

Cape Breton Regional Municipality

CBRM Charter

Public Consultation Session #2

AGENDA

SATURDAY, JANUARY 20, 2018

1:30 P.M.

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

CBRM CHARTER

Public Consultation Session #2

**Saturday, January 20, 2018
1:30 p.m.
Council Chambers, City Hall**

1. **Welcome and Introductory Remarks:** Mayor Cecil P. Clarke
2. **Review of Council-approved Request for Part 1 of a CBRM Charter and Associated Documentation** (See page 3)
3. **Public Participation:**
(10 minutes max. per presenter, followed by question opportunity with 2 minute Council intervals)
 - i. **Mr. Douglas Foster, LLP MCIP** (See page 12)
 - ii. **Ms. Janet McGillen** (See page 16)
 - iii. **Mr. David Papazian** (See page 20)
 - iv. **Mr. Gordon Sampson**
 - v. **Eskasoni First Nation** – Spokesperson Mr. Steve Parsons, General Manager
 - vi. **Nova Scotians for Equalization Fairness:** Dr. Rev. Albert Maroun
 - vii. **The Kennedy Group of Seafood Companies** - Spokesperson Mr. Dannie Hanson, Vice President, (See page 24)
 - viii. **Dr. Jim Guy** - CBU Political Science Professor
4. **Written Submission:** Wentworth Condo Tax Committee (See page 27)
5. **Council Roundtable Discussion**
6. **Adjournment**



SHAPING OUR FUTURE IN THE CAPE BRETON REGIONAL MUNICIPALITY

A Reorganization Plan for Positive Change

Approved by Mayor and Council, November 26, 2012

THE CBRM CHARTER ACT

It is vitally important that the CBRM respond directly to our own challenges and opportunities in a timely and flexible way. A Charter Act will allow us to function more effectively and efficiently by giving us the tools that we need, legislatively and financially, to address economic shifts and to take full advantage of opportunities as they arise.

The CBRM faces challenges with declining population and double-digit unemployment, yet it is the second largest municipal government in Nova Scotia. A Charter will allow us to address the public works, planning, economic development and needs of our urban and rural communities. In short, a Charter will allow us to once again be the economic engine of Eastern Nova Scotia.

Immediate Action:

Strike a motion to pursue a Charter Act for the CBRM - a positive and progressive path forward that will build on the Municipal Government Act, and give Council legally binding control.

Short-term Action:

Establish a working committee to draft legislation for presentation to the House of Assembly in 2013-2014.

Long-term Action:

Upon Royal Assent and Proclamation, establish a legislative and regulatory committee to address needed amendments to the CBRM Charter Act.

Harbor Port Development Partners Exclusivity Agreement Extension:

Motion:

Moved by Councillor MacLeod; seconded by Councillor George MacDonald to approve the following recommendations as presented:

- THAT HPDP's previously granted exclusivity rights be extended for an additional five year period commencing on the date of this Motion.
- THAT it is a condition of the agreement with Ports America that, in accordance with international standards, the financial return of CBRM be based upon its tax revenues as well as a market return on the Project lands.
- THAT the Administration be authorized to enter into on behalf of CBRM an extension and amendment agreement leading to a final definitive agreement to effect the foregoing and that this final definitive agreement be subject to Council approval
- THAT the CBRM continue to pursue a Municipal Charter, or other enabling accommodations, with the Province that outlines the needs listed above.

Motion to Postpone:

Moved by Councillor MacMullin; seconded by Councillor Coombes to postpone the question until a time that Council can obtain independent legal advice required to make an educated and informed decision in the best interests of CBRM.

Discussion Continued - December 19th, 2016

Mayor Clarke resumed the debate on the motion to postpone, with a recap of Council speaking times on the motions from the December 15th meeting.

The following issues were raised during discussion:

- Financial Implications of this motion and potential risk to CBRM;
- Royalties;
- Getting the best deal for CBRM;
- Flawed process;
- The Definitive Agreement must come back to Council for approval

The Mayor called for the vote on the motion to postpone.

Motion to Postpone Defeated.

Discussion of the Main Motion:

A question was raised by a number of Councillors that by approving this motion, is the Municipality obligated to sell the land for \$10 million or provide the 99 year lease.

Solicitor Gogan clarified for Council that there is no obligation to sell or lease the land until a final agreement has been reached with Council.

The Mayor called for the vote on the main motion.

Main Motion Carried.



CAPE BRETON REGIONAL MUNICIPALITY
OFFICE of the MAYOR

January 6, 2017

Honourable Michel P. Samson
Minister and Government House Leader
c/o Department of Energy
Joseph Howe Building
1690 Hollis Street, PO Box 2664
Halifax, NS B3J 3J9
Email: energyminister@novascotia.ca

Dear Minister Samson:

Thank you for your ongoing engagement and commitment to facilitate the government and legislative processes to achieve a Charter for the Cape Breton Regional Municipality. The Premier's commitment to advance the process is appreciated.

Attached is the two-page backgrounder that officials have drafted for consideration as the CBRM's request for an initial Charter specifically for economic and port development. A CBRM Charter would be focused on legislation with regulation and related authority for Cabinet and Ministerial oversight, reporting and accountability. The CBRM is seeking municipal powers for finance and taxation as well as for lease and land sales (including the authority to provide a 99-year lease on municipally-owned land). In addition, I am enclosing a one-page summary to highlight our rationale, along with broad categories that could be included.

The creation of legislation for a CBRM Charter strengthens the working relationship between our governments on the *Municipal Government Act* Review, the signing of a UNSM/Department of Municipal Affairs Partnership Framework, an all-party working group on the CAP, review of policing in Nova Scotia and infrastructure agreements..

I would welcome the opportunity to meet with you and our respective officials to plan next steps leading to draft legislation from you for consultation. Please be assured of the CBRM's priority to work through your office as Government House Leader, the Department of Municipal Affairs, and the Legislative Counsel Office.

In closing, I would like to thank you for so quickly acting on the Premier's response to a Charter request along with the collaboration and cooperation of Ministers Churchill and MacLellan to advance this request for the next sitting of the Legislature.

Kind personal regards,

ORIGINAL SIGNED BY

Cecil P. Clarke

CPC/tfd
Encs. - 2

c: Honourable Stephen McNeil, Premier
Honourable Geoff MacLellan, Minister, TIR
Honourable Zack Churchill, Minister, DMA
Deputy Minister Kellian Dean, DMA
Ms. Shannon Bennett, DMA
Mr. Michael Merrill, CAO, CBRM
Ms. Marie Walsh, CFO, CBRM

Sydney Charter 2016

Preamble:

The Sydney Charter is to give legislative authority to the Cape Breton Regional Municipality (CBRM) to adopt municipal powers that recognize the municipality has a unique municipal government within the Province of Nova Scotia. The CBRM is currently governed under the Province's Municipal Government Act (MGA) and will continue to be so governed under this act with the exception of specific clauses that are contained in the Sydney Charter that give the CBRM specific powers to operate as an autonomous level of government. The CBRM:

- Is the second largest municipality in Nova Scotia
- It is the second largest economic development entity
- It operations the Port of Sydney Development Corporation, The CBRM Water Utility and has its own Police Force
- The Municipality has budgetary responsibility for close to \$200 million through its operating and capital budgets and those of its enterprises.

The objectives of the charter is to allow for the CBRM

- To provide mechanisms to the CBRM to reduce red tape, to streamline processes and remove unnecessary bureaucratic duplication.
- To be provided authority to address economic development, taxation and fiscal matters that reflects the unique structure and capacity within the municipality.

Sydney Charter 2016

1. This act may be cited as the Cape Breton Regional Municipality Charter.
2. In this Act,
 - 1) "council" means the municipal council of the Cape Breton Regional Municipality;
 - 2) "municipality" means the Cape Breton Regional Municipality;
3. The Cape Breton Regional Municipality, as constituted upon the coming into force of this Act, is continued.
4. The provisions of the Municipal Government Act, S.N.S. 1998, c. 18, apply to the municipality except where inconsistent with this Act, in which case the provisions of this Act shall prevail.
5. The powers of the municipality under this Act shall be exercised by council.
6. The mayor and members of the council and the officers, by-laws, contracts, property, assets, and liabilities of the municipality when this Act comes into force, shall be the mayor and members of the council and the officers, by-laws, contracts, property assets and liabilities of the municipality as continued under this Act.

Leasing Provision

7. Notwithstanding s. 31(2)(d)(iii) of the Municipal Government Act, the chief administrative officer of the municipality may personally, or by an agent, negotiate and execute leases of real property owned by the municipality for terms of up to 99 years including renewals.

Tax Abatement and Concession

8. (1) A person may apply to the council for, and the council may, by a vote of 2/3 of the council members present and voting, grant an exemption, remission or deferment of taxes and interest on the taxes, either in whole or in part, for those periods of time that the council decides and the council may determine the evidence which it shall require to warrant that exemption, remission or deferment.
(2) The council may, by a vote of 2/3 of the council members present and voting, enter into tax agreements and offer tax incentives which vary existing rates of taxes.

Property Disposition Fair Market Value

9. (1) Notwithstanding s. 51 of the Municipal Government Act, where the council considers it to be in the best interests of the municipality, the municipality may sell or lease property to any person or organization at a price less than fair market value.
(2) A resolution to sell or lease property referred to in subsection (1) shall be passed by at least two thirds of the council members present and voting.
(3) (Where the council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale.
(4) The council shall advertise the public hearing at least twice, in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing. (5) The notice of the public hearing shall include the date, time and place of the hearing, the location of the real property or a description of the tangible personal property, the estimated value of the property and the purpose of the sale.
10. Notwithstanding s. 88(4) of the Municipal Government Act, the municipality does not require ministerial approval to enter into commitments extending past the end of the current fiscal year unless the total amount of the commitment exceeds \$500,000.

CBRM Charter

Provide authority to the CBRM that currently resides with the Province. Key reasons to access new authorities:

- Demonstrate Capacity
- Lack of Provincial Interest in Matter
- Streamline Processes (remove unnecessary duplication)
- Major Economic Region

Seeking Municipal Powers in the following areas

- Finance and Taxation
- Lease and Land Sales
- Planning
- Protective Services
- Economic Development

Discussions with Province:

- Would like to see changes incorporated in MGA as it is under review, however
- If MGA does not provide authority would seek it through a charter
- If issue arises prior to MGA Review Completion place it in Charter
- That the Charter will be regulatory in nature as opposed to a new piece of Legislation (so enshrine in Legislation but administer through regulation.

Other municipalities with charters or special legislation

- City of St. John's
- Halifax
- Charlottetown and Summerside
- Ville de Montreal
- Ontario (regional and local government's)
- Winnipeg
- Saskatchewan (Cities Act)
- Lloydminster (AB and Sask.)
- Edmonton and Calgary (expected in 2017)
- Vancouver

Each charter or legislative act varies depending on the authorities each municipality seeks and the authorizes each province already provides through their Provincial Legislation.

**Energy
Office of the Minister**



**Énergie
Bureau du ministre**

Joseph Howe Building, 1690 Hollis Street
PO Box 2664, Halifax Nova Scotia, Canada B3J 3P7

Tel 902-424-7793
Fax 902-424-3265
energyminister@novascotia.ca
novascotia.ca

Édifice Joseph Howe, 1690, rue Holli's
C.P. 2664, Halifax (Nouvelle-Écosse), Canada B3J 3P7

Téléphone : 902-424-7793
Télécopieur : 902-424-3265
energyminister@novascotia.ca
novascotia.ca

January 10, 2017

Dear Mr. ~~Mayor~~:

Thank you for your letter dated January 6, 2017 regarding the legislative process to achieve a Charter for the Cape Breton Regional Municipality.

I would be pleased to arrange a meeting between representatives of CBRM and the Province of NS to discuss this matter further. In order to have this matter considered for the spring sitting of the legislature, I would recommend that this meeting take place in the near future.

I will await your response before proceeding further with this matter.

Your very truly,

ORIGINAL SIGNED BY

Michel P. Samsón
Government House Leader

C: Honourable Stephen McNeil, Premier
Honourable Geoff MacLellan, Minister, TIR
Honourable Zack Churchill, Minister, DMA
Deputy Minister Kelliann Dean, DMA
Ms. Shannon Bennett, DMA
Mr. Michael Merritt, CAO, CBRM
Ms. Marie Walsh, CFO, CBRM

A CHARTER FOR CBRM - *draft considerations*

Preamble:

The Sydney Charter is to give legislative authority to the Cape Breton Regional Municipality (CBRM) to adopt municipal powers that recognize the municipality has a unique municipal government within the Province of Nova Scotia. The CBRM is currently governed under the Province's Municipal Government Act (MGA) and will continue to be so governed under this act with the exception of specific clauses that are contained in the Sydney Charter that give the CBRM specific powers to operate as an autonomous level of government.

The CBRM:

- Is the second largest municipality in Nova Scotia
- It is the second largest economic development entity
- It operates the Port of Sydney Development Corporation, the CBRM Water Utility and has its own Police service
- The Municipality has budgetary responsibility for close to \$200 million through its operating and capital budgets and those of its enterprises.

The objectives of the charter is to allow for the CBRM

- To provide mechanisms to the CBRM to reduce red tape, to streamline processes and remove unnecessary bureaucratic duplication.
- To be provided authority to address economic development, taxation and fiscal matters that reflects the unique structure and capacity within the municipality.

1. This act may be cited as the Cape Breton Regional Municipality Charter.

2. In this Act,

- 1) "council" means the municipal council of the Cape Breton Regional Municipality;
- 2) "municipality" means the Cape Breton Regional Municipality;
- 3) The Cape Breton Regional Municipality, as constituted upon the coming into force of this Act, is continued.
- 4) The provisions of the Municipal Government Act, S.N.S. 1998, c. 18, apply to the municipality except where inconsistent with this Act, in which case the provisions of this Act shall prevail.
- 5) The powers of the municipality under this Act shall be exercised by council.
- 6) The mayor and members of the council and the officers, by-laws, contracts, property, assets, and liabilities of the municipality when this Act comes into force, shall be the mayor and members of the council and the officers, by-laws, contracts, property assets and liabilities of the municipality as continued under this Act.

Leasing Provision

7) Notwithstanding s. 31(2)(d)(iii) of the Municipal Government Act, the chief administrative officer of the municipality may personally, or by an agent, negotiate and execute leases of real property owned by the municipality for terms of up to 99 years including renewals.

Tax Abatement and Concession

8) (1) A person may apply to the council for, and the council may, by a vote of 2/3 of the council members present and voting, grant an exemption, remission or deferment of taxes and interest on the taxes, either in whole or in part, for those periods of time that the council decides and the council may determine the evidence which it shall require to warrant that exemption, remission or deferment.

(2) The council may, by a vote of 2/3 of the council members present and voting, enter into tax agreements and offer tax incentives which vary existing rates of taxes.

Property Disposition Fair Market Value

9) (1) Notwithstanding s. 51 of the Municipal Government Act, where the council considers it to be in the best interests of the municipality, the municipality may sell or lease property to any person or organization at a price less than fair market value.

(2) A resolution to sell or lease property referred to in subsection (1) shall be passed by at least two thirds of the council members present and voting.

(3) Where the council proposes to sell property referred to in subsection (1) valued at more than ten thousand dollars at less than market value, the council shall first hold a public hearing respecting the sale.

(4) The council shall advertise the public hearing at least twice, in a newspaper circulating in the municipality, the first notice to appear at least fourteen days before the hearing. (5) The notice of the public hearing shall include the date, time and place of the hearing, the location of the real property or a description of the tangible personal property, the estimated value of the property and the purpose of the sale.

10) Notwithstanding s. 88(4) of the Municipal Government Act, the municipality does not require ministerial approval to enter into commitments extending past the end of the current fiscal year unless the total amount of the commitment exceeds \$500,000.

CBRM CHARTER CONSULTATION MEETINGS

will take place in January 2018

RSVP to clerksoffice@cbrm.ns.ca

Monday, January 15, 2018 6:00 pm Council Chamber City Hall

Saturday, January 20, 2018 1:30 pm



January 15, 2018

Proposal: CBRM should ask the Province for authority in the CBRM Charter to take over the property valuation on which municipal taxation is based. CBRM needs the authority in a Charter to withdraw from participation in the Nova Scotia Property Valuation Corporation, (PVC) to develop a CBRM based property tax system based on fairness and equity.

Background: Mayor Clark has said that that our assessment is broken. Many others at the municipal level agree. Despite some acknowledgment by all three Nova Scotia political parties, there appears to be no quick fix for this broken system.

CBRM taxpayers are paying for the PVC to run two systems – one based on property valuation, balanced against equity amongst taxpayers – the other one based on capping valuations. The cost of operation to CBRM for the PVC, from the 2017-18 audited statements is 1.36 million dollars.

There is obvious and significant inequity between assessments which have been “capped” and newer homeowners - because the cap is removed upon the sale of residential property. Most long term owners are capped, and the longer the ownership, the more significant the difference. This is not equitable, nor is it fair.

There is little doubt that the system run by PVC is broken; however, even before the PVC and the cap, the assessment system showed serious deficiencies in terms of equity and fairness.

Was the assessment system fair and equitable before the cap, or before amalgamation?

My opinion is that it was **not**.

Valuation of anything has some element of subjectivity but valuation of property has many factors influencing value, most of them beyond CBRM’s control. Some can be as fickle as lifestyle preferences, kitchen or bathroom styles, and other factors which change with age and time. Location is always a significant determinant of value, but many other factors, including energy consumption, heating systems, noise and neighborhood characteristics impact valuation.

In the early seventies, assessors visited properties and actually entered the premises, but this is a very rare occurrence today. Many inequalities have been locked into valuation because assessors no longer assess.

Despite some inconsistencies, assessors had a sense of the less measurable aspects of the market, and did adjust for factors which are not fed into mass appraisal systems. (e.g. smoke or noise from nearby industry)

Valuation in a mass appraisal system is fed by – building permit data and sales data. There are problems with both these data sources.

Building permits, particularly for interior work are essentially a tax on honesty, since some people get permits but many do not. Right of entry to a dwelling is more problematic today, than 40 years ago and PVC simply does not have the staff to enter a significant number of dwellings. The PVC has made an effort to update information on property using oblique orthophoto imagery, which can detect sheds, pools, and decks – mostly outside the main building. But the costs of the imagery and running two mass appraisal system does not yield significant gain in equity or fairness, in my opinion. An assessor's visit could arguably be more subjective, but assessors also had a fairly good handle on less tangible factors than just building permits and neighborhood sales.

Property sales information is the second factor feeding the mass appraisal system. But in CBRM, housing sales prices are problematic because the population of CBRM has been declining for 60 years and the region has lost 33,000 people over 60 years. In many areas, prices have dropped when inflation is considered. In some areas, we have negative property values given the age and condition of housing. Where markets are weak or non-existent, owners may hang on to their properties long after the building is suitable for their needs. In some situations, demolition of a residence will actually increase the value of the property, but demolition costs can well exceed the value of the vacant property. Well-kept properties in high value areas can be difficult to sell because of the aging demographic in CBRM. Building in the last ten years is tending towards smaller homes on one floor, as accessibility becomes a significant factor in housing decisions.

CBRM has been the most rapidly declining County in Nova Scotia for sixty years, although other Counties have had higher percentage declines, (e.g. Guysborough County) based on a much smaller population.

The two inputs to the mass appraisal system do not work well, particularly in a steadily declining area. CBRM needs to take the property valuation function back from the Province that removed it from municipal jurisdiction in the seventies.

1. The reasons for the Provincial takeover of assessment by the Province – consistency across the Province - have largely disappeared, particularly in a region the size of CBRM, which encompasses most of its commuter-shed.
2. Accountability has disappeared in what is a very confusing and inconsistent system of valuation/taxation.

3. No significant property mapping existed in CBRM in the seventies, just a few assessors' maps in urban areas. Property mapping has been built and maintained for all of CBRM, as well as building footprints, civic address points, and land-use coding tied to a building footprint polygon. This data is maintained by CBRM staff at least as well as assessment data. Services to property – sewer lines, fire hydrants, water lines, sidewalks, curb and gutter are mapped and maintained as well. All of this and more regularly updated orthophoto imagery, forms part of one of the most robust GIS databases in Nova Scotia, including HRM.
4. Recent community level analysis of the 2016 census shows a general trend in CBRM for population to decline in the areas of CBRM serviced with sewer, with the increases taking place in areas without municipal sewer. The Federal standards on sewage treatment are increasing. Even if CBRM can manage to pay the many millions in capital costs for sewage treatment, the areas with sanitary sewer are becoming less able to afford the cost of treating sewage as that is where relative decline is highest within CBRM. We require a significant change in how revenue is raised to pay for these increasing treatment standards.

Our technical capacity to analyse and track the built environment, as well as the natural environment increased geometrically over the last 25 years. In my opinion, CBRM has the capacity to take over the assessment function completely, at a fraction of the 1.36 million dollar cost of PVC. Some additional technical staff would be needed, but much of the data necessary to operate the system is already maintained by CBRM as the first point of contact for building permits, subdivision approval, roads etc.

The CBRM body politic has a vested interest in having a fair and equitable system of taxation across all parts of CBRM. There is no reason to blur accountability between a private provincial corporation (PVC) and the second largest urban region in Nova Scotia.

I believe that CBRM should ask the Province for the authority to levy a cent or two tax on gas and diesel fuel sold within CBRM's boundaries. This would be fair given CBRM's substantial road maintenance and repair costs. Covering the majority of its commuter shed, it would be a fair assumption that the majority of the fuel would be consumed on roads within CBRM.

I note from my more recent work experience in Labrador that the municipal level in NFL can and does exercise more control over the erection, location and maintenance of utility poles and other utility assets in municipal street reserves. It is reasonable, in my opinion, that Cable companies, Telcos and Nova Scotia Power be required to pay fair taxes on all of their assets – perhaps it could bring back a relic of another era – updated to be called the “pole tax”.

The current MGA gives CBRM the authority to levy property taxes on the basis of frontage, flat rates on residential units and area rates for things such as fire hydrant cost. A Charter might add other authority such as a per square meter levy on the building footprint and/or area of the property. A charter could also strengthen municipal authority to levy flat and frontage rates on provincial and federal properties.

No system of property tax is perfect, but it is highly unlikely that municipal dependence on some form of property taxation will disappear in the near future. Continuing with the current system, even with removal of the cap would still not give fairness and equity to CBRM taxpayers.

I am convinced that CBRM, given the authority in a Provincial Charter could take total responsibility for the property taxation system. The authority to withdraw from the Provincial Valuation Corporation could save enough from the PVC cost to develop and implement a fair and equitable property tax system and it need not be based on valuation. This would, in my opinion be a more stable and consistent form of revenue for CBRM. A property tax system based on known, easily determined characteristics of the property would indeed reduce confusion and increase accountability for taxation.

Respectfully submitted,

Doug Foster

82 Ranni Crescent, Sydney River

Presentation by: Janet McGillen

Public Consultation Session, Saturday, January 20, 2018

Re: CBRM Charter

Mayor Clarke, Councillors, Residents of CBRM

My name is Janet McGillen and I am a resident of CBRM. My husband and I have *Come From Away* to settle in Cape Breton because of the beauty of the land, the call of the sea and the courage and generosity of the people. We have great hope for CBRM and see the Charter as a major step in the development of a mature, autonomous, economically stable region. A place where Cape Bretoners can continue to live with their families and people like us can find a home among friends.

I am speaking today because I want to share my experience gained from my years as a Public Consultation Coordinator with the City of Toronto. Toronto has developed a public consultation program that is open, inclusive, and results based. Staff and elected officials are not always happy with the need for public consultation but residents are being heard and they know what is being planned for their communities. They can feel pride of ownership in their city. Believe me it is not perfect, but it works more times than not.

Consultation is defined as. a discussion, an exchange of information, listening and learning.

On Monday evening presentations were made by interested groups, much like what is happening today. The presenters raised good points and asked pertinent questions. Council doesn't yet have a lot of answers, after all, Monday was day one of the Charter process, and a

plan to take it to completion has yet to be developed. but Councillors also asked some very important questions.

But when do the residents participate? In order for the needs of the people of CBRM to be reflected in the Charter, there has to be opportunities for discussion, questions and answers, listening and learning.

This Council Chamber is a pretty intimidating setting and not everyone is able to express themselves in such a setting. But that doesn't make their contribution any less valuable.

At this point, the only other option for people, is to submit their thoughts in writing. But that is not, nor should it be, the only other option available. In an inclusive public consultation process, every possible option for participation must be available.

Please assure that everyone has an opportunity to be heard. This could be accomplished through a series of round table discussions at venues throughout CBRM. I know this requires staff and councillor time, which is already stretched, but it needn't be as burdensome as it sounds.

Use community volunteers to help with the organization. There are hundreds of volunteers across CBRM and many will be willing to host an event where their community can ask questions, learn and be heard.

What would be required? A couple of council members or staff to facilitate discussion, a staff member to act as recorder, and community volunteers to, promote the event, deal with logistics and act as hosts. It really could be done that simply. *I would even volunteer to coordinate the volunteers.* Councillors and staff would not have to be experts on Charters, after all their role would be to listen and learn about constituents' ideas and issues and to report those back to Council.

It will be worth the effort to know what the people of CBRM have to say about how CBRM plans to chart its development over the coming years. And you might be pleasantly surprised to discover the vast experiences and knowledge of those residing within the many communities of CBRM, and who might be willing to enhance our bounty of human resources as we grow.

The consultation held here on Monday evening was a start but only a start. Today's session takes us further. I hope there will be many more on-going opportunities for learning and also for sharing information, asking questions, getting answers, voicing concerns and finding viable solutions. All in an atmosphere of openness and respect.

I congratulate Councillors who on Monday evening, were able to put aside their pre-conceived notions of what a charter is or isn't, as they listened to the presentations. They saw possibilities and opportunities not yet considered.

I would ask that you all please put aside personal biases, *and we all have them*. Be open to new ideas, opportunities for change, ways of making a Charter work for all of CBRM. Look to partnerships with colleagues on council, experts in the community and residents. Draw on the experiences of other communities, good and bad. Listen and learn.

A charter is CBRM's way to autonomy, or at least some degree of independence, economic stability and security. But please don't rush the process. The need to rush has been eliminated with the assurance of Minister Mombourquette that when the port project agreement is ready to proceed, the province will step up to assure there are no delays in completing the deal.

But also, don't delay. We all know what happens to good ideas and best intentions. Left unattended they wither and die. CBRM has been

in a state of economic depression for far too long. Too many opportunities have been lost, too many sons and daughters, and whole families have left for other parts of Canada. With the Charter there is the possibility of renewal, a reversal of fortunes, if you will. But the Charter has to be about CBRM, about our future, our strength and our needs. It can not and should not. be about what another level of government is willing to let us have. Now is our time.

Cape Breton and CBRM have been down so long that for some people it has become a comfortable place to be. So many times, I have heard “nothing will change, nothing ever gets better, this is just the way it is”. But I am also seeing hope expressed at these information sessions. I hear from people in the community, a renewed interest and expressions of possibilities for a better future. These are the people who have to be engaged, and encouraged. to infect others with their optimism and hope.

I urge residents to take advantage of every opportunity to ask questions and expect answers. Let your Councillor know that you want to be a part of the change that is coming and ask how you can be heard.

I urge council to prepare yourselves, learn about charters, what they are and are not. Do some independent study. Listen to your constituents. Pay close attention to some of the ideas put forward at these sessions. When people ask questions, it means they are interested. Right now. people of CBRM have a lot of questions, please make it possible for them, during this Charter process, to ask those questions in a setting that encourages discussion, listening and learning for everyone.

Thank you

CHEERFUL Adventures in Container Land

I think I had a dream last night,
I can almost remember... I saw big
ships, many big ships coming.. They were
500 long and 5000 tall, flying exotic
flags of many colours... and one's I'd
never seen before and one's I was sure
I had seen but I can't quite remember...

I was standing near my city, I had
hiked on the new trail, by the water of
the Big oceans where I lived... and slept
and dreamed... all my friends and their
families and I lived in Cheerful Heights.

We are very fortunate because, a couple
of short years ago, we awoke one day,
and we could hear bells ringing and waves
of excited, happy laughter, shouts of
joy and grateful praise were heard
coming closer on the favorable winds...

(2)

Here where we live, we call them the Change Winds, and every 25 or 30 years or so, we can feel what we all have learned to recognize, as a banner season on the horizon... the bells and waves of hope and happiness signal what we know will be some months and even years of prosperity.... They come from far away, usually from the South and East and they start with a murmur and a kind breeze, scented with enticing sort of exotic notes of "j'e ne sais quois"... leaving the nostrils twitching for more, The palate thirsting for more....

and this morning as I liked the new sea wall, I knew it wasn't a dream... my lungs were filled with delicious notes of pleasant undeniably intoxicating hope, fresh hope.

③

Not long ago, just a few weeks, or maybe months ago, we all, my friends and families and I, had been assured that a great change wind season would soon be coming... now, this morning, with my night time dreams still vivid in my sleepy head, it really did feel like the promises were coming true...

I remembered that this time, we had, more than ever before, a reason to believe and hope... we had just heard of a promise a new set of rules, that the Town Clerk cheerful had brought... and it was said that we could be masters of our own destiny, that the residents of cheerfulville would now set our own rules and standards.

It meant that we could rent or lease our shore lands for many years, almost a hundred, to anyone who intended

(4)

to bring jobs and prosperity to our corner of the great oceans... It meant that we might set our own taxation rates, because, before these new set of rules, we were obliged to beg and plead at the feet of rulers, far away from our island... they could decide our fate here, our destiny. That wasn't right, wasn't good for us, was it?

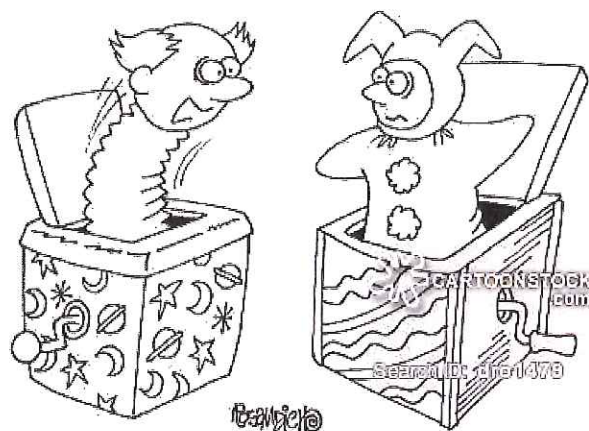
So now, it seems, we alone can make those big decisions ourselves; that's what we are told, and I think every one of my many friends and their families believed that this would be so.

So, we are waiting with our eyes wide open, searching our eastern and southern horizons... OK, OK... this is a fantasy story...

Wahing



Back in the BOX



"What's with all this 'Thinking Outside The Box' stuff P!"

CBRM making positive moves FORWARD.

- Nova Port and industrial park, rail support
- NSCC downtown
- Oceans (fisheries), airport success
- IT, Innovation, Start-ups
- Capital infrastructure budget (excellent)
- Cape Breton trade seminar and trade office (Brand Cape Breton)
- Wellness society for CBRM for child poverty, mental illness and homelessness
- Cape Breton partnership and Regional enterprise
- CBU changes
- Tourism, second berth
- Council getting younger with more women

THE CHARTER is required to achieve success in all of those positive actions

- Reduce Bureaucratic authority and move to more Council engagement. AGM module does not work.
- Financial gains and funding, investment {no lotto money please}
- Tax review and restructure results, land use authority
- Immigration
- Transfer waste management back to provincial and federal responsibility
- Wellness society with authority to replace CB health authority
- Privatization of services: municipal government responsible to provide the service or ensure services are provided.
- Do not look back, never mind who got money and where, lets go get our share.
- Designated full seat for Indigenous Community Member

SIX PAGE CHATER ONLY

- Page One: Overview that helps focus and control CBRM's future.
- Page Two: Financial, authority, funding, tax, Land actions, Investment etc. { no lotto ask}
- Page Three: Immigration
- Page Four: Wellness, child poverty, child mental health, homelessness
- Page Five: Waste management
- Page Six: Community Engagement and Indigenous Peoples

Wentworth Condominium Tax Committee Charter Submission

As the CBRM Council and Mayor have invited submissions regarding the proposed charter for the CBRM we (the Wentworth Tax Committee) would like the Council and Mayor to consider making a special provision in the charter to foster condominium development. We believe such a provision has economic, environmental, land usage, energy saving and other benefits for the CBRM.

Benefits of Condominiums

1. Condominiums (condos) are popular alternatives to single family dwellings because they allow people to live in core areas (i.e. downtown) of cities and towns at an affordable price as compared to purchasing land and constructing a single family dwelling in the same area.
2. In many communities, condominiums have become a popular choice among retirees and those about to retire because houses generally have a higher market value, thus they can sell their houses, have lower taxes, and use the excess equity to help support their retirement. In the CBRM they could be a potentially attractive choice for Cape Bretoners living away and wishing to retire in Cape Breton permanently or to spend large blocks of time here.
3. Since condos are usually located at, or near, the centre of many communities, they allow quicker and easier access to a variety of services/amenities such as health care, and shopping.
4. Since condos (and apartment buildings) allow for more efficient use of land, they allow for a greater population density in core areas, with the result that businesses benefit from having more customers, and municipal services can reach a greater number of people in a smaller geographical area. Increased population density tends to foster increased physical activity, since shopping, restaurants, entertainment etc. are most likely within walking distance.
5. An added benefit to increasing population density can be an improved and more efficient transit system since there are a greater number of potential riders.
6. Condos foster independence and an alternative for those who prefer to own their own place but who no longer wish to, or are unable to, manage a house or wish to be closer to medical care, other services and shopping,
7. Condo buildings are environmentally friendlier than are houses. Efficient design and smaller sq. footages mean that these buildings use much less energy to heat them than do the equivalent number of houses. Also, since a condo building occupies less land than the equivalent number of

houses, grounds/lawn care and snow removal is also more environmentally friendly.

8. An added benefit to the environment is that distances travelled by automobiles/trucks tend to be less since the residents tend to be closer to work and services/amenities.

Current Disadvantage of Condo Ownership

Given the many advantages of condo development to the CBRM it would seem that more condos would be developed by now. While there are probably multiple theories as to why this trend has not caught on in Cape Breton as yet, a major obstacle to further development is the high tax rate imposed on condo owners. In many instances home owners of properties with comparable or greater market value are currently paying less tax since the assessed value of the property is much less than the market value. It seems improbable that those wishing to downsize would sell their homes, buy a condo and pay more taxes. In addition, given that retirees have reduced and often fixed incomes, it is highly unlikely that condo purchase would be a consideration. The tax situation relative to condos has all but been removed this housing option for residents of the CBRM.

In the current climate in the CBRM it makes more sense for developers to build apartment buildings. Apartment buildings with comparable sized units and amenities as their condominium counterparts are taxed at a much lower rate. Given that the services supplied by the CBRM to both styles of multi-unit dwellings are roughly the same, it seems inequitable that there should be such a large difference in taxes paid by residents based on the designation of the property.

Tax Rate Proposal

If fostering condo development became a part of a progressive strategy in developing the cores of the various districts of the CBRM, many positive benefits would be likely to follow. However, it is very unlikely that developers will invest in projects such as condos if a favourable climate for investment does not exist. If potential buyers are unwilling to purchase because of high taxes then such projects will not go forward. Although home owners and condo owners are put in the same category for determining a tax rate in other municipalities, this system has not worked for the CBRM. A major difference between home and condo owners is that home owners own land and if they decide to add on to a house or build a garage that is a possibility for them. Condo owners own land communally and are not able to use the land as they see fit. A separate and more favourable tax rate for current condo owners would represent a very modest drop in revenue for the CBRM compared to the total budget but would have the potential for further development and with it, a larger assessment base to bring in more tax revenue. Thus we are proposing that the CBRM consider putting condos in a separate and more favourable tax rate category, as a way to promote further development in the CBRM.

