CAO
Date: June 23, 2026
Subject: Corporate Marks – Modernized Logo, Colour Palette and Brand Consistency

Recommendation

It is recommended that CBRM Council:

1. Approve a corporate mark modernization framework for CBRM that retains the Cape Breton sloop and interprets the eight historic maple leaves as an eight-point maple leaf structure within the municipality's routine corporate visual identity;
2. Authorize staff to implement the modernized corporate marks using the 30th anniversary colour palette, approved corporate typography, and brand standards for new and replacement materials, including future wayfinding and signage applications, while continuing to retain the municipal flag, arms, badge, and other heraldic emblems for official and ceremonial purposes.

Purpose

The purpose of this report is to seek Council approval to modernize CBRM's corporate marks, including the municipal logo and related applications, by retaining key historic elements of the existing identity while applying the 30th anniversary colour palette and current corporate brand standards across municipal materials. This is not intended to be a municipal rebranding strategy; rather, it is a practical approach to modernizing CBRM's routine corporate markings while continuing to respect and use the municipality's traditional and official symbols.

Scope of Report

This report does not recommend changing the legal name of the municipality, replacing CBRM's official heraldic emblems, discontinuing the municipal flag, or undertaking a full municipal rebranding strategy. It recommends a clear distinction between official symbols, which remain unchanged and continue to be used in appropriate ceremonial contexts, and corporate marks, which are used for routine administrative, communications, digital, signage, form, and public-facing purposes.

The decision before Council is therefore to approve the framework for modernized corporate marks and authorize staff to apply that framework consistently over time. If approved, the framework would also allow CBRM to align future signage, templates, forms, digital materials, and other municipal items with the modernized corporate identity as they are developed, replaced, reordered, or updated. This includes immediate use for new materials, replacement of legacy applications when materials are reordered or revised, and retirement of inconsistent versions through normal operational cycles without requiring a separate municipal rebranding exercise or immediate wholesale replacement program.

Background

CBRM's corporate marks appear across a wide range of public-facing and internal materials, including letterhead, envelopes, notices, forms, applications, business cards, signage, posters, municipal property, vehicles, decals, pins, recognition materials, utility materials, and other departmental logo variations. A review of current usage confirmed that the logo exists in multiple forms and applications, creating an opportunity to improve consistency and clarity across the organization.

The municipality's heraldic emblems were granted by the Canadian Heraldic Authority on April 16, 1997. The arms and badge include a Cape Breton sloop and eight maple leaves. The eight maple leaves recognize the eight incorporated municipalities that formed CBRM through amalgamation, while the sloop reflects a long-standing Cape Breton symbol associated with the Great Seal of Cape Breton. In the modernized corporate mark, these historic maple leaves are interpreted as an eight-point maple leaf structure, with the Cape Breton sloop retained as a recognizable design anchor. These elements remain important to CBRM's identity and should continue to be reflected in the corporate mark without replacing the official heraldic emblems.

The intent is to carry it forward through a contemporary, accessible, and practical visual system. Retaining the eight-point maple leaf structure and Cape Breton sloop acknowledges the municipality's history as a community of communities, while the updated colour palette and corporate markings support a modern and unified presentation.

This approach is consistent with practices used by other municipalities that distinguish between corporate brand applications and official heraldic symbols. Halifax, for example, has adopted an official HALIFAX brand for administrative and public-facing purposes while also retaining its corporate coat of arms, official flag, shield, and badge for official municipal use. Municipalities can maintain official heraldic symbols while also using a distinct corporate mark for routine communications.

Corporate Mark and Anniversary Application

For the purpose of this report, the 30th anniversary symbols include the updated corporate mark applications, the eight-point maple leaf structure, the Cape Breton sloop, and the associated colour palette of dark blue, bright blue, purple, cool grey, white, and black applications. These colours provide a stronger foundation for digital, print, signage, apparel, and public-facing materials than the current inconsistent use of legacy logo variations. The palette also supports accessibility and readability when applied with appropriate contrast, particularly through dark blue and white combinations for primary municipal communications.

While the updated symbols were developed in the context of CBRM's 30th anniversary, they provide a practical foundation for a longer-term corporate mark that can be used beyond the anniversary year.

The current brand reference materials identify Noto Sans as the corporate typeface and provide primary logo options for light backgrounds, dark backgrounds, and black-only use when the colour palette is not available. Formal approval of the modernized corporate marks will allow staff to apply these standards consistently, phase out outdated or inconsistent logo uses over time, and carry forward the 30th anniversary symbols into the future as part of a flexible and modern corporate identity.

The modernized corporate mark has also been trialled on the municipal website, providing an initial opportunity to assess resident-facing use in a digital environment. Informal feedback received to date has been generally positive, supporting the view that the updated mark can be used effectively while still maintaining continuity with CBRM's traditional features.

Implementation and Governance

Implementation would be phased and practical. The modernized corporate marks would be used immediately for new materials and would provide a consistent visual foundation for future wayfinding signage, public information signage, templates, forms, digital assets, notices, and other municipal communications. Existing materials would be updated as they are replaced, reordered, revised, or newly produced. Legacy and inconsistent applications would be retired over time through normal operational cycles. This approach avoids unnecessary waste and cost while establishing a clear standard for future municipal communications, forms, signage, public notices, digital assets, and branded materials. The municipal flag would continue to be retained and displayed in official spaces, while the modernized corporate marks would be deployed for everyday administrative, communications, promotional, and public-facing uses.

Corporate Information Services, in coordination with Communications and relevant departments, would maintain the approved corporate mark standards, provide approved files and templates, and support departments in applying the updated marks consistently. This governance approach will help prevent the re-emergence of multiple unofficial versions and will create a single point of reference for internal and external use.

Once approved, staff would apply the corporate mark standards administratively to new and replacement materials. The standards would be maintained as a living administrative resource and may be updated as needed to address new formats, platforms, accessibility requirements, and operational needs.

Financial Implications

No immediate additional budget allocation is requested through this report. The modernization of corporate marks can be implemented through existing communications, printing, signage, wayfinding, and operational budgets by updating materials as they are replaced, reordered, revised, or newly produced. Future costs associated with signage, vehicles, forms, templates, apparel, and other branded materials would be absorbed through existing approved budgets and normal replacement cycles. A phased approach will reduce waste, avoid the unnecessary disposal of existing inventory, and allow

departments to transition to the updated corporate marks in an orderly manner without requiring an immediate organization-wide replacement of existing materials.

Strategic Alignment / Accessibility Considerations

Modernizing CBRM's corporate marks supports municipal objectives related to transparency, public recognition, service consistency, accessibility, and modernization. A consistent corporate identity helps residents recognize official municipal communications and services across departments, facilities, forms, public notices, signage, and digital platforms. The updated colour palette and typography also support improved legibility and more accessible communication when applied with appropriate contrast, scalable digital versions, simplified approved files, plain-language templates, and consistent use of primary, reverse, and black-only versions.

Approved applications should be reviewed for contrast, legibility, and accessibility before use in signage, digital materials, public notices, templates, and other resident-facing materials.

Conclusion

CBRM's corporate marks are used throughout the organization and are one of the most visible ways residents identify municipal services. Modernizing the logo and related marks provides an opportunity to improve consistency, legibility, accessibility, and public recognition while respecting the municipality's history. This report does not recommend a full municipal rebranding strategy. Instead, it recommends a practical corporate mark modernization framework that uses traditional features in a modernized way: retaining the Cape Breton sloop, interpreting the eight historic maple leaves as an eight-point maple leaf structure, continuing to recognize CBRM's origins and the concept of a community of communities, and preserving the municipal flag and official heraldic symbols for official spaces. The modernized mark has already been trialled on the municipal website, with informal feedback received to date being generally positive. Applying the 30th anniversary colours and current corporate brand standards will allow the municipality to present a more modern, unified, and accessible identity across public-facing materials while carrying its established symbols forward.

Alternatives

1. Maintain the status quo

Maintaining the status quo would mean continuing to use existing logo variations and corporate mark applications across municipal materials.

2. Undertake a full rebranding exercise

Council could direct staff to undertake a broader rebranding exercise to develop an entirely new municipal identity for Cape Breton Regional Municipality. Staff do not recommend this option at this time, as it would require substantial resources. The recommended approach modernizes the existing mark while preserving the eight-point maple leaf structure and Cape Breton sloop.

3. Use the 30th anniversary mark for anniversary purposes only

Council could direct that the 30th anniversary symbols be used only for anniversary-related materials and not be carried forward past August 2026 as part of CBRM's corporate identity. Staff do not recommend this option, as it would miss the opportunity to carry forward the

anniversary work into a lasting modernization of CBRM's corporate marks while still preserving the municipality's official symbols and historic features.

Attachments:

A – CBRM Brand Reference Sheet

B – CBRM Logo Usage Review

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

Report Prepared by: Christa Dicks, Municipal Clerk & Director of Corporate Information Services

Primary logo. For use on light backgrounds.



Primary logo in white. For use on dark backgrounds.



Black. For use when the brand palette is not available.



Typography

Headings
Headings
Headings

Noto Sans Bold

Noto Sans Semi-Bold

Noto Sans Light

Body text

consectetur adipiscing elit, sed diam nonummy nibh euismod tincidunt ut laoreet dolore magna aliquam erat volutpat. Ut wisi enim ad minim veniam, quis nostrud exerci tation

Duis autem vel eum iriure dolor in hendrerit in vulpate velit esse molestie consequat, vel illum dolore eu feugiat nulla facilisis at vero

Noto Sans Regular/Bold/Italic



DOWNLOAD NOTO SANS HERE

Brand colour palette

Pantone 2757 C	R 0	C 100	#001f60
	G 31 B 96	M 92 Y 31 K 31	

Pantone 285 C	R 0	C 88	#0071b9
	G 113 B 185	M 53 Y 0 K 0	

Pantone 513 C	R 147	C 49	#93358d
	G 53 B 141	M 94 Y 5 K 0	

Pantone Cool Gray 1 C	R 217	C 14	#d9d8d6
	G 216 B 214	M 11 Y 12 K 0	

A horizontal bar showing a gradient from blue on the left to purple on the right. The text "Brand gradient" is centered above the bar.

Pantone 285 C

Pantone 513 C



CBRM Brand Variations

Where it exists in all of its forms



Where is exists

01

Letterheads

02

Documents/Forms

03

CBRM Poperty

04

Signage

05

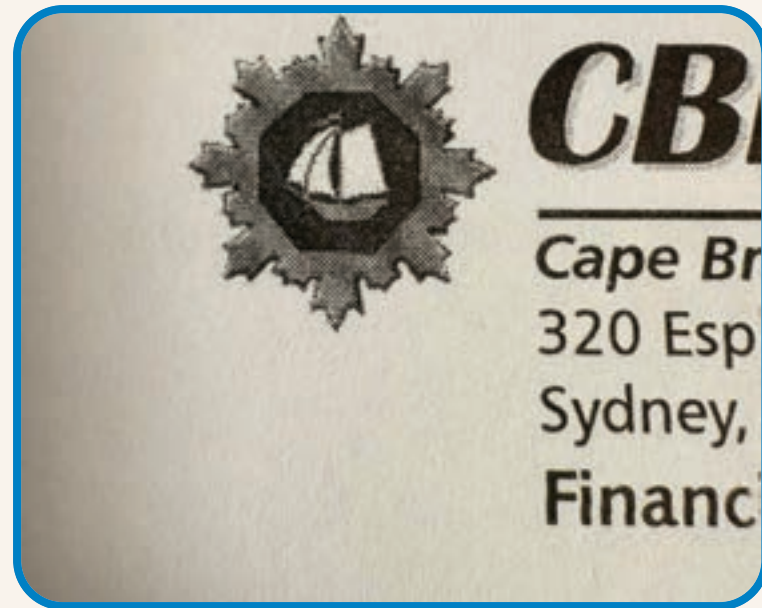
Posters

06

Other Logos



Letterheads



Envelopes



Bank Statements



Notepads/pens



Tax Bill



Budget Documents



Notices



Business Cards

Forms

List of forms/applications under their corresponding logo (Source: [CBRM](#))



- Pre-Authorized Payment Form
- Green Cart Repair Request Form
- Solid Waste Facility Registration Form
- Building and Development Permit Application (CHECKLIST)
- Application for Affordable Housing Grant Program
- Affordable Housing Tax Adjustment Program
- Application for Development Support Program
- SD Licence Application Form
- Festival Events Funding Guide Application Form
- Capital Operating Funding Guide Application Form



- Address Change Form
- Heritage Application 2026
- CBRM Volunteer Awards-Nomination Form



- Application for Municipal Services



- Application for Building and Development Permit
- Building and Development Permit Application (INSTRUCTIONS)
- Application for Subdivision Approval
- Final Subdivision Application Statement of Plan Registration
- Application for Zoning Confirmation and/or Municipal Clearance Letter
- Passenger Vehicle for Hire Application
- Vedor License Application

CBRM Property



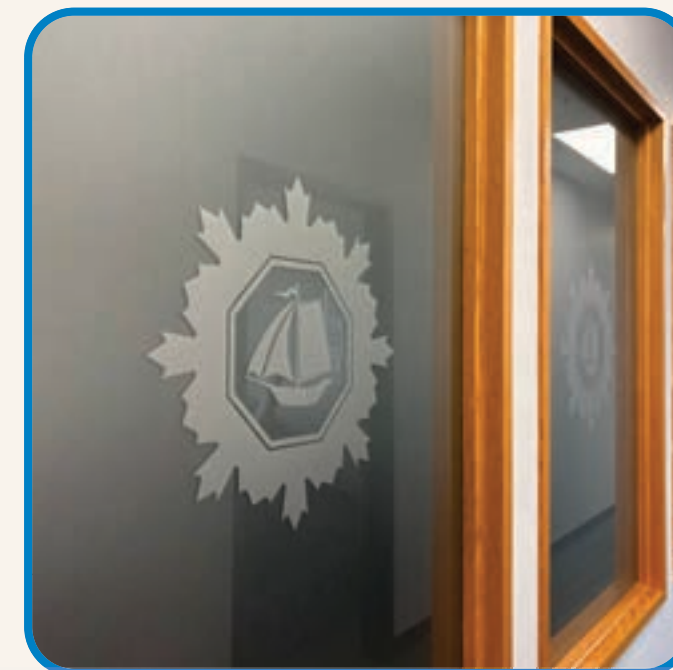
In the wild: storm drains, green bins

CBRM Vehicles



At city hall: parking pass, lecterns, pins, etc.

Signage/Posters



Signs & Name plates

Window/glass decals

Signage/Posters



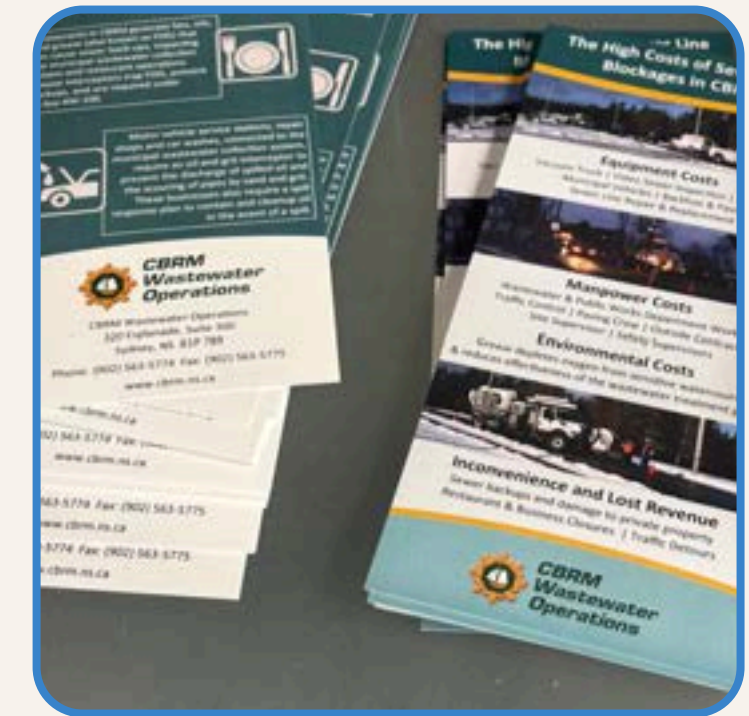
Code of Conduct



Awards/Recognition



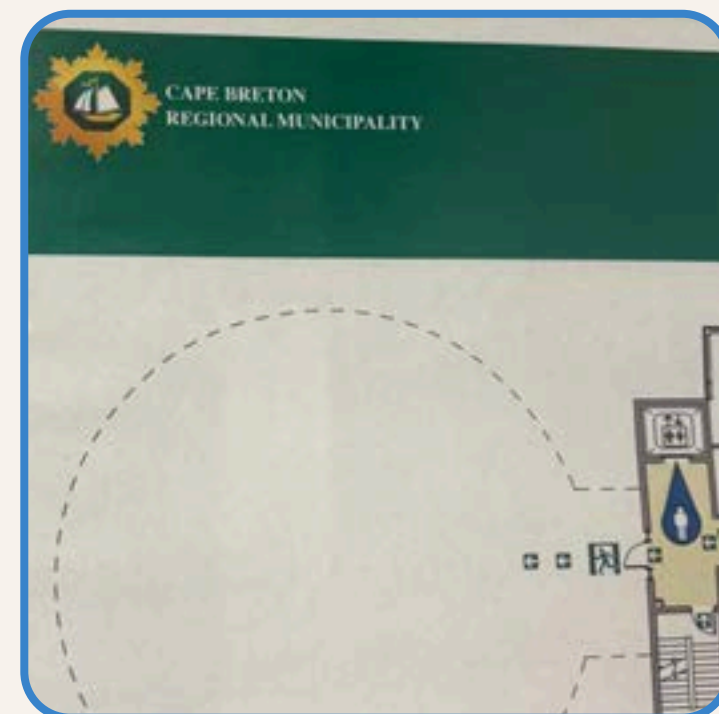
Stickers



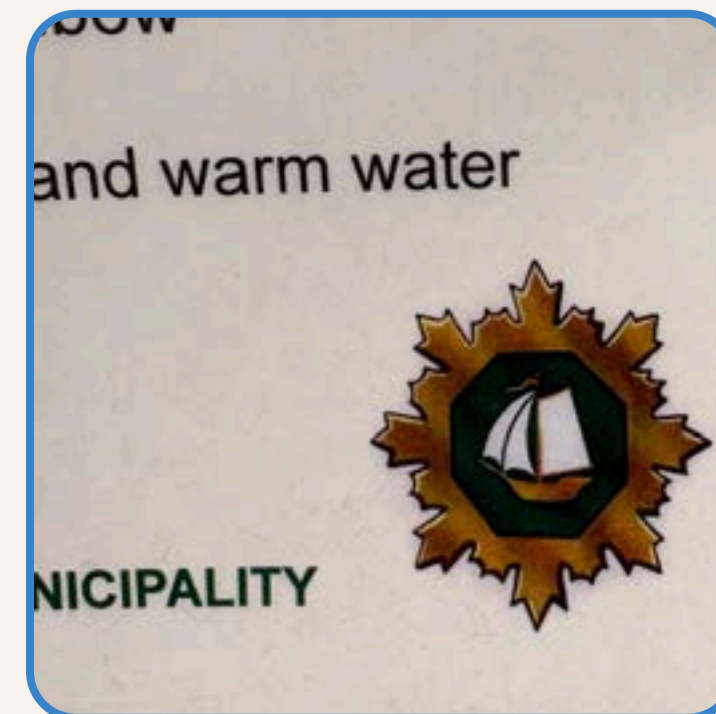
Pamphlets



Calendars



Fire Escape Plan



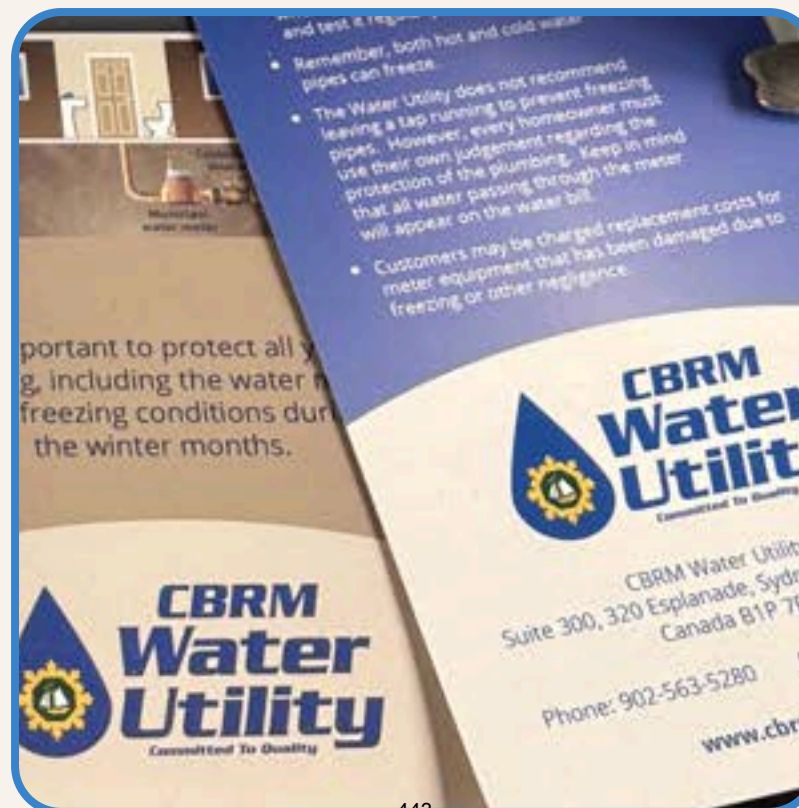
Miscellaneous Posters



Other Logos



CBRM Water Utility Logo Variations

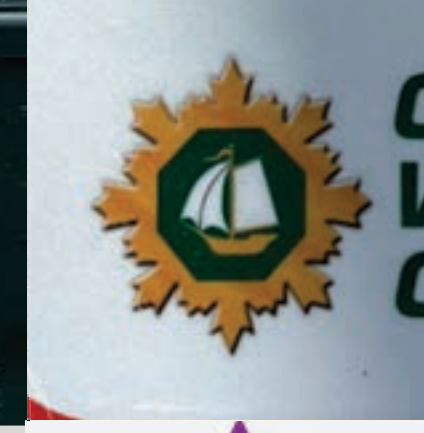
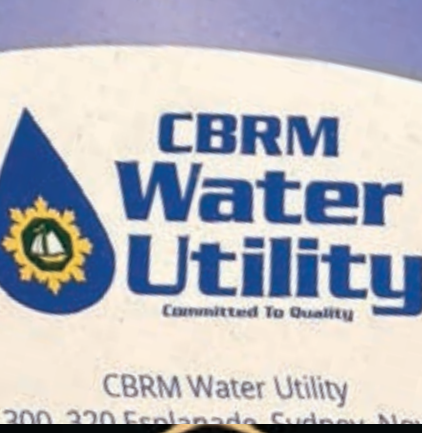
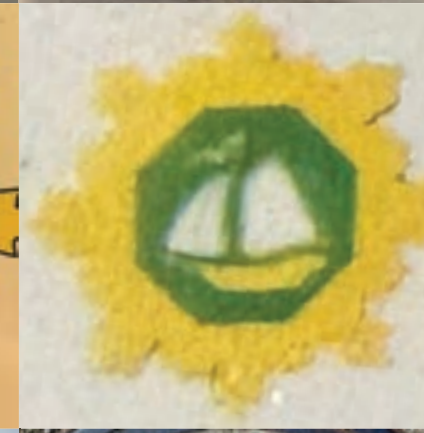
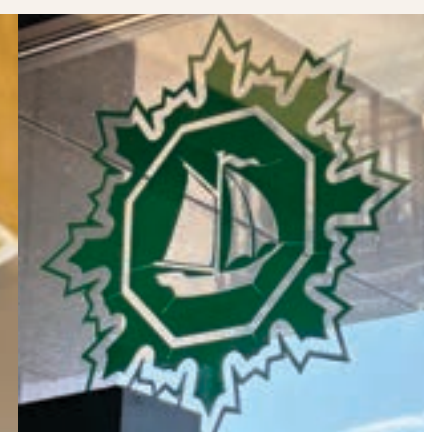
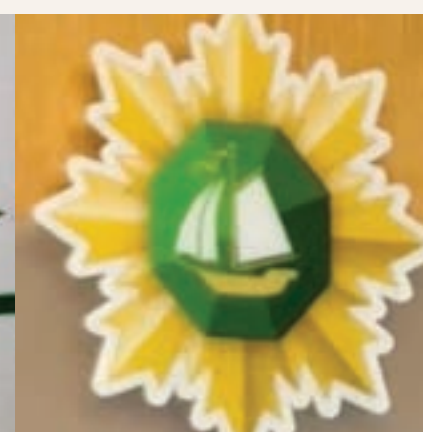
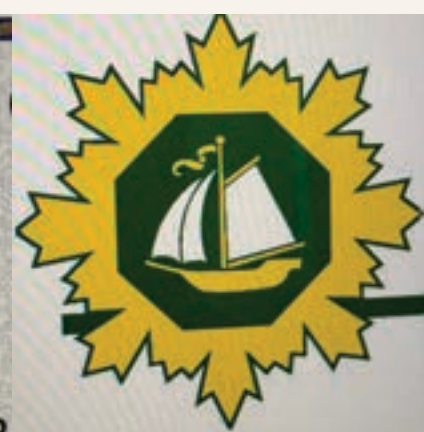


Cape Breton Regional Municipality
...ing an environment that is free from Violence
...ression and Harassment to our staff and to p
...visit our buildings and facilities.

the Cape Breton Regional Municipality
WILL NOT TOLERATE

VIOLENT BEHAVIOR
ABUSIVE OR THREATENING BEHA
ABUSIVE OR INAPPROPRIATE LANG
SEXUAL HARASSMENT
RACISM

...essive and violent behavior...



To: Mayor & Council
From: Councillor Steven MacNeil, District 8
Date: June 23, 2026
Subject: **Resolution:** Reinstatement and Municipal Allocation of One Percentage Point of the Provincial HST for Municipal and Local Infrastructure

Cape Breton Regional Municipality: Resolution

Reinstatement and Municipal Allocation of One Percentage Point of the Provincial HST for Municipal and Local Infrastructure

Whereas: municipalities in Nova Scotia deliver and maintain the essential local services residents rely on every day, roads, water, wastewater, stormwater, fire protection, policing, solid waste, recreation, transit, accessibility, bylaw and planning services, and supports for housing, economic development, and public safety;

Whereas: during our new Council orientation, one statistic stuck with me: local municipalities own and maintain more than 60% of Canada's core public infrastructure yet receive only about eight to ten cents of every tax dollar collected. A clear imbalance between what we are responsible for and the revenue tools we are given;

Whereas: Nova Scotia municipalities depend heavily on property taxation, which the Property Valuation Services Corporation notes make up roughly 80% of most municipalities' revenue, placing real pressure on homeowners, businesses, and community groups;

Whereas: the Cape Breton Regional Municipality faces added challenges from its large geographic service area, aging infrastructure, and the need to support housing, population growth, economic development, and all core services without a property tax increase, in a time of rising costs;

Whereas: effective April 1, 2025, the Province of Nova Scotia reduced the Harmonized Sales Tax by one percentage point, from 15% to 14%, by lowering the provincial portion from 10% to 9%; and reinstating that single point for the purpose of municipal infrastructure would provide a stable, growth linked funding source without creating a new tax or adding to property tax pressure;

Whereas: predictable, formula based revenue sharing would allow municipalities to plan multi-year capital projects, align infrastructure investment with housing and economic development needs, rely less on competitive, application based grants, improve asset management, and deliver better long term value for taxpayers;

Therefore be it resolved: that Cape Breton Regional Municipality Council request the Mayor write to the Nova Scotia Federation of Municipalities, asking that this proposal be studied by the appropriate committee and, if deemed fit, advocated to the Province.

Councillor Steven MacNeil, District 8

June 9, 2026

Mayors and Wardens
Via Email

Dear Mayors and Wardens:

Under Section 519 (1) of the *Municipal Government Act* (Requirement to notify Union)
The Minister shall notify the Union of Nova Scotia Municipalities (NSFM) at least one year prior to the effective date of any legislation, regulation or administrative action undertaken by or on behalf of the Government of the Province that would have the effect of decreasing the revenue received by municipalities in Nova Scotia or increasing the required expenditures of municipalities in Nova Scotia.

(2) Subsection (1) does not apply with respect to any legislation, regulation or administrative action applying to the Province generally and not mainly to municipalities.

This letter is intended to provide notice of such changes for fiscal year 2027-2028 and beyond.

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

Department of Emergency Management

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

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

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

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

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

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

Department of Justice

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

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- 2) The National Police Federation is the certified union representing regular members and reservists of the Royal Canadian Mounted Police (RCMP) below the rank of Inspector. The current Collective Agreement expired on March 31, 2025, and labour negotiations between the National Police Federation and Treasury Board Secretariate Canada are ongoing. The cost implications cannot be determined at this time.
- 3) The 'H' Division (Nova Scotia) Royal Canadian Mounted Police (RCMP) have provided the Department of Justice with the annual Multi-Year Financial Plan (MYFP), that reflects the organization's budget requests for the next fiscal year, and strategic planning for subsequent years. The cost implications cannot be determined at this time.

Department of Public Works

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

Department of Service Nova Scotia

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

Yours truly,



Honourable John A. MacDonald
Minister of Municipal Affairs

- c: CAOs
David Mitchell, President, NSFM
Juanita Spencer, Chief Executive Officer, NSFM

