

Cape Breton Regional Municipality

Council Meeting

ADDENDUM

**TUESDAY, FEBRUARY 6TH, 2018
6:00 P.M.**

Council Chambers
2nd Floor, City Hall
320 Esplanade, Sydney, NS

Cape Breton Regional Municipal Council

Tuesday, February 6th, 2018

6:00 p.m.

ADDENDUM

2. PROCLAMATIONS & RESOLUTIONS:

- 2.5 Adding Unama'ki to the Cape Breton Sign:** Councillor Amanda McDougall (See page 3)

4. PLANNING ISSUES:

4.2 Approval to Advertise:

- c) **Land Use By-Law Text Amendment – Application 1041 – Steve Young, 44 Ferry Street, Sydney (PID 15058217):** Karen Neville, Planner (See page 6)

7. CORPORATE SERVICES ISSUES:

- 7.5 Request for Street Closure – PID 15879992 – Bradbray Lane, Sydney (off Victoria Road-Whitney Pier) File No. 07621:** Sheila Kolanko, Senior Paralegal/Property Manager (See page 10)

RESOLUTION

“ADDING UNAMA’KI TO THE CAPE BRETON SIGN”

- Whereas:** Communications with officials with the Town of Port Hawkesbury by some CBRM Councillors have taken place in regard to their initiative to add Unama’ki to the Cape Breton sign and motions have been approved by their respective Council members to send communication to the Province supporting the addition;
- And Whereas:** “Unama’ki” is Mi’kmaw for “Cape Breton” which means “Land of Fog”;
- And Whereas:** This small token will go a long way in strengthening and reconciling relationships with our Unama’ki First Nations communities and will demonstrate that their history and their language are respected;
- And Whereas:** The idea was widely supported during the “One Cape Breton Summit” in November, 2017 by members of municipalities and First Nations communities;
- And Whereas:** In 2017 Cape Breton’s five First Nations leaders joined Municipal Leaders to talk about a shared future in a first of its kind form and provided an opportunity to discuss how First Nations and municipalities can work together to address regional challenges and regional opportunities;
- Be It Therefore Resolved:** That CBRM Mayor and Council instruct staff to write to the Minister of Aboriginal Affairs to approve the request by Elder Ma’git Poulette from Waycobah (sister to the late Grand Chief Ben Sylliboy) to add “Unama’ki” to the sign above the Strait of Canso Bridge to read “Welcome to Cape Breton/Unama’ki” which would go a long way in regard to reconciliation and very symbolic of the shared history between Municipalities and First Nations Leaders.

Councillor Amanda McDougall – District #8 - CBRM

Dated this 6th day of February 2018



DRAFT

Honorable Stephen McNeil
Minister of Aboriginal Affairs
Premier of Nova Scotia
MLA for Annapolis
P.O. Box 726
Halifax, NS B3J 2T3

January (day tentative), 2018

Dear Premier McNeil;

I will begin by telling you about our **One Cape Breton: Future Forward Leaders' Summit** hosted in Port Hawkesbury on November 23rd and 24th 2017. Historically, Cape Breton-wide conferences have taken place in 2012, 2013, 2014, and 2015 to bring together elected officials from all five municipalities on the Island. This year was unique because Cape Breton's five First Nations leaders joined our municipal leaders to talk about our shared future in a first of its kind forum. This provided an opportunity to discuss how First Nations and municipalities can work together to address regional challenges and regional opportunities.

We were quite fortunate to have Danny Graham from Engage Nova Scotia and his team assist. I was also fortunate to have Chief Rod Googoo of Waycobah co-chair the summit who was very successful in engaging our enthusiastic group. The goals were relationship building, having open and honest discussions about the future of Cape Breton Island (informed by the past and the present), and strategic planning and prioritizing. Bringing all 5 municipalities and all 5 First Nations leaders together proved to be a tremendously positive step forward for Cape Breton's future. Examples of collaboration between municipalities and First Nations communities were highlighted and a desire to look for more opportunities to work together was apparent. We received very positive responses from the entire group through the evaluation process with a clear desire to move forward with future initiatives. The One Cape Breton conversations will continue, with a meeting planned with some core leaders in early January.

In addition to sharing this positive initiative, I have a simple request for you as the Minister of Aboriginal Affairs. On November 23rd, we were joined by elder Ma'git Poulette from Waycobah (sister to the late Grand Chief Ben Sylliboy). Ma'git suggested that adding "Unama'ki" to the sign above the Strait of Canso Causeway bridge, to read "Welcome to Cape Breton/Unama'ki" would go a long way in reconciliation. Her idea was widely supported by all leaders present, and I suggested each leader send a letter to support this request.

The Honourable Brenda Chisholm-Beaton, Mayor
Town of Port Hawkesbury
606 Reeves Street, Port Hawkesbury, Nova Scotia B9A 2R7
Tel: (902) 625-1800 Fax: (902) 625-0040 Email: bchisholmbeaton@townofph.ca



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"Unama'ki" is Mi'kmaw for "Cape Breton" which means "land of Fog"; I would humbly ask that you consider this request on behalf of Deputy Mayor Hughie MacDougal, Councillors Trevor Boudreau, Mark MacIver, and Jeremy White, and I, Mayor of the Town of Port Hawkesbury.

Like Ma'git, I believe this small token will go a long way in strengthening and reconciling our relationship with our Unama'ki First Nations communities. It will show that they, their history and their language are respected. Today, Unama'ki First Nations membership and our Unama'ki Chiefs readily use this word to refer to their Island and home.

I will make myself available, should the need arise, for any questions or discussions about the One Cape Breton initiative and/or the request to include "Unama'ki" on the Welcome sign above our Canso Causeway Bridge. Also, there is no denying that "Unama'ki" is an important place name to celebrate as part of our culture and heritage of Cape Breton Island.

Yours truly,

Brenda Chisholm-Beaton
Mayor



TO: General Committee Council

FROM: Karen Neville

**SUBJECT: LAND USE BY-LAW TEXT AMENDMENT
APPLICATION – 1041
Steve Young
44 Ferry Street, Sydney
(PID 15058217)**

DATE: January 29th, 2018

Introduction

The Planning and Development Department has received a text amendment application from Steve Young for 44 Ferry Street, Sydney (Attachment A). Mr. Young would like to operate a catering business in addition to the private club that is operating out of the building located at 44 Ferry Street.

Why an amendment is necessary for this development?

Under the North End Sydney Secondary Land Use By-law (NESSLUB), the current zoning of North End Residential (NER) does not permit a catering business. Mr. Young is not eligible to apply to change the zoning on the property because the North End Sydney Secondary Municipal Planning Strategy (NESSMPS) contains a policy that does not permit zone amendments to allow new commercial uses throughout the residential areas of the North End.

That being said, Part 11 Existing Developments of the NESSLUB includes provisions for existing developments that are not included in the Uses Permitted Section of the Zone within which it is located. These provisions allow for an existing use to be expanded and change to similar. Even though the private club was in existence prior to the adoption of the NESSLUB, 44 Ferry Street is specifically identified as an existing use deemed not permitted under Section 2, Part 11. This means the private club at 44 Ferry Street is not eligible to be expanded or change to a similar use; because of this, Mr. Young is requesting 44 Ferry Street be removed from Section 2 to enable the addition of a catering business at this location.

Evaluation

During the public consultation for the creation of the NESSMPS and NESSLUB the community identified three developments that they wanted to be deemed as not permitted. They included the dry dock (12 Esplanade), the City Club (109-113 York Street), and the French Club (44 Ferry Street). The request by the applicant will determine if the community is still of the mindset that French Club should be deemed as not permitted.

The main floor of the building will continue to operate as a private club (French Club). The proposed catering business will occupy approximately 230 ft² of the second floor which is 1600 ft². While the kitchen associated with the catering business will also be utilized for the food prep for two food trucks operated by the applicant (Little Rollin Bistro and Tom's Catering), the food trucks will not be parked at this location. Although the catering business will be located on the second floor, the applicant will still make the second floor available to the current tenant for special occasions. However, the introduction of the catering business will reduce the scale of activities in this space, which tend to be rentals for small events.

The applicant intends on making improvements to the exterior and interior of the building. The proposed use of a catering business will not increase the scale of the building, require any additional parking on site, or result in outdoor storage. A catering business is not a high traffic generator; therefore, it is not anticipated there will be an increase in traffic to and from the site. The addition of a catering business will also reduce the scale and frequency of special events occurring on the second floor. Based on the above evaluation, it is reasonable for Council to hold a Public Hearing to give the neighbourhood an opportunity to comment on the proposed text change.

In addition, since the City Club (PID 15056732) was demolished in 2008, it is reasonable to remove PID 15056732 from Section 2 Part 11 of the NESSLUB. The removal of PID 15056732 from Section 2, Part 11 would clarify that this property is subject to the provision of the Redevelopment Opportunity (RO) Zone and not subject to Part 11 Existing Developments.

Recommendation

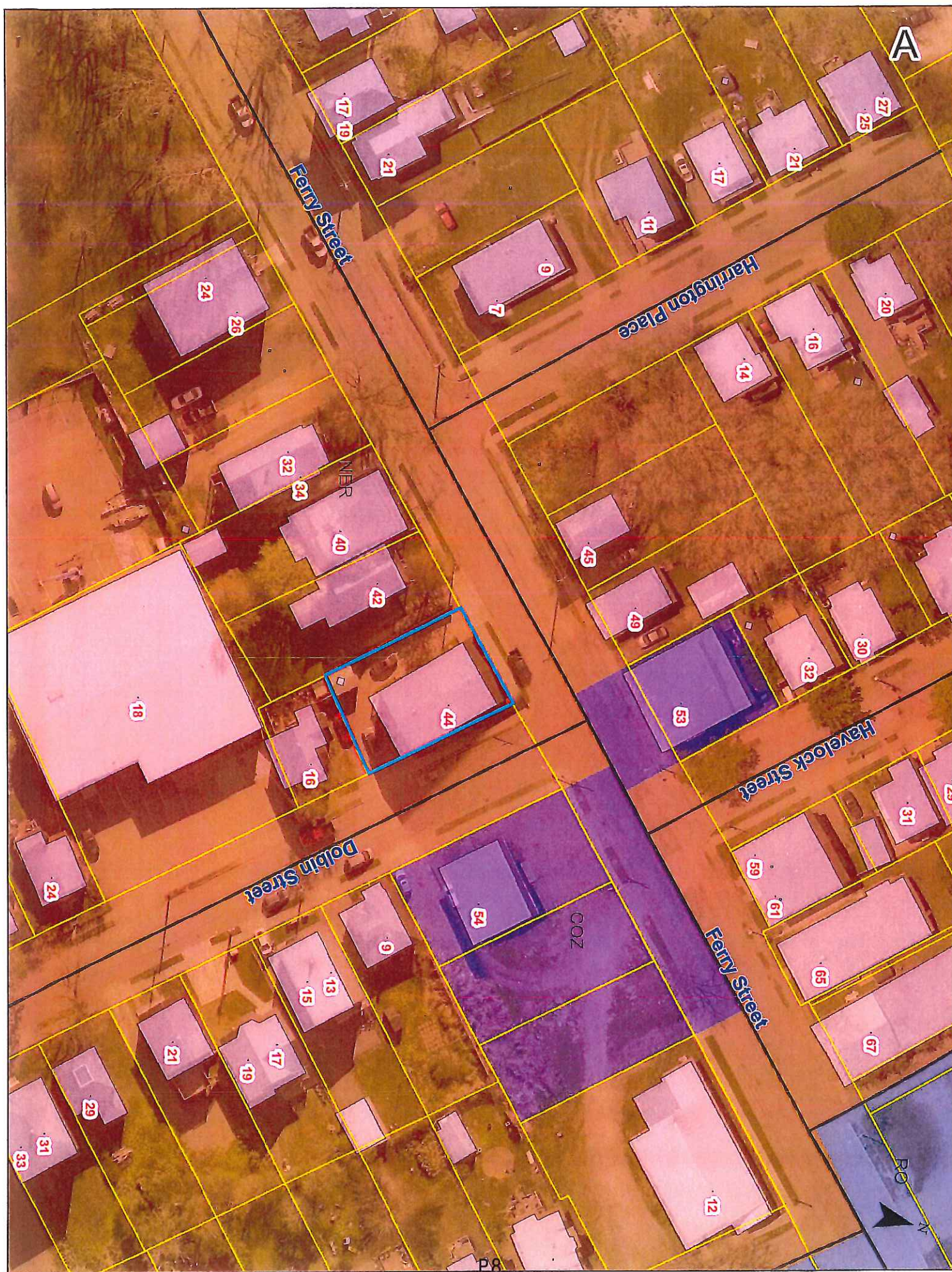
I recommend that the General Committee of Council request that Council schedule a Public Hearing to consider this amendment at the March meeting of Council.

A draft of the recommended amendments can be found in Attachment B.

Submitted by:

Originally Signed by

**Karen Neville
Planning and Development Department**



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 North End Sydney Secondary Land Use By-law in the following manner:

THAT: Part 11 Existing Developments, Section 2 Existing Uses Deemed not to be Permitted is hereby deleted and replaced with the following:

Pursuant to the Secondary Planning Strategy, the following uses are deemed not to be permitted in compliance with this Land Use By-law:

LAND USE	CIVIC ADDRESS	PID #
Former drydock	12 Esplanade	15606866
		15642259
		15606858
		15606841
		15642242
		15606809
		15606833
		15606825
		15606817
		15606783
		15606890

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 attached is a true and correct copy of the Land Use Bylaw amendment 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 North End Sydney Secondary Land Use By-law.

Deborah Campbell Ryan, CLERK



CBRM

A Community of Communities

ISSUE PAPER

TO: General Committee

FROM: Sheila Kolanko
Property Manager

SUBJECT: Request for Street Closure – PID 15879992
Bradbray Lane, Sydney (off Victoria Road- Whitney Pier)
File No. 07621

DATE: February 6th, 2018

We are in receipt of a request from Shantel Wadden to close an unopened street reserve known as Bradbray Lane running off Victoria Road, Sydney and more particularly outlined and identified on the attached map as PID 15879992,

An internal review was completed and it has been determined the property is not required for CBRM purposes.

It is Ms. Wadden's intention to purchase this property and consolidate it with her existing adjacent property (identified on attached map as PID 15160047). Ms. Wadden has provided the required \$600.00 deposit to cover processing fees and we hold that amount in trust.

It is my recommendation to General Committee to provide a Motion to direct staff to take all necessary steps in the street closing process and to deem the property surplus for sale to Ms. Wadden at market value. All cost shall be the responsibility of Ms. Wadden.

Respectfully submitted,

Original signed by

SHEILA KOLANKO
Property Manager

Attachment

A

Borden Street

PID 15160047
Shantel Wadden

PID 15879992
CBRM Lot Parcel

Victoria Road

Victoria

McLean Street

