

Cape Breton Regional Municipality

Council Budget Sessions

ADDENDUM

THURSDAY, MAY 12, 2016 – 9:30 A.M.

**FRIDAY, MAY 13, 2016 – 9:30 A.M.
(IF REQUIRED)**

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

Cape Breton Regional Municipal Council

BUDGET SESSIONS

**Council Chambers
Second Floor, City Hall**

**Thursday, May 12, 2016 – 9:30 a.m.
Friday, May 13, 2016 – 9:30 a.m. (if required)**

ADDENDUM ITEMS

3a) Action Plan for Downtown Sydney: Rick McCready, Senior Planner (See page **3**)

➤ Recommendation One:

Create a single commercial tax rate (revenue neutral) for the Sydney area, which would increase the rate by 7.8% for areas with full services adjacent to Sydney, and drop the rate by 3.2% in Sydney.

- No impact on former towns or rural areas;
- No impact on residential rate.

➤ Recommendation Two:

Issue a Request for Proposals for a planning study that would address both parking and develop options for reconstructing Charlotte Street, including cost estimates.

- Estimated cost of the study would be \$100,000, with CBRM covering 50%.

Action Plan for Downtown Sydney – Recommendations on Four Issues Identified in September 10, 2015 Issue Paper:

Motion:

Moved by Councillor Eldon MacDonald, seconded by Councillor Paruch, that Council refer the following two recommendations outlined in the staff report dated February 21, 2016 to the 2016-2017 budget deliberations:

➤ **Recommendation One:**

Create a single commercial tax rate (revenue neutral) for the Sydney area, which would increase the rate by 7.8% for areas with full services adjacent to Sydney, and drop the rate by 3.2% in Sydney.

- No impact on former towns or rural areas;
- No impact on residential rate.

➤ **Recommendation Two:**

Issue a Request for Proposals for a planning study that would address both parking and develop options for reconstructing Charlotte Street, including cost estimates.

- Estimated cost of the study would be \$100,000, with CBRM covering 50%.

And further to approve, in principle, recommendations three and four in the said staff report, as follows:

➤ **Recommendation Three:**

Instruct staff to develop a strategy for encouraging residential development in all CBRM downtowns, and to bring the strategy back to Council at a later date.

- The strategy could include providing incentives for redevelopment of vacant second and third storeys for apartments and, over the long term, a land banking strategy;

➤ **Recommendation Four:**

Issue a Request for Proposals from private developers to develop a 1.36 acre parcel of municipal land on the waterfront on the Esplanade identified in the Ekistics plan for housing.

- Investigate the feasibility of doing the same for a large municipally-owned parcel near Cossitt Street in the North End of Sydney.

and to direct staff to continue work on the areas outlined in recommendations three and four, to be brought back to a future meeting of Council.

Motion Carried.



CBRM

A Community of Communities

Cape Breton Regional Municipality

Rick McCready
Planning Department

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February 21, 2016

ISSUE PAPER

TO: Mayor and Council

FROM: Rick McCready, MCIP, Senior Planner

**RE: Action Plan for Downtown Sydney: Recommendations on Four Issues
Identified in September 10, 2015 Issue Paper**

On October 6, 2015 of the General Committee of Council a motion to direct staff to prepare an Action Plan for downtown Sydney to be presented to Council in February of 2016. The action plan was to address four critical issues identified in a staff report dated September 10, 2015, which are:

1. **Commercial Tax Rates:** The commercial tax rate in Sydney is more than 10% higher than the rate being paid in commercial areas immediately outside Sydney such as Sydney River and Grand Lake Road, even though these areas have essentially the same services (sanitary sewer, fire hydrants, fire protection and transit). This discrepancy is a disincentive for new investment in the downtown core, and needs to be addressed if we are attract developers who wish to renovate old buildings, or build new ones, in our downtown. Staff would develop options for Council to consider that would level the playing field for businesses in the Sydney area, including an option that would be revenue neutral and others that would result in generating additional revenue to assist with the cost of providing transit and fire protection. **It should be noted that the action plan would NOT address residential tax rates anywhere in CBRM or commercial rates outside the Sydney area.** The purpose of this exercise would be to address inequities in commercial tax rates between Sydney and the immediately surrounding areas and would not be a comprehensive review of our entire property tax system.
2. **A Parking Strategy:** Unlike most urban downtowns, there is no parking strategy for downtown Sydney. The last downtown plan prepared for Sydney was prepared under the auspices of CBCEDA in 2002. Although some of the recommendations in that plan (the walkway along the Esplanade and the façade

program, for example) were undertaken, the recommendations to improve parking were never implemented. Today the downtown has much land devoted to off-street parking, but most parking areas are poorly designed and most of them are not available to the general public. The number of parking spaces available for general public use will be reduced when much of the waterfront parking area just south of the Joan Harris Cruise Pavilion is occupied by the new residential development proposed by Harbour Royale. It is essential that a strong downtown have a good supply of parking for downtown employees and visitors, but it is equally important that parking facilities generate revenue that reflects the true cost of providing these facilities. Finally, it is important, as recommended in the concept plan prepared by Ekistics for the Sydney waterfront, that our waterfront and our downtown not be blighted by unsightly, poorly designed parking lots. A parking strategy is required to address these matters.

3. **The Charlotte Street Streetscape:** Although Charlotte Street has been brightened up through the efforts of the Sydney Downtown Development association, BCB, and CBRM during the past two summers, it is obvious that the street needs a major facelift. Uneven sidewalk surfaces, deteriorated pavement, unsightly utility poles and overhead wires, and a general lack of aesthetics characterize the street. Preliminary work has already been carried out by CBRM Engineering on various options for reconstructing and reconfiguring Charlotte Street. What is needed now is a “go-forward” plan that would lay out a timetable for a complete renewal of this streetscape, not only to improve the appearance of the street but also to turn it into the type of pedestrian, bike and transit friendly environment that all cities are now striving to create in their downtowns.
4. **Residential Development:** Although both the 2004 CBRM MPS and the North End Sydney Secondary Plan (2006) reference the importance of new residential development in downtown areas, the reality, if we are prepared to admit it, is that neither document has led to the creation of any significant residential development downtown. In fact, due to demolitions and fires, there are now far fewer dwelling units in the downtown Sydney area than there were prior to amalgamation in 1995. As suggested in the Ekistics report, having people LIVING in and around our downtown is essential if we want to have a lively, safe downtown core. Specific pro-active measures need to be identified that will attract residential development downtown.

Recommendations

Staff makes the following recommendations to address the four issues listed above:

Recommendation One: Create a single commercial tax rate for the Sydney area to be implemented in the 2016-2017 budget. *In implementing this decision staff also recommends:*

- *That the new rate would apply only to properties with a commercial assessment in the former City of Sydney and to those areas immediately outside Sydney which have the same municipal services: sewer, fire hydrants, fire protection and transit. It would NOT apply to any residential properties nor to any commercial properties in the former towns or in the rural area.*
- *That the new rate would be revenue neutral. In other words, the CBRM would not generate any additional revenues from this change. The rates in the former County area would rise and the rates in Sydney would drop, but the amount of taxes collected by CBRM for the area affected would be the same. The new uniform rate would address the issue of inequity in taxation between Sydney and the adjacent suburban area, but it would not create a tax windfall for the Municipality.*

If the proposed new system had been in place for the current tax year, the new uniform commercial rate for the Sydney area would be \$5.447. This rate would represent an increase of 7.8% for the former County areas, and a drop of 3.2% for Sydney itself. The commercial tax rate in the Sydney area would remain the highest tax rate in the CBRM, with all of the former towns paying a rate lower than \$5.447. It should be noted that based on the current system the commercial rate in every former town is higher than the rate paid by businesses in the Grand Lake Road and Sydney River areas.

It should be noted that in downtown Sydney and downtown North Sydney there is an additional levy to raise money for downtown marketing and special events. This levy would not be affected by the proposed new system.

Recommendation Two: Issue a Request for Proposals (RFP) to carry out a comprehensive planning study that would address both the redevelopment of Charlotte Street and downtown parking

With respect to the issues of reconstructing Charlotte Street and developing a parking strategy for the downtown, staff is of the opinion that outside expertise is required. It is therefore recommended that Council approve the issuance of a Request for Proposals (draft attached as Appendix A) for a comprehensive Downtown Planning Study that would address both the Charlotte Street streetscape and the parking issue.

A complete renewal of Charlotte Street will be a major infrastructure project and it is essential that all options be properly evaluated before a decision is made to proceed. In order to limit interruptions to Charlotte Street businesses resulting from street closures during construction phase, a well-conceived and comprehensive work plan will form a component of this study.

As for the parking strategy, it is felt that there are many opportunities that exist to improve access to existing parking that would enhance parking for visitors to the downtown and still provide suitable parking opportunities for downtown workers.

It is anticipated that part of the cost of the proposed study may be covered by federal or provincial partners, but staff recommends that Council include at least half of the estimated cost of the study in the 2016-2017 budget.

Recommendation Three: Instruct staff to develop a Strategy for Encouraging Residential Development in all CBRM Downtowns to bring back to Council for approval at a later date

With respect residential development in the downtown, staff has identified a number of roadblocks that cannot be easily overcome. For example:

- *The creation of new residential units on the second and third floors of existing buildings is discouraged by regulatory requirements*
- *There is a lack of vacant land that is in public ownership in the downtown that could be made available to prospective developers wishing to construct new apartment buildings in these areas*
- *There is no inventory of privately owned buildings or lots in the downtown that could be provided to prospective developers as a means of facilitating the redevelopment of downtown sites for housing*

In response, to these problems, staff recommend that work begin on a strategy to address these issues by the following actions:

- *Land banking: Acquire key vacant downtown properties when they become available for sale, with the goal of eventually a bank of suitable properties that could be sold to prospective developers interested in constructing new housing. The intention would be to encourage housing for different income groups and it is anticipated that the program should pay for itself over the long term when the lands acquired are sold. Land banking has been recommended in the past (in the North End Sydney Secondary Planning Strategy, for example), but has never been implemented.*
- *Inventory of Privately Owned Properties that are available for residential development: In this case, CBRM staff would develop and administer an inventory of downtown properties and would act as a “matchmaker” between property owners and developers, but CBRM would have no direct involvement in any land transactions.*
- *Eliminate Municipal Development Fees for developers creating new residential units downtown: As an incentive to developers, CBRM could eliminate application and inspection fees for developers wishing to create new dwelling units in the downtown. This could be tried on an experimental basis over a specified time period such as two years.*
- *Exploring the possibility of using taxation policy as an instrument to stimulate private investment through amendments to the Municipal Government Act or through the creation of a Charter for the CBRM.*

Staff recommends that all downtown areas in CBRM be included in this strategy. Although the greatest potential benefits from such a Strategy may occur in Sydney, it could be argued that similar challenges and opportunities exist in other core areas.

Recommendation Four: Issue a Request for Proposal to develop a municipally owned parcel of land on the Esplanade in downtown Sydney that was identified in the Ekistics plan as suitable for housing, and investigate the feasibility of doing the same for a parcel of municipally owned land off Cossitt Street in Sydney's North End.

Although Recommendation Three suggests Council develop a long term strategy for downtown housing, staff has identified two parcels of land the CBRM already owns close to the downtown that could be considered for residential development in the short term.

- Site One, shown on Map One, attached, is 1.36 acres in size and is part of the former Nickerson property south of the Joan Harris Cruise Pavilion. It was identified in the Ekistics plan as suitable for housing and a Request for Proposal to develop this site could be issued very soon.*
- Site Two, shown on Map Two, attached, is approximately eight acres in size and immediately adjacent to the North End residential neighbourhood. It is bordered by railway lands on one side, and if developed for residential uses a buffer would be required. It is also likely that the site contains at least some contaminated materials as it is close to the former Sydney tar ponds site. However, it is the largest vacant site near downtown Sydney that is CBRM owned and the creation of Open Hearth Park nearby has greatly enhanced the attractiveness of the area. Staff recommends that Council authorize further investigation of the feasibility of eventually developing this site for residential purposes. Although most of the potential benefits from such a Strategy may occur in Sydney, it could be argued that similar challenges and opportunities exist in other core areas.*

In addition to implementing these four recommendations, staff supports moving forward with a multi-year plan to build capacity within the downtown business community through heritage conservation, adaptive re-use of existing buildings and marketing that has been prepared by the National Trust. This initiative would complement the four strategic actions outlined above. Staff recommends that Council consider making a financial contribution to the National Trust initiative, providing that there is also support from federal and provincial government partners.

Yours very truly,

ORIGINAL SIGNED BY

Rick McCreedy, MCIP
Senior Planner

Appendix A: Request for Proposals

DOWNTOWN SYDNEY PLANNING STUDY- REQUEST FOR PROPOSALS

1.0 Background

Downtown Sydney is the traditional downtown of the largest community in the CBRM and contains the largest concentration of commercial office uses, visitor accommodations, public administration activities and cultural activities in the region. It is the location of the region's largest sports venue, Centre 200, and of the Joan Harris Cruise Pavilion, which welcomes approximately 100,000 cruise ship visitors annually. The downtown is no longer the focus of retail activity in the region, as the bulk of retail space is now located outside the core area, but the area is still home to a variety of retail stores including a number of clothing and footwear outlets. The downtown area is close to several fine parks and recreational areas including the spectacular Sydney Boardwalk, the newly revitalized Wentworth Park on the south side of downtown, and Open Hearth Park, which was officially opened in 2014, located just north of the core.

Despite its many assets and its important role as a regional centre, downtown Sydney is exhibiting many signs of decline. A number of retail outlets have closed, resulting in numerous vacant storefronts along Charlotte Street, the main shopping street. Many businesses that are still operating have reduced their hours. Infrastructure is deteriorating, with streets and sidewalks requiring major upgrades. The resident population of the downtown has dropped, echoing a trend across the region where population overall has been declining since 1966. In the evenings and on weekends the downtown is often deserted.

The most recent revitalization plan for downtown Sydney was prepared in 2002, almost 14 years ago. Although some key recommendations regarding infrastructure enhancements and the creation of a façade program were successfully implemented, many other recommendations were never pursued and many are now obsolete. The time has arrived for bold new actions to revitalize downtown.

In 2015 CBRM Council initiated a discussion with the Nova Scotia Community College regarding the possibility of relocating their campus which is now located on Grand Lake Road, almost 10 km. from downtown, to a waterfront site adjacent to the core. This initiative would have a dramatic impact on the viability of the area, but it is recognized that many other measures are needed if the downtown's role as an economic driver for the region is to be enhanced. In light of this, CBRM staff presented an issue paper to Council in September 2015 which outlined four issues that staff felt must be addressed if a truly vibrant downtown Sydney is to become a reality. The issues are:

1. **Commercial Property Tax Rates:** Tax rates, at close to \$6.00 per \$100 of assessed value, are crushingly high and higher than in areas of suburban Sydney. These rates serve as a disincentive to investing in the downtown, discouraging those who might otherwise support the area by renovating older buildings or constructing new ones.
2. **Residential Development:** Having people living in and around a downtown core has long been recognized as being beneficial by creating a customer base for

- downtown businesses and by contributing to the safety and vitality of downtown streets by adding more pedestrians to the area both during the day and at night.
3. **Charlotte Street Streetscape:** Unlike many traditional main shopping streets in other communities, Charlotte Street has never undergone a complete makeover of its physical appearance. Today the street needs major improvements to the street itself as well as to the pedestrian infrastructure and level of amenity.
 4. **Parking:** Although the downtown has much land allocated to parking, there are few off-street parking areas that are specifically designated and signed for public parking for those coming to the area to shop or to do business. Many parking areas are unsightly and disorganized, and long term parking is underpriced, acting as a disincentive to people working downtown to use transit or active transportation modes.

Staff is in the process of finalizing recommendations for Council to consider with respect to the issues of tax rates and residential development. The purpose of this study is to develop plans to address issues the Charlotte Street streetscape and the parking issues.

2.0 Study Objectives

There are two objectives for this planning study. **The first is to develop and evaluate several options for improving the functionality and attractiveness of Charlotte Street and to produce detailed plans and cost estimates for these options. The second objective is develop a comprehensive strategy to improve parking and transportation in downtown Sydney, including off-street parking, on-street parking, and improving access for transit vehicles and users.**

3.0 Specific Tasks

To achieve the study objectives, the consultant will be expected to carry out the following specific tasks:

1. **With respect to Charlotte Street, the consultant shall be expected to perform the following tasks:**
 - **Review, with CBRM Engineering staff, information on the current state of Charlotte Street between Nepean Street and Townsend Street, including the state of the pavement, sidewalks and underground utilities**
 - **Develop at least three options for reconstructing Charlotte Street, all of which shall be intended to enhance the appearance of the street, ensure a high level of pedestrian safety and convenience, and to minimize maintenance costs in the future. At least one of these options shall investigate the feasibility of placing overhead electrical infrastructure partially or totally underground.**
 - **Prepare an opinion of probable cost for each option.**

- Following consultation and feedback from the project steering committee and representatives of the downtown Sydney business community, carry out a public meeting at which the options will be presented and input sought
- Prepare a final report, accompanied by powerpoint presentation outlining the options and recommendations, the probable costs associated with the options, and a summary of community feedback, to be presented to Council

2. With respect to downtown parking and transportation issues, the consultant shall be expected to perform the following tasks:

- Review, with appropriate CBRM staff, the current information available with respect to the cost, availability, management and physical condition of on-street parking (including parking meters) and off-street parking facilities in the area in and around downtown as shown on the attached map
- Review, with appropriate CBRM staff, the current transit routes and transit stops in downtown Sydney, including the vehicles used, the schedules, and the ridership levels.
- Develop recommendations for the CBRM with respect to the pricing and management of on-street parking in the future. In developing these options, consideration shall be given to the management and siting of existing parking meters and the potential applications of new technology in managing on-street parking.
- Develop recommendations for the CBRM with respect to the future provision of off-street parking within the area identified on the attached map. These recommendations will address, at a minimum, the need for improved short term public parking areas for visitors to the downtown, appropriate levels of pricing for any off-street parking areas owned by the CBRM and the feasibility of constructing a weather protected parking facility for public use in the downtown to meet future parking requirements.
- Following consultation and feedback from the project steering committee and representatives of the downtown Sydney business community, carry out a public meeting at which the recommendations on parking and transportation will be presented and input sought
- Prepare a final report, accompanied by a powerpoint presentation outlining the recommendations, the probable costs associated with the

options, and a summary of community feedback, to be presented to Council. (NOTE: These last two items may be combined with the meetings and presentations related to Task One, but could also be carried out separately. The consultant's proposal should specify the approach recommended.

4.0 Costs

The maximum budget for this project is \$100,000, which shall include all disbursements but shall not include HST.

The consultant shall break down the costs into two parts: (Task One and Two)

The proposal must include a breakdown of the costs to include the work identified herein, including labour costs (hours to be worked per individual hourly rates), expenses/disbursements, applicable taxes, along with a fee for any items proposed by the consultant that are not included in the original scope of work, so as to be the final cost to the CBRM for the proposed project.

5.0 Consultant Qualifications

The consulting team shall include persons with the following qualifications:

- A professional engineer with extensive experience in municipal infrastructure design
- An individual with extensive experience in the field of public transit
- A transportation engineer with experience in active transportation and pedestrian safety
- A landscape architect who is a member of CSLA and who has extensive experience preparing plans for downtown cores
- A person with strong communications and public relations skills

The team will be expected to be creative and innovative in their approach. Demonstrated success in assisting other small urban downtowns to become dynamic, lively, pedestrian oriented districts is critical.

The consulting proposal must identify a project manager.

6.0 Meetings with Steering Committee

Oversight for the study is being provided by a steering committee consisting of representatives of CBRM staff. The consultant should expect to have at least four face to

face meetings with the Steering Committee over the course of the study, including a project initiation meeting and a meeting at which the final draft report will be presented. The two public consultation sessions shall be in addition to these four meetings.

The consulting team's project manager will be expected to be present in person at all meetings with the steering committee.

7.0 Work Schedule

- 2.1 The draft final report shall be presented to the Steering Committee for feedback and discussion no later than -----, The final report is expected to be completed by -----, but the final presentation to Council may take place at a later date.
- 2.2 The consulting team is to identify a Task and Time allocation plan from start-up to submission of final plan noting the contribution of hours of each team member to each task.

8.0 Proposal Requirements

The consultant's proposal shall have a clear understanding of all of the work to be undertaken as described in the RFP, and shall demonstrate a commitment to carry out all of the work outlined in the RFP within the prescribed budget.

8.1. Cover letter – The proposal shall include a cover letter that provides an executive summary and the total budget, including professional fees, disbursements, other expenses, and HST.

8.2 Company Identification – The proposal must provide the following information:

- (i) Company Contact Information – state the legal name, full street address, telephone number, fax number and email address of your company;
- (ii) Description of Business – generally describe the type of services provided as well as the total number of employees, head office location and any branch offices within your company; and
- (iii) Other Information – specify any other conditions of information, of which CBRM should be aware, that may affect the successful completion of this project.

8.3 Project Manager – Identification of the project manager and, if application, all personnel involved in this project along with a description of their respective roles, skills, and qualifications.

8.4 Corporate Experience – The proposal must include at least two previous works performed by the consultant with at least one of those works that are directly related to

active transportation. Contact information for references regarding these previous works must also be provided.

9.0 Proposal Submission

9.1 A minimum of five (5) hard copies (8 ½ inch x 11 inch format) and one Compact disc or USB port containing the proposal shall be delivered in a sealed envelope clearly showing the words 'DOWNTOWN SYDNEY PLANNING STUDY PLANNING PROPOSAL' and the company's name on the front of the envelope, and addressed as follows:

Attention:

9.2 Proposals are to be presented in a sealed package by 2 pm on _____. Any proposals received after this closing time will be returned unopened.

9.3 No changes may be made to proposals after they have been received. If more than one proposal from a consultant is submitted, only the proposal with the latest time/date stamp will be opened and considered.

9.4 CBRM reserves the right to reject any or all proposals or to accept any proposal should it be deemed in the interest of CBRM to do so.

9.5 CBRM is not obliged to accept the proposal with the lowest cost.

9.6 CBRM will evaluate all submittals to determine which Consultants have the experience and qualification that are most suited for this project. The municipality may request personal interviews with Consultants.

9.7 Facsimiled or electronic mail submissions will **not** be accepted.

Any questions related to this proposal are to be addressed to Rick McCready, Planner at 563-5072 or rgmccready@cbrrm.ns.ca.

10.0 Instructions to Consultants

10.1 CBRM reserves the right to immediately terminate the project for sufficient cause, including but not limited to such items as nonperformance, late deliveries, inferior quality, pricing problems, etc. In addition CBRM may elect to terminate the project if the original terms of the proposal are significantly changed by giving thirty (30) days written notice to the Consultant.

10.2 Under no circumstances will any part of a contract resulting from this Terms of Reference be subcontracted or assigned to another firm, person, or company without the prior written authorization of the CBRM.

10.3 CBRM reserves the right to negotiate minor changes or variations with the Consultant without a general proposal recall, provided any such changes would not be deemed to have an effect on the relative standing of all the Consultant proposals or be in any way otherwise prejudicial to them.

10.4 CBRM foresees a fairly high level of interaction between the consultant and the Steering Committee. Therefore, CBRM anticipates that the Project Coordinator appointed by the Consultant shall be readily accessible throughout the duration of the project.

11.0 Consultant Expenses

Consultants shall be solely responsible for their costs in preparing a proposal and any subsequent negotiations.

12.0 Ownership of Material

All documents submitted to the CBRM shall become the property of CBRM and the Consultant shall assign copyright to the CBRM.

13.0 Contract

13.1 If a proposal is accepted, the Consultant will be required to sign a Contract which will be governed by the laws of the Province.

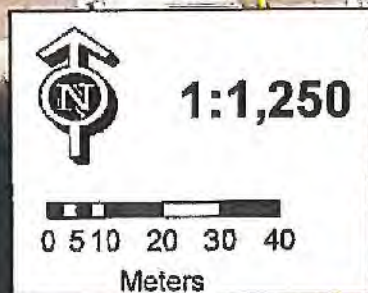
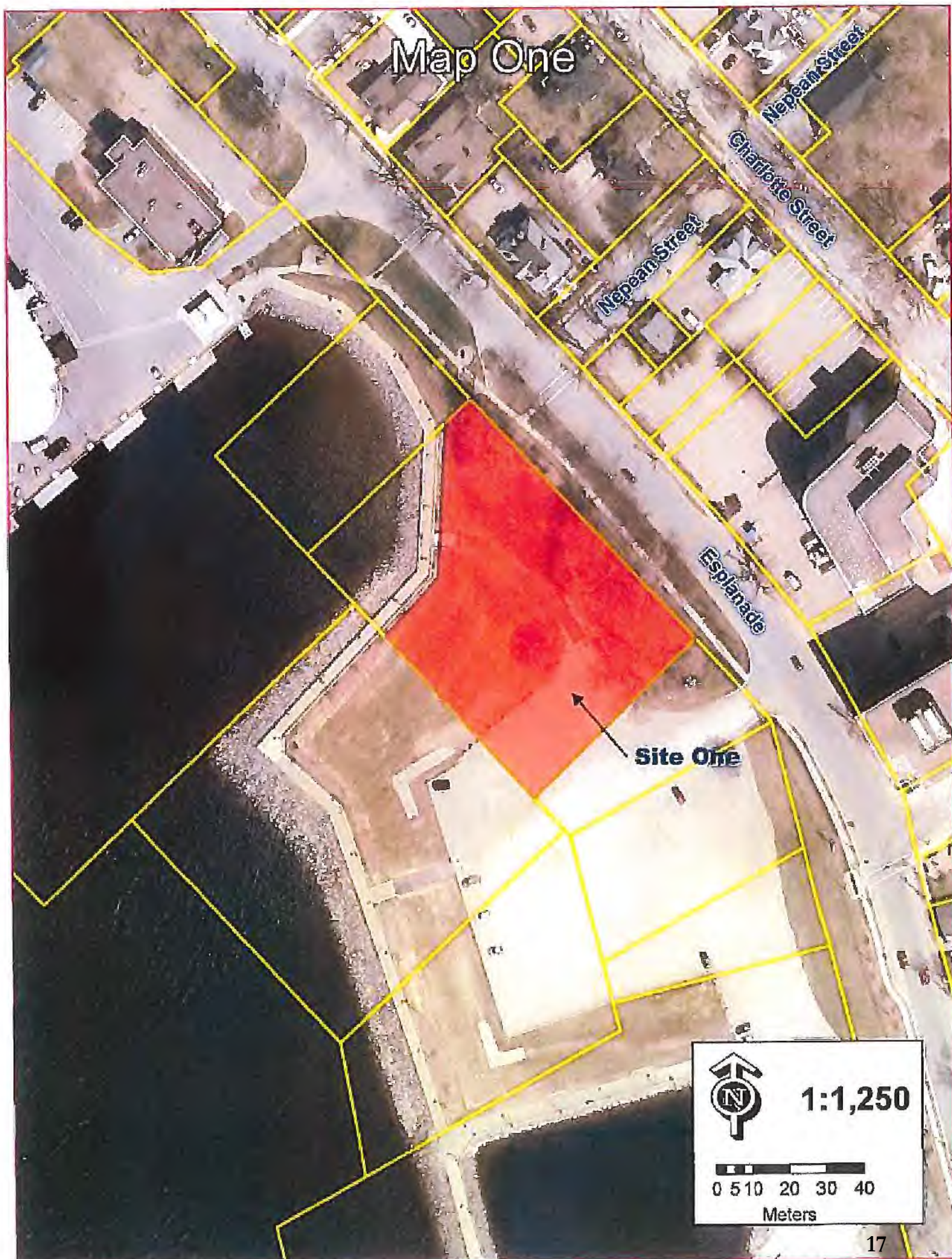
13.2 These Terms of Reference and the Consultant's proposal will form part of the Contract by attachment and incorporation by reference.

13.3 In carrying out this project, the Consultant will act as an independent consultant and shall indemnify and save harmless the CBRM against all claims, demands, loss, cost, damages, actions, suits or other proceedings by whomsoever brought or prosecuted for any damages, injury, or infringement resulting from activities under this project.

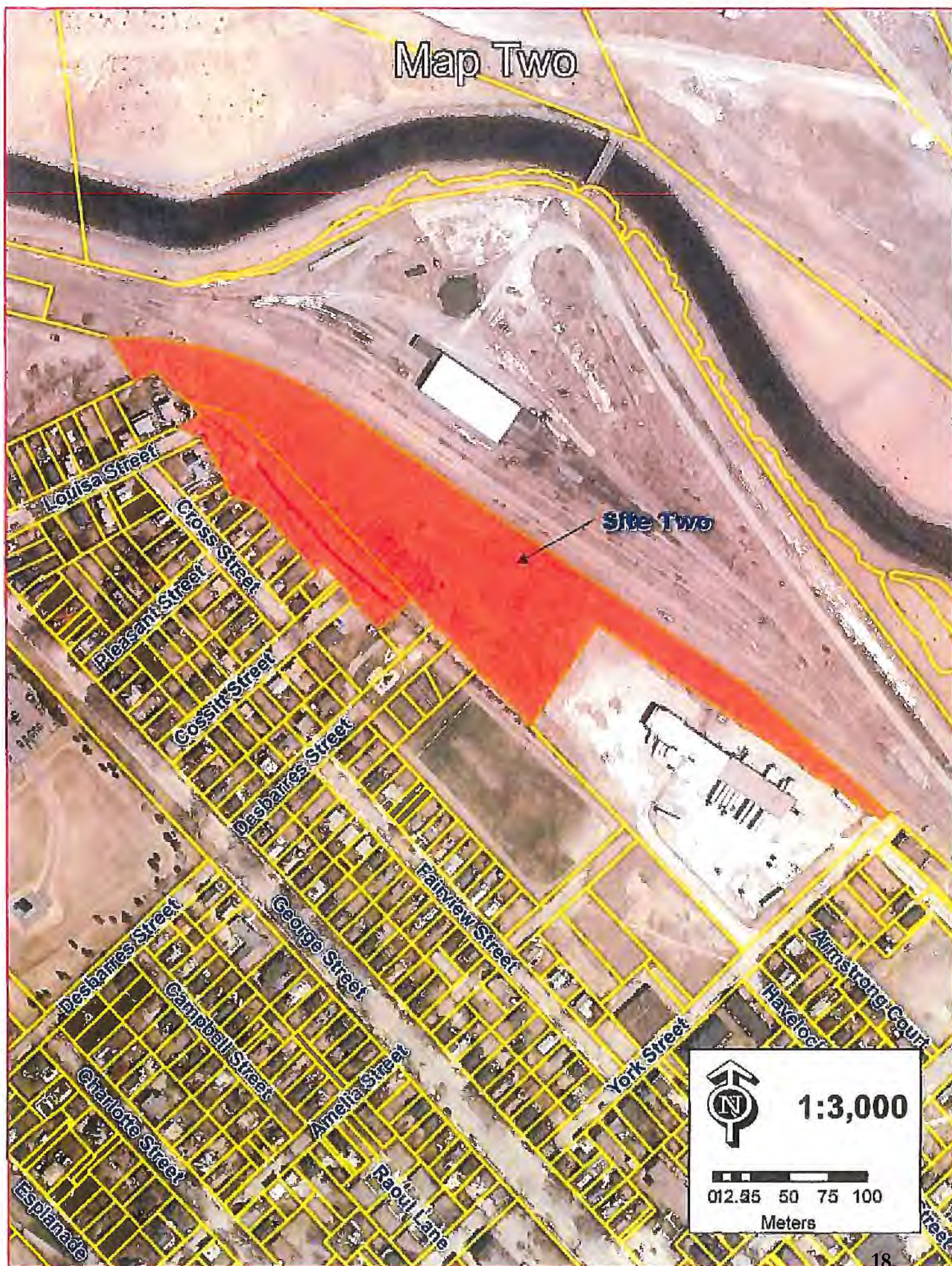
14.0 Data Availability

The successful consultant will have access to relevant data from the CBRM Geographic Information System, including 2008 and 2010 Ortho/LIDAR projects. The Client will also provide copies of the 2002 Downtown Sydney Plan, the 2014 Sydney Waterfront Vision, the 2010 Transit Review, and other documents.

Map One



Map Two



Site Two



1:3,000

012.55 50 75 100

Meters

